

In the Senate of the United States,

July 27, 2023.

Resolved, That the bill from the House of Representatives (H.R. 2670) entitled “An Act to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense and for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.”, do pass with the following

AMENDMENT:

1 ***SECTION 1. SHORT TITLE; TABLE OF CONTENTS.***

2 (a) *SHORT TITLE*.—*This Act may be cited as the “Na-*
3 *tional Defense Authorization Act for Fiscal Year 2024”.*

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

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

Sec. 3. Congressional defense committees.

Sec. 4. Budgetary effects of this Act.

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Sec. 123. Multiyear procurement authority for Virginia class submarine program.

Sec. 124. Sense of Senate on procurement of outstanding F/A-18 Super Hornet platforms.

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Sec. 132. Limitation on divestiture of T-1A training aircraft.

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Sec. 142. Requirement to develop and implement policies to establish the datalink strategy of the Department of Defense.

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Sec. 201. Authorization of appropriations.

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- Sec. 213. Modification to personnel management authority to attract experts in science and engineering.*
- Sec. 214. Administration of the Advanced Sensors Application Program.*
- Sec. 215. Delegation of responsibility for certain research programs.*
- Sec. 216. Program of standards and requirements for microelectronics.*
- Sec. 217. Clarifying role of partnership intermediaries to promote defense research and education.*
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- Sec. 222. Update to plans and strategies for artificial intelligence.*
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- Sec. 224. Report on feasibility and advisability of establishing a quantum computing innovation center.*
- Sec. 225. Briefing on the impediments to the transition of the Semantic Forensics program to operational use.*
- Sec. 226. Annual report on Department of Defense hypersonic capability funding and investment.*
- Sec. 227. Limitation on availability of funds for travel for office of Under Secretary of Defense for Personnel and Readiness pending a plan for modernizing Defense Travel System.*
- Sec. 228. Annual report on unfunded priorities for research, development, test, and evaluation activities.*
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 4 *sions as follows:*

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 6 *izations.*

7 (2) *Division B—Military Construction Author-*
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9 (3) *Division C—Department of Energy National*
 10 *Security Authorizations and Other Authorizations.*

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

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

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

19 *The budgetary effects of this Act, for the purposes of*
 20 *complying with the Statutory Pay-As-You-Go Act of 2010,*
 21 *shall be determined by reference to the latest statement titled*

1 “*Budgetary Effects of PAYGO Legislation*” for this Act,
 2 jointly submitted for printing in the Congressional Record
 3 by the Chairmen of the House and Senate Budget Commit-
 4 tees, provided that such statement has been submitted prior
 5 to the vote on passage in the House acting first on the con-
 6 ference report or amendment between the Houses.

7 ***DIVISION A—DEPARTMENT OF***
 8 ***DEFENSE AUTHORIZATIONS***

9 ***TITLE I—PROCUREMENT***

10 ***Subtitle A—Authorization of***
 11 ***Appropriations***

12 ***SEC. 101. AUTHORIZATION OF APPROPRIATIONS.***

13 *Funds are hereby authorized to be appropriated for fis-*
 14 *cal year 2024 for procurement for the Army, the Navy and*
 15 *the Marine Corps, the Air Force and the Space Force, and*
 16 *Defense-wide activities, as specified in the funding table in*
 17 *section 4101.*

18 ***Subtitle B—Army Programs***

19 ***SEC. 111. REPORT ON ARMY REQUIREMENTS AND ACQUISI-***
 20 ***TION STRATEGY FOR NIGHT VISION DEVICES.***

21 *(a) REPORT REQUIRED.—Not later than February 29,*
 22 *2024, the Secretary of the Army shall submit to the congres-*
 23 *sional defense committees a report on night vision devices.*

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

1 (1) *An identification of the specific capabilities*
2 *the Army is seeking to achieve in night vision.*

3 (2) *An identification of the capabilities in night*
4 *vision required by unit, including the number and*
5 *type of units for each capability.*

6 (3) *An identification of the total requirement for*
7 *night vision devices in the Army, disaggregated by*
8 *number and type of unit.*

9 (4) *A description of the acquisition strategy of*
10 *the Army for achieving the capabilities described in*
11 *paragraph (1), including a description of each of the*
12 *following:*

13 (A) *The acquisition objective for each type*
14 *of night vision device.*

15 (B) *The programmed purchase quantities*
16 *for night vision devices required each year.*

17 (C) *The contract type of each procurement*
18 *of night vision devices.*

19 (D) *The expected date for achieving the ca-*
20 *pabilities.*

21 (E) *The industrial base constraints on each*
22 *type of night vision device.*

23 (F) *The modernization plan for each type of*
24 *night vision device.*

1 **SEC. 112. ARMY PLAN FOR ENSURING SOURCES OF CANNON**
 2 **TUBES.**

3 (a) *UPDATED ASSESSMENT.*—*The Secretary of the*
 4 *Army shall update the assessment of the Secretary on the*
 5 *sufficiency of the development, production, procurement,*
 6 *and modernization of the defense industrial base for cannon*
 7 *and large caliber weapons tubes.*

8 (b) *SUBMITTAL TO CONGRESS.*—*Not later than Feb-*
 9 *ruary 29, 2024, the Secretary shall submit to the Committee*
 10 *on Armed Services of the Senate and the Committee on*
 11 *Armed Services of the House of Representatives an update*
 12 *to the report submitted to Congress in March 2022 entitled*
 13 *“Army Plan for Ensuring Sources of Cannon Tubes”.*

14 **SEC. 113. STRATEGY FOR ARMY TACTICAL WHEELED VEHI-**
 15 **CLE PROGRAM.**

16 (a) *STRATEGY REQUIRED.*—*In the budget justification*
 17 *materials submitted in support of the budget of the Depart-*
 18 *ment of Defense (as submitted with the budget of the Presi-*
 19 *dent under section 1105(a) of title 31, United States Code)*
 20 *for fiscal year 2025 and every five years thereafter, the Sec-*
 21 *retary of the Army shall include a report on the strategy*
 22 *of the Army for tactical wheeled vehicles.*

23 (b) *REQUIREMENTS FOR STRATEGY.*—*Each strategy*
 24 *required by subsection (a) shall—*

1 (1) *align with the applicable national defense*
 2 *strategy under section 113(g) of title 10, United*
 3 *States Code, and applicable policies;*

4 (2) *be designed so that the force of tactical*
 5 *wheeled vehicles provided under the strategy supports*
 6 *the national security strategy of the United States as*
 7 *set forth in the most recent national security strategy*
 8 *report of the President under section 108 of the Na-*
 9 *tional Security Act of 1947 (50 U.S.C. 3043); and*

10 (3) *define capabilities and capacity requirements*
 11 *across the entire fleet of tactical wheeled vehicles, in-*
 12 *cluding—*

13 (A) *light, medium, and heavy tactical*
 14 *wheeled vehicles; and*

15 (B) *associated trailer and support equip-*
 16 *ment.*

17 (c) *STRATEGY ELEMENTS.—Each strategy required by*
 18 *subsection (a) shall include the following:*

19 (1) *A detailed program for the construction of*
 20 *light, medium, and heavy tactical wheeled vehicles for*
 21 *the Army over the next five fiscal years.*

22 (2) *A description of the necessary force structure*
 23 *and capabilities of tactical wheeled vehicles to meet*
 24 *the requirements of the national security strategy de-*
 25 *scribed in subsection (b)(2).*

1 (3) *The estimated levels of annual funding, by*
2 *vehicle class, in both graphical and tabular form, nec-*
3 *essary to carry out the program described in para-*
4 *graph (1), together with a discussion of the procure-*
5 *ment strategies on which such estimated levels of an-*
6 *nual funding are based.*

7 (4) *The estimated total cost of construction for*
8 *each vehicle class used to determine the estimated lev-*
9 *els of annual funding described in paragraph (3).*

10 (d) *CONSIDERATIONS.—In developing each strategy re-*
11 *quired by subsection (a), the Secretary of the Army shall*
12 *consider the following objectives and factors:*

13 (1) *Objectives relating to protection, fleet oper-*
14 *ations, mission command, mobility, and the indus-*
15 *trial base.*

16 (2) *Technological advances that will increase ef-*
17 *iciency of and reduce demand for tactical wheeled ve-*
18 *hicles.*

19 (3) *Technological advances that allow for the op-*
20 *eration of tactical wheeled vehicles in a variety of cli-*
21 *mate and geographic conditions.*

22 (4) *Existing commercial technologies such as ve-*
23 *hicle electrification, autonomous capabilities, and pre-*
24 *dictive maintenance, among others.*

1 (5) *The capabilities of autonomous equivalents to*
 2 *tactical wheeled vehicles.*

3 (e) *BRIEFING REQUIREMENTS.*—*Not later than 15*
 4 *days after each budget submission described in subsection*
 5 *(a), in conjunction with the submission of each strategy re-*
 6 *quired by such subsection, the Secretary of the Army shall*
 7 *provide a briefing to the congressional defense committees*
 8 *that addresses the investment needed for each platform of*
 9 *tactical wheeled vehicle across the future-years defense pro-*
 10 *gram.*

11 **SEC. 114. EXTENSION AND MODIFICATION OF ANNUAL UP-**
 12 **DATES TO MASTER PLANS AND INVESTMENT**
 13 **STRATEGIES FOR ARMY AMMUNITION**
 14 **PLANTS.**

15 *Section 2834(d) of the Military Construction Author-*
 16 *ization Act for Fiscal Year 2022 (division B of Public Law*
 17 *117–81; 135 Stat. 2201) is amended—*

18 (1) *in the matter preceding paragraph (1), by*
 19 *striking “March 31, 2026” and inserting “March 31,*
 20 *2030”; and*

21 (2) *by adding at the end the following new para-*
 22 *graph:*

23 “(5) *A description of any changes made to the*
 24 *master plan based upon current global events, includ-*
 25 *ing pandemics and armed conflicts.”.*

1 **SEC. 115. REPORT ON ACQUISITION STRATEGIES OF THE**
2 **LOGISTICS AUGMENTATION PROGRAM OF**
3 **THE ARMY.**

4 (a) *IN GENERAL.*—Not later than 90 days after the
5 date of the enactment of this Act, the Secretary of the Army,
6 in conjunction with the Office of the Secretary of Defense
7 and in coordination with the geographic combatant com-
8 manders, shall submit to the Committee on Armed Services
9 of the Senate and the Committee on Armed Services of the
10 House of Representatives a report reviewing the proposed
11 recompute of the operational task orders of the geographic
12 combatant commands under the contract for the logistics
13 augmentation program of the Army that will expire in 2028
14 (commonly referred to as “LOGCAP V”).

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

17 (1) *A business case analysis of the cost and oper-*
18 *ational benefit of recompeting the task orders de-*
19 *scribed in subsection (a).*

20 (2) *Input from stakeholders, including Army*
21 *Sustainment Command, the geographic combatant*
22 *commanders, and Army service component com-*
23 *manders, on the desirability and operational impacts*
24 *of the proposed recompute described in subsection (a).*

1 (3) *Detailed cost estimates and timelines, includ-*
 2 *ing projected transition costs and timelines for the*
 3 *task orders described in subsection (a).*

4 (4) *An assessment of the potential impacts re-*
 5 *lated to quality and timing of transitioning to the*
 6 *new logistics augmentation program (commonly re-*
 7 *ferred to as “LOGCAP VI”).*

8 (5) *An analysis of recompeting the task orders*
 9 *described in subsection (a) compared to transitioning*
 10 *to LOGCAP VI.*

11 (6) *An overview of potential innovations and ef-*
 12 *ficiencies derived from a competition for LOGCAP*
 13 *VI.*

14 (7) *An explanation of the benefit of recompeting*
 15 *the task orders described in subsection (a) compared*
 16 *to an open competition for LOGCAP VI.*

17 (8) *A breakdown of additional authorities needed*
 18 *to move directly to LOGCAP VI.*

19 ***Subtitle C—Navy Programs***

20 ***SEC. 121. REDUCTION IN THE MINIMUM NUMBER OF NAVY***

21 ***CARRIER AIR WINGS AND CARRIER AIR WING*** 22 ***HEADQUARTERS REQUIRED TO BE MAIN-*** 23 ***TAINED.***

24 *Section 8062(e) of title 10, United States Code, is*
 25 *amended—*

1 (1) in paragraph (1), by striking “until the ear-
 2 lier of” and all that follows and inserting “until the
 3 date on which additional operationally deployable
 4 aircraft carriers can fully support a 10th carrier air
 5 wing;”; and

6 (2) in paragraph (2), by striking “the earlier of”
 7 and all that follows through “and (B) of” and insert-
 8 ing “the date referred to in”.

9 **SEC. 122. EXTENSION OF PROHIBITION ON AVAILABILITY**
 10 **OF FUNDS FOR NAVY PORT WATERBORNE SE-**
 11 **CURITY BARRIERS.**

12 Section 130(a) of the John S. McCain National De-
 13 fense Authorization Act for Fiscal Year 2019 (Public Law
 14 115–232; 132 Stat. 1665), as most recently amended by sec-
 15 tion 123(a) of the James M. Inhofe National Defense Au-
 16 thorization Act for Fiscal Year 2023 (Public Law 117–263),
 17 is further amended by striking “through 2023” and insert-
 18 ing “through 2024”.

19 **SEC. 123. MULTIYEAR PROCUREMENT AUTHORITY FOR VIR-**
 20 **GINIA CLASS SUBMARINE PROGRAM.**

21 (a) *AUTHORITY FOR MULTIYEAR PROCUREMENT.*—
 22 Subject to section 3501 of title 10, United States Code, the
 23 Secretary of the Navy may enter into one or more multiyear
 24 contracts for the procurement of 10 Virginia class sub-
 25 marines.

1 (b) *AUTHORITY FOR ADVANCE PROCUREMENT AND*
 2 *ECONOMIC ORDER QUANTITY.*—*The Secretary of the Navy*
 3 *may enter into one or more contracts, beginning in fiscal*
 4 *year 2024, for advance procurement associated with the*
 5 *Virginia class submarines for which authorization to enter*
 6 *into a multiyear procurement contract is provided under*
 7 *subsection (a) and for equipment or subsystems associated*
 8 *with the Virginia class submarine program, including pro-*
 9 *curement of—*

10 (1) *long lead time material; or*

11 (2) *material or equipment in economic order*
 12 *quantities when cost savings are achievable.*

13 (c) *CONDITION FOR OUT-YEAR CONTRACT PAY-*
 14 *MENTS.*—*A contract entered into under subsection (a) shall*
 15 *provide that any obligation of the United States to make*
 16 *a payment under the contract for a fiscal year after fiscal*
 17 *year 2025 is subject to the availability of appropriations*
 18 *or funds for that purpose for such later fiscal year.*

19 (d) *LIMITATION ON TERMINATION LIABILITY.*—*A con-*
 20 *tract for the construction of Virginia class submarines en-*
 21 *tered into under subsection (a) shall include a clause that*
 22 *limits the liability of the United States to the contractor*
 23 *for any termination of the contract. The maximum liability*
 24 *of the United States under the clause shall be the amount*

1 *appropriated for the submarines covered by the contract re-*
 2 *gardless of the amount obligated under the contract.*

3 **SEC. 124. SENSE OF SENATE ON PROCUREMENT OF OUT-**
 4 **STANDING F/A-18 SUPER HORNET PLAT-**
 5 **FORMS.**

6 (a) *FINDINGS.*—Congress finds that Congress appro-
 7 priated funds for twelve F/A-18 Super Hornet platforms
 8 in fiscal year 2022 and eight F/A-18 Super Hornet plat-
 9 forms in fiscal year 2023, but the Navy has yet to enter
 10 into any contracts for the procurement of such platforms.

11 (b) *SENSE OF SENATE.*—It is the sense of the Senate
 12 that—

13 (1) *the Secretary of the Navy and the contractor*
 14 *team should expeditiously enter into contractual*
 15 *agreements to procure the twenty F/A-18 Super Hor-*
 16 *net platforms for which funds have been appropriated;*
 17 *and*

18 (2) *the Senate urges the Secretary of the Navy*
 19 *and the contractor team to comply with congressional*
 20 *intent and applicable law with appropriate expedi-*
 21 *ency to bolster the Navy’s fleet of strike fighter air-*
 22 *craft and avoid further disruption to the defense in-*
 23 *dustrial base.*

1 ***Subtitle D—Air Force Programs***

2 ***SEC. 131. LIMITATIONS AND MINIMUM INVENTORY RE-***
 3 ***QUIREMENT RELATING TO RQ-4 AIRCRAFT.***

4 *Section 9062 of title 10, United States Code, is amend-*
 5 *ed by adding at the end the following new subsection:*

6 *“(l)(1) During the period beginning on the date of the*
 7 *enactment of the National Defense Authorization Act for*
 8 *Fiscal Year 2024 and ending on September 30, 2028, the*
 9 *Secretary of the Air Force may not—*

10 *“(A) retire an RQ-4 aircraft;*

11 *“(B) reduce funding for unit personnel or weap-*
 12 *on system sustainment activities for RQ-4 aircraft in*
 13 *a manner that presumes future congressional author-*
 14 *ity to divest such aircraft;*

15 *“(C) keep an RQ-4 aircraft in a status consid-*
 16 *ered excess to the requirements of the possessing com-*
 17 *mand and awaiting disposition instructions (com-*
 18 *monly referred to as ‘XJ’ status); or*

19 *“(D) decrease the total aircraft inventory of RQ-*
 20 *4 aircraft below 10 aircraft.*

21 *“(2) The prohibition under paragraph (1) shall not*
 22 *apply to individual RQ-4 aircraft that the Secretary of the*
 23 *Air Force determines, on a case-by-case basis, to be no*
 24 *longer mission capable and uneconomical to repair because*

1 of aircraft accidents, mishaps, or excessive material deg-
 2 radation and non-airworthiness status of certain aircraft.”.

3 **SEC. 132. LIMITATION ON DIVESTITURE OF T-1A TRAINING**
 4 **AIRCRAFT.**

5 No divestiture of any T-1A training aircraft may
 6 occur until the Chief of Staff of the Air Force submits to
 7 the congressional defense committees a certification of—

8 (1) the fleet-wide implementation of the Under-
 9 graduate Pilot Training 2.5 curriculum and the effect
 10 of such implementation on the undergraduate pilot
 11 training pipeline; and

12 (2) how the divestiture would affect existing pro-
 13 grams of the Air Force that accelerate pilot training.

14 **SEC. 133. MODIFICATION TO MINIMUM INVENTORY RE-**
 15 **QUIREMENT FOR A-10 AIRCRAFT.**

16 (a) *FISCAL YEAR 2017 NDAA*.—Section 134(d) of the
 17 *National Defense Authorization Act for Fiscal Year 2017*
 18 (*Public Law 114–328; 130 Stat. 2038*), as amended by sec-
 19 *tion 141(b)(1) of the James M. Inhofe National Defense Au-*
 20 *thorization Act for Fiscal Year 2023 (Public Law 117–263)*,
 21 *is further amended by striking “153 A–10 aircraft” and*
 22 *inserting “135 A–10 aircraft”.*

23 (b) *FISCAL YEAR 2016 NDAA*.—Section 142(b)(2) of
 24 *the National Defense Authorization Act for Fiscal Year*
 25 *2016 (Public Law 114–92; 129 Stat. 755)*, as amended by

1 *section 141(b)(2) of the James M. Inhofe National Defense*
 2 *Authorization Act for Fiscal Year 2023 (Public Law 117–*
 3 *263), is further amended by striking “153 A–10 aircraft”*
 4 *and inserting “135 A–10 aircraft”.*

5 **SEC. 134. MODIFICATION TO MINIMUM REQUIREMENT FOR**
 6 **TOTAL PRIMARY MISSION AIRCRAFT INVEN-**
 7 **TORY OF AIR FORCE FIGHTER AIRCRAFT.**

8 *Section 9062(i)(1) of title 10, United States Code, is*
 9 *amended by striking “1,145 fighter aircraft” and inserting*
 10 *“1,112 fighter aircraft”.*

11 **SEC. 135. MODIFICATION OF LIMITATION ON DIVESTMENT**
 12 **OF F–15 AIRCRAFT.**

13 *Section 150 of the James M. Inhofe National Defense*
 14 *Authorization Act for Fiscal Year 2023 (Public Law 117–*
 15 *263; 136 Stat. 2456) is amended—*

16 *(1) in subsection (b)(1)—*

17 *(A) in subparagraph (C)(ii), by striking “;*
 18 *and” and inserting a semicolon;*

19 *(B) in subparagraph (D), by striking the*
 20 *period at the end and inserting “; and”; and*

21 *(C) by adding at the end the following new*
 22 *subparagraph:*

23 *“(E) for each covered F–15 aircraft that the*
 24 *Secretary plans to divest, a description of—*

1 “(i) the upgrades and modifications
 2 done to the aircraft, including the date of
 3 each modification and the value amount of
 4 each modification in current year dollars;
 5 and

6 “(ii) the estimated remaining service
 7 life of—

8 “(I) the aircraft; and

9 “(II) the onboard systems of the
 10 aircraft.”; and

11 (2) by redesignating subsection (c) as subsection
 12 (d); and

13 (3) by inserting after subsection (b) the following
 14 new subsection (c):

15 “(c) *UPDATES.*—Not later than October 1 of each year
 16 through October 1, 2028, the Secretary of the Air Force
 17 shall—

18 “(1) update the report required under subsection
 19 (b); and

20 “(2) submit such update to the congressional de-
 21 fense committees.”.

22 **SEC. 136. REPORT ON AIR FORCE EXECUTIVE AIRCRAFT.**

23 (a) *IN GENERAL.*—Not later than January 1, 2025,
 24 the Secretary of the Air Force shall submit to the congres-

1 sional defense committees a report that includes the fol-
2 lowing:

3 (1) *An overview of the total missions flown by*
4 *executive aircraft of the Air Force during the five fis-*
5 *cal years preceding the fiscal year in which the report*
6 *is submitted, disaggregated by fiscal year, including*
7 *the mission types and Government agencies sup-*
8 *ported.*

9 (2) *An identification of each mission flown by*
10 *executive aircraft of the Air Force during the five fis-*
11 *cal years preceding the fiscal year in which the report*
12 *is submitted, disaggregated by fiscal year, including*
13 *the mission type, overall cost, average flight hour cost,*
14 *and Government agency supported, disaggregated by*
15 *wing and by type of aircraft.*

16 (3) *The projected mission capacity for executive*
17 *aircraft of the Air Force for the five fiscal years fol-*
18 *lowing the fiscal year in which the report is sub-*
19 *mitted, disaggregated by fiscal year, factoring in any*
20 *planned changes to aircraft inventory.*

21 (4) *A description of any anomalous conditions*
22 *that may have impacted the availability, with respect*
23 *to executive aircraft of the Air Force, of a specific air-*
24 *craft type or wing during the five fiscal years pre-*
25 *ceding the fiscal year in which the report is sub-*

1 mitted, such as unavailability of a specific aircraft
2 type due to block upgrades or fleetwide maintenance
3 issues.

4 (5) *A description of the impact of the capacity*
5 *of executive aircraft of the Air Force on the overall*
6 *capacity of the Department of Defense to meet de-*
7 *mand for executive aircraft.*

8 (6) *The total outlays of the Department of the*
9 *Air Force for missions flown by executive aircraft of*
10 *the Air Force, after factoring in reimbursements re-*
11 *ceived from Government agencies supported, during*
12 *the five fiscal years preceding the fiscal year in which*
13 *the report is submitted, disaggregated by fiscal year*
14 *and by account.*

15 (7) *The projected budgets for the executive air-*
16 *craft of the Air Force through the future years defense*
17 *program.*

18 (8) *A narrative description of how the Air Force*
19 *plans and budgets for missions flown by executive air-*
20 *craft.*

21 (9) *Any other information the Secretary con-*
22 *siders to be important.*

23 (b) *FORM.—The report required by subsection (a) shall*
24 *be submitted in unclassified form, but may include a classi-*

1 *fied annex for the purposes of describing classified missions*
 2 *supported by the executive aircraft of the Air Force.*

3 **SEC. 137. PROHIBITION ON CERTAIN REDUCTIONS TO IN-**
 4 **VENTORY OF E-3 AIRBORNE WARNING AND**
 5 **CONTROL SYSTEM AIRCRAFT.**

6 (a) *PROHIBITION.*—None of the funds authorized to be
 7 appropriated by this Act for fiscal year 2024 for the Air
 8 Force may be obligated or expended to retire, prepare to
 9 retire, or place in storage or in backup aircraft inventory
 10 any E-3 aircraft if such actions would reduce the total air-
 11 craft inventory for such aircraft below 16.

12 (b) *EXCEPTION FOR PLAN.*—If the Secretary of the Air
 13 Force submits to the congressional defense committees a
 14 plan for maintaining readiness and ensuring there is no
 15 lapse in mission capabilities, the prohibition under sub-
 16 section (a) shall not apply to actions taken to reduce the
 17 total aircraft inventory for E-3 aircraft to below 16, begin-
 18 ning 30 days after the date on which the plan is so sub-
 19 mitted.

20 (c) *EXCEPTION FOR E-7 PROCUREMENT.*—If the Sec-
 21 retary of the Air Force procures enough E-7 Wedgetail air-
 22 craft to accomplish the required mission load, the prohibi-
 23 tion under subsection (a) shall not apply to actions taken
 24 to reduce the total aircraft inventory for E-3 aircraft to

1 below 16 after the date on which such E-7 Wedgetail air-
 2 craft are delivered.

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

5 ***SEC. 141. PILOT PROGRAM TO ACCELERATE THE PROCURE-***
 6 ***MENT AND FIELDING OF INNOVATIVE TECH-***
 7 ***NOLOGIES.***

8 *Section 834(b) of the National Defense Authorization*
 9 *Act for Fiscal Year 2022 (Public Law 117–81; 10 U.S.C.*
 10 *4061 note) is amended by adding at the end the following*
 11 *new paragraph:*

12 *“(3) The Secretary of Defense may waive the priority*
 13 *established pursuant to paragraph (1) for up to two solici-*
 14 *tations for proposals per fiscal year.”.*

15 ***SEC. 142. REQUIREMENT TO DEVELOP AND IMPLEMENT***
 16 ***POLICIES TO ESTABLISH THE DATALINK***
 17 ***STRATEGY OF THE DEPARTMENT OF DE-***
 18 ***FENSE.***

19 *(a) POLICIES REQUIRED.—*

20 *(1) IN GENERAL.—The Secretary of Defense shall*
 21 *develop and implement policies to establish the uni-*
 22 *fied datalink strategy of the Department of Defense*
 23 *(in this section referred to as the “strategy”).*

24 *(2) ELEMENTS.—The policies required by para-*
 25 *graph (1) shall include the following:*

1 (A) *The designation of an organization that*
2 *will act as the lead coordinator of datalink ac-*
3 *tivities across the entire Department of Defense.*

4 (B) *Prioritization and coordination across*
5 *services of the strategy within the requirements*
6 *generation process of the Department.*

7 (C) *The use of a common standardized*
8 *datalink network or transport protocol that en-*
9 *sures interoperability between independently de-*
10 *veloped datalinks, regardless of physical medium*
11 *used, and ensures mesh routing. The Secretary of*
12 *Defense shall consider the use of a subset of*
13 *Internet Protocol.*

14 (D) *A programmatic decoupling of the*
15 *physical method used to transmit data, the net-*
16 *work or transport protocols used in the trans-*
17 *mission and reception of data, and the applica-*
18 *tions used to process and use data.*

19 (E) *The coordination of weapon systems*
20 *executing the same mission types across services*
21 *of the strategy, including through the use of a*
22 *common set of datalink waveforms. The Sec-*
23 *retary shall evaluate the use of redundant*
24 *datalinks for line-of-sight and beyond-line-of-*

1 *sight information exchange for each weapon sys-*
 2 *tems platform.*

3 *(F) Coordination between the Department*
 4 *and the intelligence community (as defined in*
 5 *section 3 of the National Security Act of 1947*
 6 *(50 U.S.C. 3003)) to leverage any efficiencies*
 7 *and overlap with existing datalink waveforms of*
 8 *the intelligence community.*

9 *(G) Methods to support the rapid integra-*
 10 *tion of common datalinks across the force.*

11 *(H) Support for modularity of specific*
 12 *datalink waveforms to enable rapid integration*
 13 *of future datalinks, including the use of software*
 14 *defined radios compliant with modular open sys-*
 15 *tem architecture and sensor open system archi-*
 16 *ture.*

17 *(b) INFORMATION TO CONGRESS.—Not later than June*
 18 *1, 2024, the Secretary of Defense shall provide to the con-*
 19 *gressional defense committees the following:*

20 *(1) A briefing on the proposed policies required*
 21 *by subsection (a)(1), with timelines for implementa-*
 22 *tion.*

23 *(2) An estimated timeline of implementations of*
 24 *datalinks.*

1 (3) *A list of any additional resources and au-*
 2 *thorities required to execute the strategy.*

3 (4) *A determination of whether a common set of*
 4 *datalinks can and should be implemented across all*
 5 *major weapon systems within the Department of De-*
 6 *fense.*

7 **SEC. 143. REPORT ON CONTRACT FOR CYBERSECURITY CA-**
 8 **PABILITIES AND BRIEFING.**

9 (a) *REPORT.—*

10 (1) *IN GENERAL.—Not later than 180 days after*
 11 *the date of the enactment of this Act, the Chief Infor-*
 12 *mation Officer of the Department of Defense shall*
 13 *submit to the congressional defense committees a re-*
 14 *port on the decision to exercise options on an existing*
 15 *contract to use cybersecurity capabilities to protect*
 16 *assets and networks across the Department of Defense.*

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

19 (A) *A description of the potential effects on*
 20 *innovation and competition among cybersecurity*
 21 *vendors of the decision to exercise the cybersecu-*
 22 *rity options on the contract described in para-*
 23 *graph (1).*

1 (B) *A description of the risks and benefits*
2 *associated with an integrated enterprise-wide cy-*
3 *bersecurity solution from a single vendor.*

4 (C) *A description of future plans of the De-*
5 *partment of Defense to recompile the acquisition*
6 *of integrated and interoperable cybersecurity*
7 *tools and applications that would allow multiple*
8 *vendors to compete separately and as teams.*

9 (D) *A copy of the analysis conducted by the*
10 *Director of Cost Assessment and Program Eval-*
11 *uation of the Department of the costs and effec-*
12 *tiveness of the cybersecurity capabilities covered*
13 *by the contract described in paragraph (1).*

14 (E) *A copy of the analysis conducted by the*
15 *Director of Operational Test and Evaluation of*
16 *the Department of the effectiveness of the cyberse-*
17 *curity capabilities covered by the contract de-*
18 *scribed in paragraph (1) compared to other com-*
19 *mercially available products and vendors.*

20 (b) *BRIEFING.*—*Not later than 60 days after the date*
21 *of the enactment of this Act, the Chief Information Officer*
22 *of the Department of Defense shall brief the congressional*
23 *defense committees on the plans of the Department to ensure*
24 *competition and interoperability in the security and iden-*
25 *tity and access management product market segments.*

1 ***TITLE II—RESEARCH, DEVELOP-***
 2 ***MENT, TEST, AND EVALUA-***
 3 ***TION***

4 ***Subtitle A—Authorization of***
 5 ***Appropriations***

6 ***SEC. 201. AUTHORIZATION OF APPROPRIATIONS.***

7 *Funds are hereby authorized to be appropriated for fis-*
 8 *cal year 2024 for the use of the Department of Defense for*
 9 *research, development, test, and evaluation, as specified in*
 10 *the funding table in section 4201.*

11 ***Subtitle B—Program Requirements,***
 12 ***Restrictions, and Limitations***

13 ***SEC. 211. UPDATED GUIDANCE ON PLANNING FOR***
 14 ***EXPORTABILITY FEATURES FOR FUTURE***
 15 ***PROGRAMS.***

16 *(a) PROGRAM GUIDANCE ON PLANNING FOR*
 17 *EXPORTABILITY FEATURES.—The Under Secretary of De-*
 18 *fense for Acquisition and Sustainment shall ensure that*
 19 *program guidance is updated to integrate planning for*
 20 *exportability features called for by section 4067 of title 10,*
 21 *United States Code, for the following activities:*

22 *(1) Major defense acquisition programs*
 23 *(MDAPs) (as defined in section 4201 of title 10,*
 24 *United States Code), which shall include in the ini-*

1 *tial cost estimates for the programs a requirement to*
 2 *capture potential exportability needs.*

3 *(2) Middle tier acquisition (MTA) programs de-*
 4 *scribed in section 804(a) of the National Defense Au-*
 5 *thorization Act for Fiscal Year 2016 (Public Law*
 6 *114–92; 10 U.S.C. 3201 note prec.), which shall in-*
 7 *clude an assessment of potential exportability needs*
 8 *prior to transition from rapid fielding or proto-*
 9 *typing.*

10 *(b) REVISION OF GUIDANCE FOR PROGRAM PROTEC-*
 11 *TION PLANS.—The Under Secretary shall revise guidance*
 12 *for program protection plans to integrate a requirement to*
 13 *determine exportability for the programs covered by such*
 14 *plans.*

15 **SEC. 212. SUPPORT TO THE DEFENCE INNOVATION ACCEL-**
 16 **ERATOR FOR THE NORTH ATLANTIC.**

17 *(a) AUTHORITY.—To the extent and in such amounts*
 18 *as provided in appropriations Acts for the purposes set*
 19 *forth in this section, the Secretary of Defense may, acting*
 20 *through the Under Secretary of Defense for Research and*
 21 *Engineering, provide funds of not more than \$15,000,000*
 22 *per year to sustain the participation of the United States*
 23 *in the North Atlantic Treaty Organization (NATO) Defence*
 24 *Innovation Accelerator for the North Atlantic (DIANA) Ini-*
 25 *tiative (in this section the “Initiative”).*

1 (b) *NOTIFICATION.*—

2 (1) *IN GENERAL.*—*Not later than 15 days after*
3 *the date on which the Secretary makes a decision to*
4 *provide funds pursuant to subsection (a), the Under*
5 *Secretary shall submit to the congressional defense*
6 *committees a written notification of such decision.*

7 (2) *CONTENTS.*—*Notification submitted pursu-*
8 *ant to paragraph (1) shall include the following:*

9 (A) *A detailed breakout of the funding pro-*
10 *vided.*

11 (B) *The intended purposes of such funds.*

12 (C) *The timeframe covered by such funds.*

13 (c) *STRATEGY.*—

14 (1) *IN GENERAL.*—*Not later than July 1, 2024,*
15 *the Under Secretary shall submit to the congressional*
16 *defense committees a strategy for participation by the*
17 *United States in the Initiative.*

18 (2) *CONTENTS.*—*The strategy submitted pursu-*
19 *ant to paragraph (1) shall include the following:*

20 (A) *A description for how the Initiative fits*
21 *into the innovation ecosystem for the North At-*
22 *lantic Treaty Organization, as well as how it is*
23 *synchronized with and will interact with other*
24 *science, technology, and innovation activities*
25 *within the Department of Defense.*

1 (B) *Anticipated funding profile across the*
 2 *future years defense program (FYDP).*

3 (C) *Identification of key technology focus*
 4 *areas to be addressed each year across the future*
 5 *years defense program.*

6 (D) *Anticipated areas for expansion for key*
 7 *nodes or locations for the Initiative, including*
 8 *how the Initiative will contribute to fostering the*
 9 *spread of innovation throughout the United*
 10 *States.*

11 (d) *ANNUAL REPORT.*—*Not later than February 1,*
 12 *2024, and February 1 of each year thereafter through 2026,*
 13 *the Secretary shall submit to the congressional defense com-*
 14 *mittees an annual report for Department supported activi-*
 15 *ties of the Initiative, including the breakdown of funding*
 16 *provided for the previous fiscal year, and key milestones*
 17 *or achievements during that timeframe.*

18 (e) *SUNSET.*—*The authority provided by subsection*
 19 *(a) shall terminate on September 30, 2026.*

20 **SEC. 213. MODIFICATION TO PERSONNEL MANAGEMENT AU-**
 21 **THORITY TO ATTRACT EXPERTS IN SCIENCE**
 22 **AND ENGINEERING.**

23 *Section 4092(b) of title 10, United States code is*
 24 *amended—*

1 (1) in paragraph (1)(B), by striking “of which
2 not more than 5 such positions may be positions of
3 administration or management of the Agency”; and

4 (2) in paragraph (4), by inserting “, including,
5 upon separation, pay the travel, transportation, and
6 relocation expenses to return to the location of origin,
7 at the time of the initial appointment, within the
8 United States” before the period at the end.

9 **SEC. 214. ADMINISTRATION OF THE ADVANCED SENSORS**

10 **APPLICATION PROGRAM.**

11 Section 218 of the James M. Inhofe National Defense
12 Authorization Act for Fiscal Year 2023 (Public Law 117–
13 263) is amended—

14 (1) in subsection (a)—

15 (A) in paragraph (1), by striking “The
16 Commander of Naval Air Systems Command
17 and the Director of Air Warfare shall jointly
18 serve” and inserting “The Under Secretary of
19 Defense for Intelligence and Security, acting
20 through the Director of the Air Force Office of
21 Concepts, Development, and Management Office,
22 shall serve”; and

23 (B) in paragraph (2), by striking “The re-
24 source sponsors of the Program shall be respon-
25 sible” and inserting “The resource sponsor, in

1 *consultation with the Commander of Naval Air*
 2 *Systems Command, shall be responsible”;*

3 *(2) in subsection (b), by striking “Only the Sec-*
 4 *retary of the Navy, the Under Secretary of the Navy,*
 5 *and the Commander of Naval Air Systems Command*
 6 *may” and inserting “Only the Under Secretary of*
 7 *Defense for Intelligence and Security and the Director*
 8 *of the Air Force Concepts, Development, and Manage-*
 9 *ment Office, in consultation with the Commander of*
 10 *Naval Air Systems Command, may”;* and

11 *(3) in subsection (d)(3), by striking “exercised by*
 12 *the Commander of Naval Air Systems Command, the*
 13 *Secretary of the Navy, or the Under Secretary of the*
 14 *Navy” and inserting “exercised by the Under Sec-*
 15 *retary of Defense for Intelligence and Security and*
 16 *the Director of the Air Force Concepts, Development,*
 17 *and Management Office”.*

18 **SEC. 215. DELEGATION OF RESPONSIBILITY FOR CERTAIN**
 19 **RESEARCH PROGRAMS.**

20 *Section 980(b) of title 10, United States Code, is*
 21 *amended—*

22 *(1) by inserting “(1)” before “The Secretary”;*
 23 *and*

24 *(2) by adding to the end the following new para-*
 25 *graph:*

1 “(2) *The Secretary may delegate the authority pro-*
 2 *vided by paragraph (1) to the Under Secretary of Defense*
 3 *for Research and Engineering.*”.

4 **SEC. 216. PROGRAM OF STANDARDS AND REQUIREMENTS**
 5 **FOR MICROELECTRONICS.**

6 (a) *PROGRAM REQUIRED.*—*The Secretary of Defense*
 7 *shall establish, not later than 180 days after the date of*
 8 *the enactment of this Act, a program within the National*
 9 *Security Agency to develop and continuously update, as the*
 10 *Secretary determines necessary, standards, commercial best*
 11 *practices, and requirements for the design, manufacture,*
 12 *packaging, test, and distribution of microelectronics ac-*
 13 *quired by the Department of Defense to provide acceptable*
 14 *levels of confidentiality, integrity, and availability for De-*
 15 *partment commercial-off-the-shelf (COTS) microelectronics,*
 16 *field programmable gate arrays (FPGAs), and custom inte-*
 17 *grated circuits (CICs).*

18 (b) *ADVICE AND ASSESSMENT.*—*The Secretary shall*
 19 *ensure that the program established pursuant to subsection*
 20 *(a) is advised and assessed by the Government-Industry-*
 21 *Academia Working Group on Microelectronics established*
 22 *under section 220 of the James M. Inhofe National Defense*
 23 *Authorization Act for Fiscal Year 2023 (Public Law 117–*
 24 *263).*

1 (c) *REQUIREMENTS.*—*The program established by sub-*
2 *section (a) shall develop—*

3 (1) *evidence-based assurance processes and tech-*
4 *niques that sustain, build on, automate, and scale up*
5 *the results and accomplishments of the Rapid Assured*
6 *Microelectronics Prototypes (RAMP), RAMP-Com-*
7 *mercial (RAMP-C), and State-of-the-Art Hetero-*
8 *geneous Integrated Packaging (SHIP) programs to*
9 *enhance the confidentiality, integrity, and avail-*
10 *ability of microelectronics while minimizing costs and*
11 *impacts to commercial manufacturing practices;*

12 (2) *validation methods for such processes and*
13 *techniques, in coordination with the developmental*
14 *and operational test and evaluation community, as*
15 *the Secretary determines necessary;*

16 (3) *threat models that comprehensively charac-*
17 *terize the threat to microelectronics confidentiality,*
18 *integrity, and availability across the entire supply*
19 *chain, and the design, production, packaging, and de-*
20 *ployment cycle to support risk management and risk*
21 *mitigation, based on the principle of reducing risk to*
22 *as low a level as reasonably practicable, including—*

23 (A) *comparative risk assessments; and*

24 (B) *balanced and practical investments in*
25 *assurance based on risks and returns;*

1 (4) *levels of assurance and associated require-*
 2 *ments for the production and acquisition of commer-*
 3 *cial-off-the-shelf integrated circuits, integrated circuits*
 4 *subject to International Traffic in Arms Regulations*
 5 *(ITAR) under subchapter M of chapter I of title 22,*
 6 *Code of Federal Regulations, or successor regulations,*
 7 *and classified integrated circuits using commercial*
 8 *foundry manufacturing process flows;*

9 (5) *guides for Federal Government program eval-*
 10 *uators, program offices, and industry to meet micro-*
 11 *electronics assurance requirements; and*

12 (6) *guidance for the creation of a government or-*
 13 *ganizational structure and plan to support the acqui-*
 14 *sition of fit-for-purpose microelectronics, including*
 15 *the role of the Defense Microelectronics Activity, the*
 16 *Crane Division of the Naval Surface Warfare Center,*
 17 *and the Joint Federated Assurance Center.*

18 (d) *MICROELECTRONICS ASSURANCE STANDARD.—The*
 19 *program established pursuant to subsection (a) shall estab-*
 20 *lish a Department microelectronics assurance standard that*
 21 *includes an overarching assurance framework as well as the*
 22 *guides developed under subsection (c)(5), for commercial-*
 23 *off-the-shelf integrated circuits, integrated circuits subject to*
 24 *the International Traffic in Arms Regulations under sub-*
 25 *chapter M of chapter I of title 22, Code of Federal Regula-*

1 tions, or successor regulations, and classified microelec-
 2 tronics developed under subsection (c)(4).

3 (e) *MICROELECTRONICS ASSURANCE EXECUTIVE*
 4 *AGENT.*—*The Secretary shall designate one individual from*
 5 *a military department as the Microelectronics Assurance*
 6 *Executive Agent to assist Federal Government program of*
 7 *fices in acquiring fit-for-purpose microelectronics.*

8 (f) *MANAGEMENT OF RAMP AND SHIP PROGRAMS.*—
 9 *Effective on the date of the establishment of the program*
 10 *required by subsection (a), such program shall assume man-*
 11 *agement of the Rapid Assured Microelectronics Prototypes,*
 12 *Rapid Assured Microelectronics Prototypes-Commercial*
 13 *(RAMP-C), and State-of-the-Art Heterogeneous Integrated*
 14 *Packaging programs that were in effect on the day before*
 15 *the date of the enactment of this Act and executed by the*
 16 *Under Secretary of Defense for Research and Engineering.*

17 (g) *OVERSIGHT.*—*The Under Secretary of Defense for*
 18 *Research and Engineering shall provide oversight of the*
 19 *planning and execution of the program required by sub-*
 20 *section (a).*

21 (h) *REQUIREMENTS FOR CONTRACTING FOR APPLICA-*
 22 *TION-SPECIFIC INTEGRATED CIRCUITS.*—*The Secretary*
 23 *shall ensure that, for contracts for application-specific inte-*
 24 *grated circuits designed by defense industrial base contrac-*
 25 *tors—*

1 (1) *the use of evidence-based assurance processes*
 2 *and techniques are included in the contract data re-*
 3 *quirements list;*

4 (2) *commercial best industry practices for con-*
 5 *fidentiality, integrity, and availability are used;*

6 (3) *a library of certified third-party intellectual*
 7 *property is established for reuse, including reuse of*
 8 *transistor layouts, cells, and macrocells;*

9 (4) *legal mechanisms are in place for data collec-*
 10 *tion and sharing; and*

11 (5) *automation technology is adopted to achieve*
 12 *efficiency.*

13 **SEC. 217. CLARIFYING ROLE OF PARTNERSHIP INTER-**
 14 **MEDIARIES TO PROMOTE DEFENSE RE-**
 15 **SEARCH AND EDUCATION.**

16 *Section 4124(f)(2) of title 10, United States Code, is*
 17 *amended—*

18 (1) *by striking “that assists” and inserting the*
 19 *following: “that—*

20 *“(A) assists”;*

21 (2) *in subparagraph (A), as designated by para-*
 22 *graph (1), by striking the period at the end and in-*
 23 *serting a semicolon; and*

24 (3) *by adding at the end the following new sub-*
 25 *paragraphs:*

1 “(B) facilitates technology transfer from indus-
2 try or academic institutions to the Center; or

3 “(C) assists and facilitates workforce develop-
4 ment in critical technology areas and technology
5 transition to fulfill unmet needs of a Center.”.

6 **SEC. 218. COMPETITION FOR TECHNOLOGY THAT DETECTS**
7 **AND WATERMARKS THE USE OF GENERATIVE**
8 **ARTIFICIAL INTELLIGENCE.**

9 (a) *ESTABLISHMENT.*—

10 (1) *IN GENERAL.*—*The Secretary of Defense shall*
11 *establish and carry out a prize competition under sec-*
12 *tion 4025 of title 10, United States Code, to evaluate*
13 *technology, including applications, tools, and models,*
14 *for the detection and watermarking of generative arti-*
15 *ficial intelligence (AI)—*

16 (A) *to facilitate the research, development,*
17 *testing, evaluation, and competition of secure*
18 *generative artificial intelligence detection and*
19 *watermark technologies that can support each*
20 *Secretary of a military department and the com-*
21 *manders of combatant commands to support*
22 *warfighting requirements; and*

23 (B) *to transition such technologies, includ-*
24 *ing technologies developed from pilot programs,*
25 *prototype projects, or other research and develop-*

1 *ment programs, from the prototyping phase to*
 2 *production.*

3 (2) *PARTICIPATION.*—*The participants in the*
 4 *competition carried out pursuant to paragraph (1)*
 5 *may include Federally-funded research and develop-*
 6 *ment centers (FFRDCs), the private sector, the defense*
 7 *industrial base, academia, government agencies, and*
 8 *such other participants as the Secretary considers ap-*
 9 *propriate.*

10 (3) *COMMENCEMENT.*—*The competition will*
 11 *begin within 270 days of passage of this Act.*

12 (4) *DESIGNATION.*—*The competition established*
 13 *and carried out pursuant to paragraph (1) shall be*
 14 *known as the “Generative AI Detection and Water-*
 15 *mark Competition”.*

16 (b) *ADMINISTRATION.*—*The Under Secretary of De-*
 17 *fense for Research and Engineering shall administer the*
 18 *competition required by subsection (a).*

19 (c) *FRAMEWORK.*—*Not later than 120 days after the*
 20 *date of the enactment of this Act, the Secretary shall provide*
 21 *the congressional defense committees a briefing on the*
 22 *framework the Secretary will use to carry out the competi-*
 23 *tion required by subsection (a).*

24 (d) *ANNUAL REPORTS.*—*Not later than October 1 of*
 25 *each year until the termination of the competition estab-*

lished and carried out under subsection (a), the Secretary shall submit to the congressional defense committees a report on the results of the competition.

(e) *DEFINITIONS.*—In this section:

(1) The term “detection” means a technology that can positively identify the presence of generative artificial intelligence in digital content.

(2) The term “watermarking” means embedding a piece of data onto detected artificial intelligence generated digital content, conveying attribution to the source generation.

(f) *TERMINATION.*—The competition established and carried out pursuant to subsection (a) shall terminate on December 31, 2025.

Subtitle C—Plans, Reports, and Other Matters

SEC. 221. DEPARTMENT OF DEFENSE PRIZE COMPETITIONS FOR BUSINESS SYSTEMS MODERNIZATION.

(a) *IN GENERAL.*—Not later than September 30, 2028, the Secretary of Defense and the Secretaries of the military departments shall complete one or more prize competitions under section 4025 of title 10, United States Code, in order to support the business systems modernization goals of the Department of Defense.

(b) *SCOPE.*—

1 (1) *IN GENERAL.*—*Each prize competition car-*
 2 *ried out under subsection (a) shall be structured to*
 3 *complement, and to the degree practicable, accelerate*
 4 *delivery or expand functionality of business systems*
 5 *capabilities being pursued by the affected Secretary,*
 6 *either currently in operation, in development, or for*
 7 *broad classes of systems covered by the business enter-*
 8 *prise architecture required by section 2222(e) of title*
 9 *10, United States Code.*

10 (2) *AREAS FOR CONSIDERATION.*—*In carrying*
 11 *out subsection (a), the Secretary of Defense and the*
 12 *Secretaries of the military departments shall each*
 13 *consider the following:*

14 (A) *Integration of artificial intelligence or*
 15 *machine learning capabilities.*

16 (B) *Data analytics or business intelligence,*
 17 *or related visualization capability.*

18 (C) *Automated updating of business archi-*
 19 *tectures, business systems integration, or docu-*
 20 *mentation related to existing systems or manu-*
 21 *als.*

22 (D) *Improvements to interfaces or processes*
 23 *for interacting with other non-Department of*
 24 *Defense business systems.*

1 (E) Updates or replacements for legacy
 2 business systems to improve operational effective-
 3 ness and efficiency, such as the Mechanization of
 4 Contract Administration Services (MOCAS).

5 (F) Contract writing systems or expanded
 6 capability that could be integrated into existing
 7 systems.

8 (G) Pay and personnel systems, or ex-
 9 panded capability, that could be integrated into
 10 existing systems.

11 (H) Other finance and accounting systems,
 12 or expanded capability, that could be integrated
 13 into existing systems.

14 (I) Systems supporting industrial base and
 15 supply chain visibility, analytics, and manage-
 16 ment.

17 **SEC. 222. UPDATE TO PLANS AND STRATEGIES FOR ARTIFI-**
 18 **CIAL INTELLIGENCE.**

19 (a) *IN GENERAL.*—The Secretary of Defense shall, in
 20 consultation with the Deputy Secretary of Defense—

21 (1) establish and document procedures, including
 22 timelines, for the periodic review of the 2018 Depart-
 23 ment of Defense Artificial Intelligence Strategy, or
 24 any successor strategy, and associated annexes of the

1 *military departments to assess the implementation of*
 2 *the strategy and whether any revision is necessary;*

3 *(2) issue Department of Defense-wide guidance*
 4 *that defines outcomes of near-term and long-term*
 5 *strategies and plans relating to—*

6 *(A) the adoption of artificial intelligence;*

7 *(B) adoption and enforcement of policies on*
 8 *the ethical use of artificial intelligence systems;*
 9 *and*

10 *(C) the identification and mitigation of*
 11 *bias in artificial intelligence algorithms;*

12 *(3) issue Department-wide guidance regarding—*

13 *(A) methods to monitor accountability for*
 14 *artificial intelligence-related activity, including*
 15 *artificial intelligence performance indicators and*
 16 *metrics;*

17 *(B) means to enforce and update ethics pol-*
 18 *icy and guidelines across all adopted artificial*
 19 *intelligence systems; and*

20 *(C) means to identify, monitor, and miti-*
 21 *gate bias in artificial intelligence algorithms;*

22 *(4) develop a strategic plan for the development,*
 23 *use, and cybersecurity of generative artificial intel-*
 24 *ligence, including a policy for use of, and defense*

1 *against adversarial use of, generative artificial intel-*
2 *ligence;*

3 *(5) assess technical workforce needs across the fu-*
4 *ture years defense plan to support the continued de-*
5 *velopment of artificial intelligence capabilities, in-*
6 *cluding recruitment and retention policies and pro-*
7 *grams;*

8 *(6) assess the availability and adequacy of the*
9 *basic artificial intelligence training and education*
10 *curricula available to the broader Department civil-*
11 *ian workforce and military personnel to promote arti-*
12 *ficial intelligence literacy to the nontechnical work-*
13 *force and senior leadership with responsibilities adja-*
14 *cent to artificial intelligence technical development;*

15 *(7) develop and issue a timeline and guidance*
16 *for the Chief Digital and Artificial Intelligence Offi-*
17 *cer of the Department and the Secretaries of the mili-*
18 *tary departments to establish a common terminology*
19 *for artificial intelligence-related activities;*

20 *(8) develop and implement a plan to protect and*
21 *secure the integrity, availability, and privacy of arti-*
22 *ficial intelligence systems and models, including large*
23 *language models, data libraries, data repositories,*
24 *and algorithms, in training, development, and pro-*
25 *duction environments;*

1 (9) *develop and implement a plan—*

2 (A) *to identify commercially available and*
3 *relevant large language models; and*

4 (B) *to make those available, as appropriate,*
5 *on classified networks;*

6 (10) *develop a plan to defend the people, organi-*
7 *zations, and systems of the Department against ad-*
8 *versarial artificial intelligence, including identifica-*
9 *tion of organizations within the Department that*
10 *could provide red teams capabilities for operational*
11 *and developmental needs;*

12 (11) *develop and implement a policy for use by*
13 *contracting officials to protect the intellectual prop-*
14 *erty of commercial entities that provide their artifi-*
15 *cial intelligence algorithms to a Department reposi-*
16 *tory established pursuant to section 232 of the Na-*
17 *tional Defense Authorization Act for Fiscal Year 2022*
18 *(Public Law 117–81; 10 U.S.C. 4001 note), including*
19 *policy for how to address data rights in situations in*
20 *which government and commercial intellectual prop-*
21 *erty may be mixed when such artificial intelligence*
22 *algorithms are deployed in an operational environ-*
23 *ment;*

24 (12) *issue guidance and directives for how the*
25 *Chief Digital and Artificial Intelligence Officer of the*

1 *Department will exercise authority to access, control,*
 2 *and maintain, on behalf of the Secretary, data col-*
 3 *lected, acquired, accessed, or utilized by Department*
 4 *components consistent with section 1513 of the James*
 5 *M. Inhofe National Defense Authorization Act for Fis-*
 6 *cal Year 2023 (Public Law 117–263; 10 U.S.C. 4001*
 7 *note); and*

8 *(13) clarify guidance on the instances for and*
 9 *role of human intervention and oversight in the exer-*
 10 *cise of artificial intelligence algorithms for use in the*
 11 *generation of offensive or lethal courses of action for*
 12 *tactical operations.*

13 *(b) DUE DATE FOR PROCEDURES, GUIDANCE, PLANS,*
 14 *ASSESSMENT, AND TIMELINES.—*

15 *(1) DUE DATE.—The Secretary shall develop the*
 16 *procedures, guidance, plans, assessment, and timelines*
 17 *required under subsection (a) not later than 120 days*
 18 *after the date of enactment of this Act.*

19 *(2) BRIEFING.—Not later than 150 days after*
 20 *the date of the enactment of this Act, the Secretary*
 21 *shall provide to the congressional defense committees*
 22 *a briefing on the procedures, guidance, plans, assess-*
 23 *ment, and timelines established, issued, carried out,*
 24 *or developed under subsection (a).*

1 **SEC. 223. WESTERN REGIONAL RANGE COMPLEX DEM-**
 2 **ONSTRATION.**

3 (a) *DEMONSTRATION REQUIRED.*—The Secretary shall
 4 carry out a demonstration of a joint multi-domain non-
 5 kinetic testing and training environment across military
 6 departments by interconnecting existing ranges and train-
 7 ing sites in the western States to improve joint multi-do-
 8 main nonkinetic training and further testing, research, and
 9 development.

10 (b) *USE OF EXISTING RANGES AND CAPABILITIES.*—
 11 The demonstration carried out pursuant to subsection (a)
 12 shall use existing ranges and range capability, unless capa-
 13 bility gaps are identified in the process of planning specific
 14 demonstration activities.

15 (c) *ACTIVITIES.*—The demonstration carried out pur-
 16 suant to subsection (a) shall include the following:

- 17 (1) *Electromagnetic spectrum operations.*
- 18 (2) *Electromagnetic warfare.*
- 19 (3) *Operations in the information environment.*
- 20 (4) *Joint All Domain Command and Control*
 21 *(JADC2).*
- 22 (5) *Information warfare, including the following:*
 - 23 (A) *Intelligence, surveillance, and recon-*
 24 *naissance.*
 - 25 (B) *Offensive and defense cyber operations.*
 - 26 (C) *Electromagnetic warfare.*

1 (D) *Space operations.*

2 (E) *Psychological operations.*

3 (F) *Public affairs.*

4 (G) *Weather operations.*

5 (d) *TIMELINE FOR COMPLETION OF INITIAL DEM-*
6 *ONSTRATION.—In carrying out subsection (a), the Secretary*
7 *shall seek to complete an initial demonstration, inter-*
8 *connecting two or more ranges or testing sites of two or*
9 *more military departments in the western States, subject*
10 *to availability of appropriations, not later than one year*
11 *after the date of the enactment of this Act.*

12 (e) *BRIEFING.—Not later than 180 days after the date*
13 *of the enactment of this Act, the Secretary shall provide the*
14 *congressional defense committees a briefing on—*

15 (1) *a phased implementation plan and design to*
16 *connect ranges and testing sites in the western States,*
17 *including the initial demonstration required by sub-*
18 *section (d);*

19 (2) *how the design architecture of the plan is in*
20 *alignment with recommendations of the 2020 Depart-*
21 *ment of Defense Electromagnetic Spectrum Superi-*
22 *ority Strategy; and*

23 (3) *how the design architecture will support*
24 *high-periodicity training, testing, research, and devel-*
25 *opment.*

1 (f) *DEFINITION.*—*In this section:*

2 (1) *INFORMATION ENVIRONMENT.*—*The term “in-*
3 *formation environment” means the aggregate of indi-*
4 *viduals, organizations, and systems that collect, proc-*
5 *ess, and disseminate, or act on information.*

6 (2) *SECRETARY.*—*The term “Secretary” means*
7 *the Secretary of Defense.*

8 (g) *TERMINATION.*—*This section shall terminate on*
9 *September 30, 2028.*

10 **SEC. 224. REPORT ON FEASIBILITY AND ADVISABILITY OF**
11 **ESTABLISHING A QUANTUM COMPUTING IN-**
12 **NOVATION CENTER.**

13 (a) *IN GENERAL.*—*Not later than 1 year after the date*
14 *of the enactment of this Act, the Secretary of Defense shall,*
15 *in coordination with the Under Secretary of Defense for Re-*
16 *search and Engineering and the Chief Digital and Artifi-*
17 *cial Intelligence Officer, submit to the congressional defense*
18 *committees a report on the feasibility and advisability of*
19 *establishing a quantum computing innovation center with-*
20 *in the Department of Defense—*

21 (1) *to identify and pursue the development of*
22 *quantum computing applications to enhance military*
23 *operations;*

1 (2) *to harness the talent and skills of physicists*
2 *and scientists within the Department to develop*
3 *quantum computing applications; and*

4 (3) *to coordinate and synchronize quantum com-*
5 *puting research across the Department.*

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

8 (1) *An assessment of the ongoing activities of the*
9 *Department that are part of the National Quantum*
10 *Initiative.*

11 (2) *An evaluation of the plans of the Department*
12 *to develop quantum computing, sensing, and net-*
13 *working applications.*

14 (3) *The level of funding and resources invested*
15 *by the Department to enable quantum military appli-*
16 *cations.*

17 (4) *Any established metrics or performance indi-*
18 *cators to track the progress of quantum technology de-*
19 *velopments.*

20 (5) *The extent to which the Department is*
21 *partnering with commercial entities engaging in*
22 *quantum research and development.*

23 (6) *An evaluation of any plans establishing how*
24 *commercial advances in quantum technology can be*
25 *leveraged for military operations.*

1 (7) *An assessment of the maturity of United*
 2 *States competitor efforts to develop quantum applica-*
 3 *tions for adversarial use.*

4 (8) *An assessment of any processes to harmonize*
 5 *or coordinate activities across the Department to de-*
 6 *velop quantum computing applications.*

7 (9) *An evaluation of any Department-issued pol-*
 8 *icy guidance regarding quantum computing applica-*
 9 *tions.*

10 (10) *An evaluation of any Department plans to*
 11 *defend against adversarial use of quantum computing*
 12 *applications.*

13 **SEC. 225. BRIEFING ON THE IMPEDIMENTS TO THE TRANSI-**
 14 **TION OF THE SEMANTIC FORENSICS PRO-**
 15 **GRAM TO OPERATIONAL USE.**

16 (a) *IN GENERAL.*—*Not later than 180 days after the*
 17 *date of the enactment of this Act, the Under Secretary of*
 18 *Defense for Research and Engineering shall, in consultation*
 19 *with the Office of General Counsel of the Department of De-*
 20 *fense and the Director of the Defense Advanced Research*
 21 *Projects Agency, provide to the Committee on Armed Serv-*
 22 *ices of the Senate and the Committee on Armed Services*
 23 *of the House of Representatives a briefing on the impedi-*
 24 *ments to the transition of the Semantic Forensics program*
 25 *to operational use.*

1 (b) *ELEMENTS.*—The briefing provided pursuant to
2 subsection (a) shall include the following:

3 (1) *Identification of policy and legal challenges*
4 *associated with the transition described in subsection*
5 *(a) and implementation of the Semantic Forensics*
6 *program, including with respect to the use and oper-*
7 *ational testing of publicly available information.*

8 (2) *Identification of other Federal agencies with*
9 *legal authorities that may be able to resolve the chal-*
10 *lenges identified pursuant to paragraph (1).*

11 (3) *Recommendations for legislative or adminis-*
12 *trative action to mitigate the challenges identified*
13 *pursuant to paragraph (1).*

14 **SEC. 226. ANNUAL REPORT ON DEPARTMENT OF DEFENSE**

15 **HYPERSONIC CAPABILITY FUNDING AND IN-**
16 **VESTMENT.**

17 (a) *IN GENERAL.*—Not later than March 1 of fiscal
18 year 2024 and March 1 of each of fiscal year thereafter
19 through 2030, the Secretary of Defense shall submit to the
20 congressional defense committees an annual report on fund-
21 ing and investments of the Department of Defense relating
22 to hypersonic capabilities, including with respect to pro-
23 curement, research, development, operations, and mainte-
24 nance of offensive and defensive hypersonic weapons.

1 (b) *REQUIREMENTS.*—Each report submitted pursuant
2 to subsection (a) shall—

3 (1) *include cost data on the vehicles, testing,*
4 *hypersonic sensors, command and control architec-*
5 *tures, infrastructure, testing infrastructure, software,*
6 *workforce, training, ranges, integration costs, and*
7 *such other items as the Secretary considers appro-*
8 *priate;*

9 (2) *disaggregate information reported by offen-*
10 *sive and defensive hypersonic capabilities;*

11 (3) *for research relating to hypersonic capabili-*
12 *ties, include the program element and the name of the*
13 *entity that is conducting the research, a description*
14 *of the purpose of the research, and any Uniform Re-*
15 *source Locators to weapon programs associated with*
16 *the research; and*

17 (4) *to the degree applicable, include all associ-*
18 *ated hypersonic program elements and line items.*

19 (c) *FORM.*—Each report submitted pursuant to sub-
20 section (a) shall be submitted in unclassified form, but may
21 include a classified annex.

1 **SEC. 227. LIMITATION ON AVAILABILITY OF FUNDS FOR**
 2 **TRAVEL FOR OFFICE OF UNDER SECRETARY**
 3 **OF DEFENSE FOR PERSONNEL AND READI-**
 4 **NESS PENDING A PLAN FOR MODERNIZING**
 5 **DEFENSE TRAVEL SYSTEM.**

6 (a) *LIMITATION.*—Of the funds authorized to be appro-
 7 priated by this Act for fiscal year 2024 for travel for the
 8 office of the Under Secretary of Defense for Personnel and
 9 Readiness, not more than 85 percent may be obligated or
 10 expended until the Secretary of Defense submits to the Com-
 11 mittee on Armed Services of the Senate and the Committee
 12 on Armed Services of the House of Representatives sup-
 13 porting justification material underpinning the decision to
 14 cease current modernization efforts for the Defense Travel
 15 System (DTS), and a plan going forward for modernizing
 16 or replacing such system

17 (b) *CONTENTS.*—The justification material and plan
 18 described in subsection (a) shall include the following:

19 (1) *The documentation from the Milestone Deci-*
 20 *sion Authority (MDA) justifying cancellation of the*
 21 *current modernization contract, including—*

22 (A) *specific metrics used to make that deter-*
 23 *mination;*

24 (B) *a timeline for decisions leading to the*
 25 *final cancellation;*

1 (C) notification from the military depart-
 2 ments when they were unable to make the desired
 3 usage rates using the current modernization pro-
 4 totype;

5 (D) identification of system requirements
 6 for audit readiness, as well as interface needs for
 7 other enterprise resource planning systems, in
 8 the current modernization contract; and

9 (E) alternatives considered prior to can-
 10 cellation.

11 (2) An assessment by the Cost Assessment of Pro-
 12 gram Evaluation office comparing—

13 (A) costs of continuing with the current
 14 modernization prototype across the future years
 15 defense plan (FYDP); and

16 (B) costs of sustainment of the Defense
 17 Travel System across the future years defense
 18 plan, factoring potential costs of restarting mod-
 19 ernization efforts.

20 (3) A description from the Milestone Decision
 21 Authority on what the current plan is for modern-
 22 izing the Defense Travel System, including timelines
 23 and potential costs.

1 **SEC. 228. ANNUAL REPORT ON UNFUNDED PRIORITIES FOR**
 2 **RESEARCH, DEVELOPMENT, TEST, AND EVAL-**
 3 **UATION ACTIVITIES.**

4 (a) *IN GENERAL.*—Chapter 9 of title 10, United States
 5 Code, is amended by inserting after section 222d the fol-
 6 lowing new section:

7 **“§ 222e. Unfunded priorities for research, develop-**
 8 **ment, test, and evaluation activities**

9 “(a) *ANNUAL REPORT.*—Not later than 10 days after
 10 the date on which the budget of the President for a fiscal
 11 year is submitted to Congress pursuant to section 1105 of
 12 title 31, the Secretary of Defense shall submit to the congres-
 13 sional defense committees a report on the unfunded prior-
 14 ities of the Department of Defense-wide research, develop-
 15 ment, test, and evaluation activities.

16 “(b) *CONTENTS.*—

17 “(1) *IN GENERAL.*—Except as provided in sub-
 18 section (c), each report submitted under subsection (a)
 19 shall specify, for each unfunded priority covered by
 20 such report, the following:

21 “(A) A summary description of such pri-
 22 ority, including the objectives to be achieved if
 23 such priority is funded (whether in whole or in
 24 part).

1 “(B) *The additional amount of funds rec-*
 2 *ommended in connection with the objectives*
 3 *under subparagraph (A).*

4 “(C) *Account information with respect to*
 5 *such priority, including the following (as appli-*
 6 *cable):*

7 “(i) *Line Item Number (LIN) for ap-*
 8 *plicable procurement accounts.*

9 “(ii) *Program Element (PE) number*
 10 *for applicable research, development, test,*
 11 *and evaluation accounts.*

12 “(2) *PRIORITIZATION OF PRIORITIES.—The re-*
 13 *port under subsection (a) shall present the unfunded*
 14 *priorities covered by such report in order of urgency*
 15 *of priority.*

16 “(c) *EXCLUSION OF PRIORITIES COVERED IN OTHER*
 17 *REPORTS.—The report submitted under subsection (a) shall*
 18 *not include unfunded priorities or requirements covered in*
 19 *reports submitted under—*

20 “(1) *section 222a or 222b; or*

21 “(2) *section 2806 of the National Defense Au-*
 22 *thorization Act for Fiscal Year 2018 (Public Law*
 23 *115–91; 10 U.S.C. 222a note).*

24 “(d) *FORM.—Each report submitted pursuant to sub-*
 25 *section (a) shall be submitted in classified format, but the*

1 *Secretary may also submit an unclassified version as the*
 2 *Secretary considers appropriate.*

3 “(e) *UNFUNDED PRIORITY DEFINED.*—*In this section,*
 4 *the term ‘unfunded priority’, in the case of a fiscal year,*
 5 *means a program, activity, or mission requirement, that—*

6 “(1) *is not funded in the budget of the President*
 7 *for the fiscal year as submitted to Congress pursuant*
 8 *to section 1105 of title 31; and*

9 “(2) *would have been recommended for funding*
 10 *through that budget if—*

11 “(A) *additional resources had been available*
 12 *for the budget to fund the program, activity, or*
 13 *mission requirement; or*

14 “(B) *the program, activity, or mission re-*
 15 *quirement has emerged since the budget was for-*
 16 *mulated.”.*

17 (b) *CLERICAL AMENDMENT.*—*The table of sections at*
 18 *the beginning of chapter 9 of such title is amended by in-*
 19 *serting after the item relating to section 222d the following*
 20 *new item:*

“222e. *Annual report on unfunded priorities for research, development, test, and*
evaluation activities.”.

1 **SEC. 229. ESTABLISHMENT OF TECHNOLOGY TRANSITION**
 2 **PROGRAM FOR STRATEGIC NUCLEAR DETER-**
 3 **RENCE.**

4 (a) *IN GENERAL.*—The Commander of Air Force Glob-
 5 al Strike Command may, through the use of a partnership
 6 intermediary, establish a program—

7 (1) *to carry out technology transition, digital en-*
 8 *gineering projects, and other innovation activities*
 9 *supporting the Air Force nuclear enterprise; and*

10 (2) *to discover capabilities that have the poten-*
 11 *tial to generate life-cycle cost savings and provide*
 12 *data-driven approaches to resource allocation.*

13 (b) *TERMINATION.*—The program established under
 14 subsection (a) shall terminate on September 30, 2029.

15 (c) *PARTNERSHIP INTERMEDIARY DEFINED.*—The
 16 term “partnership intermediary” has the meaning given the
 17 term in section 23(c) of the Stevenson-Wydler Technology
 18 Innovation Act of 1980 (15 U.S.C. 3715(c)).

19 **SEC. 230. REVIEW OF ARTIFICIAL INTELLIGENCE INVEST-**
 20 **MENT.**

21 (a) *IN GENERAL.*—Not later than 180 days after the
 22 date of the enactment of this Act, the Secretary of Defense
 23 shall—

24 (1) *review the current investment into applica-*
 25 *tions of artificial intelligence to the platforms, proc-*

1 *esses, and operations of the Department of Defense;*
2 *and*

3 *(2) categorize the types of artificial intelligence*
4 *investments by categories including but not limited to*
5 *the following:*

6 *(A) Automation.*

7 *(B) Machine learning.*

8 *(C) Autonomy.*

9 *(D) Robotics.*

10 *(E) Deep learning and neural network.*

11 *(F) Natural language processing.*

12 *(b) REPORT TO CONGRESS.—Not later than 120 days*
13 *after the completion of the review and categorization re-*
14 *quired by subsection (a), the Secretary of Defense shall sub-*
15 *mit to the congressional defense committees a report on—*

16 *(1) the findings of the Secretary with respect to*
17 *the review and any action taken or proposed to be*
18 *taken by the Secretary to address such findings; and*

19 *(2) an evaluation of how the findings of the Sec-*
20 *retary align with stated strategies of the Department*
21 *of Defense with regard to artificial intelligence and*
22 *performance objectives established in the Department*
23 *of Defense Data, Analytics, and Artificial Intelligence*
24 *Adoption Strategy.*

***TITLE III—OPERATION AND
MAINTENANCE***

***Subtitle A—Authorization of
Appropriations***

SEC. 301. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2024 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for operation and maintenance, as specified in the funding table in section 4301.

***Subtitle B—Energy and
Environment***

SEC. 311. REQUIREMENT FOR APPROVAL BY UNDER SECRETARY OF DEFENSE FOR ACQUISITION AND SUSTAINMENT OF ANY WAIVER FOR A SYSTEM THAT DOES NOT MEET FUEL EFFICIENCY KEY PERFORMANCE PARAMETER.

Section 332(b) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 10 U.S.C. 2911 note) is amended—

(1) by striking “The Secretary of Defense” and inserting the following:

*“(1) IN GENERAL.—The Secretary of Defense”;
and*

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

3 “(2) *WAIVER OF FUEL EFFICIENCY KEY PER-*
 4 *FORMANCE PARAMETER.—*

5 “(A) *IN GENERAL.—The fuel efficiency key*
 6 *performance parameter implemented under*
 7 *paragraph (1) may be waived for a system only*
 8 *if such waiver is approved by the Under Sec-*
 9 *retary of Defense for Acquisition and*
 10 *Sustainment.*

11 “(B) *NONDELEGATION.—The waiver author-*
 12 *ity under subparagraph (A) may not be dele-*
 13 *gated.”.*

14 **SEC. 312. IMPROVEMENT AND CODIFICATION OF SENTINEL**
 15 **LANDSCAPES PARTNERSHIP PROGRAM AU-**
 16 **THORITY.**

17 (a) *CODIFICATION OF EXISTING STATUTE.—Section*
 18 *317 of the National Defense Authorization Act for Fiscal*
 19 *Year 2018 (Public Law 115–91; 10 U.S.C. 2684a note) is*
 20 *amended—*

21 (1) *by transferring such section to appear after*
 22 *section 2692 of title 10, United States Code;*

23 (2) *by redesignating such section as section 2693;*
 24 *and*

1 (3) *by amending the section heading to read as*
 2 *follows:*

3 **“§ 2693. Sentinel Landscapes Partnership”.**

4 (b) *IMPROVEMENTS TO SENTINEL LANDSCAPES PART-*
 5 *NERSHIP PROGRAM.—Section 2693 of title 10, United*
 6 *States Code, as transferred and redesignated by subsection*
 7 *(a), is further amended—*

8 (1) *in subsection (a), by striking “and the Sec-*
 9 *retary of the Interior” and inserting “, the Secretary*
 10 *of the Interior, and the heads of other Federal depart-*
 11 *ments and agencies that elect to become full part-*
 12 *ners”;*

13 (2) *in subsection (b), by striking “and the Sec-*
 14 *retary of the Interior, may, as the Secretaries” and*
 15 *inserting “the Secretary of the Interior, and the heads*
 16 *of other Federal departments and agencies that elect*
 17 *to become full partners may, as they”;*

18 (3) *by amending subsection (c) to read as fol-*
 19 *lows:*

20 “(c) *COORDINATION OF ACTIVITIES.—The Secretaries*
 21 *and the heads of Federal departments and agencies, in car-*
 22 *rying out this section, may coordinate actions between their*
 23 *departments and agencies and with other Federal, State,*
 24 *interstate, and local agencies, Indian Tribes, and private*
 25 *entities to more efficiently work together for the mutual ben-*

1 *efit of conservation, resilience, working lands, and national*
 2 *defense, and to encourage owners and managers of land to*
 3 *engage in voluntary land management, resilience, and con-*
 4 *servation activities that contribute to the sustainment of*
 5 *military installations, State-owned National Guard instal-*
 6 *lations, and associated airspace.”;*

7 (4) *in subsection (d)—*

8 (A) *by striking the first sentence and insert-*
 9 *ing “The Secretaries and the heads of Federal*
 10 *departments and agencies, in carrying out this*
 11 *section, may give to any eligible owner or man-*
 12 *ager of land within a designated sentinel land-*
 13 *scape priority consideration for participation in*
 14 *any easement, grant, or assistance programs ad-*
 15 *ministered by that Secretary or head.”; and*

16 (B) *in the second sentence, by striking “eli-*
 17 *gible landowner or agricultural producer” and*
 18 *inserting “eligible owner or manager of land”;*
 19 *and*

20 (5) *by redesignating subsection (f) as subsection*
 21 *(g);*

22 (6) *by inserting after subsection (e) the following*
 23 *new subsection (f):*

24 “(f) *RULE OF CONSTRUCTION.—Nothing in this sec-*
 25 *tion may be construed to require an owner or manager of*

1 *land, including a private landowner or agricultural pro-*
 2 *ducer, to participate in any land management, resilience,*
 3 *or conservation activity under this section.”;*

4 *(7) in subsection (g), as redesigned by paragraph*
 5 *(5)—*

6 *(A) in paragraph (1), by striking “ section*
 7 *670(1) of title 16, United States Code” and in-*
 8 *serting “ section 100(1) of the Sikes Act (16*
 9 *U.S.C. 670(1))”;*

10 *(B) in paragraph (2), by striking “section*
 11 *670(3) of title 16, United States Code” and in-*
 12 *serting “section 100(3) of the Sikes Act (16*
 13 *U.S.C. 670(3))”;* and

14 *(C) in paragraph (3), by amending sub-*
 15 *paragraph (B) to read as follows:*

16 *“(B) the publicly and privately owned*
 17 *lands that serve to protect and support the rural*
 18 *economy, the natural environment, outdoor recre-*
 19 *ation, and the national defense missions of a*
 20 *military installation or State-owned National*
 21 *Guard installation.”.*

22 *(c) CLERICAL AMENDMENT.—The table of sections at*
 23 *the beginning of chapter 159 of title 10, United States Code,*
 24 *is amended by inserting after the item relating to section*
 25 *2692 the following new item:*

“2693. Sentinel Landscapes Partnership.”.

1 **SEC. 313. MODIFICATION OF DEFINITION OF SUSTAINABLE**
 2 **AVIATION FUEL FOR PURPOSE OF PILOT PRO-**
 3 **GRAM ON USE OF SUCH FUEL.**

4 *Section 324(g) of the James M. Inhofe National De-*
 5 *fense Authorization Act for Fiscal Year 2023 (Public Law*
 6 *117–263) is amended—*

7 *(1) by striking paragraph (2);*

8 *(2) by redesignating paragraph (1) as para-*
 9 *graph (2);*

10 *(3) by inserting before paragraph (2), as redesign-*
 11 *ated by paragraph (2) of this section, the following*
 12 *new paragraph:*

13 *“(1) The term ‘applicable material’ means—*

14 *“(A) monoglycerides, diglycerides, and*
 15 *triglycerides;*

16 *“(B) free fatty acids; or*

17 *“(C) fatty acid esters.”; and*

18 *(4) by adding at the end the following new para-*
 19 *graphs:*

20 *“(3) The term ‘biomass’ has the meaning given*
 21 *that term in section 45K(c)(3) of the Internal Rev-*
 22 *enue Code of 1986.*

23 *“(4) The term ‘lifecycle greenhouse gas emissions*
 24 *reduction percentage’ means, with respect to any sus-*
 25 *tainable aviation fuel, the percentage reduction in*
 26 *lifecycle greenhouse gas emissions achieved by such*

1 *fuel as compared with petroleum-based aviation fuel,*
 2 *as determined in accordance with—*

3 *“(A) the most recent Carbon Offsetting and*
 4 *Reduction Scheme for International Aviation*
 5 *that has been adopted, as of the date of the enact-*
 6 *ment of the National Defense Authorization Act*
 7 *for Fiscal Year 2024, by the International Civil*
 8 *Aviation Organization with the agreement of the*
 9 *United States; or*

10 *“(B) the most recent determinations, as of*
 11 *the date of the enactment of the National Defense*
 12 *Authorization Act for Fiscal Year 2024, under*
 13 *the Greenhouse gases, Regulated Emissions, and*
 14 *Energy use in Transportation (GREET) model*
 15 *developed by Argonne National Laboratory.*

16 *“(5) The term ‘sustainable aviation fuel’ means*
 17 *liquid fuel, the portion of which is not kerosene,*
 18 *that—*

19 *“(A) meets the requirements of—*

20 *“(i) ASTM International Standard*
 21 *D7566; or*

22 *“(ii) the Fischer Tropsch provisions of*
 23 *ASTM International Standard D1655,*
 24 *Annex A1;*

“(B) is not derived from coprocessing an applicable material (or materials derived from an applicable material) with a feedstock that is not biomass;

“(C) is not derived from palm fatty acid distillates or petroleum; and

“(D) has been certified pursuant to a scheme or model under paragraph (4) as having a lifecycle greenhouse gas emissions reduction percentage of not less than 50 percent.”.

**SEC. 314. PAYMENT TO ENVIRONMENTAL PROTECTION
AGENCY OF STIPULATED PENALTIES IN CON-
NECTION WITH NAVAL AIR STATION MOFFETT
FIELD, CALIFORNIA.**

(a) *AUTHORITY TO TRANSFER FUNDS.—*

(1) *TRANSFER AMOUNT.—*

(A) *IN GENERAL.—The Secretary of the Navy may transfer an amount not to exceed \$438,250 to the Hazardous Substance Superfund established under section 9507 of the Internal Revenue Code of 1986, in accordance with section 2703(f) of title 10, United States Code.*

(B) *INAPPLICABILITY OF LIMITATION.—Any transfer under subparagraph (A) shall be made*

1 *without regard to section 2215 of title 10, United*
2 *States Code.*

3 (2) *SOURCE OF FUNDS.—Any transfer under*
4 *paragraph (1)(A) shall be made using funds author-*
5 *ized to be appropriated by this Act or otherwise made*
6 *available for fiscal year 2024 for the Department of*
7 *Defense Base Closure Account established under sec-*
8 *tion 2906(a) of the Defense Base Closure and Realign-*
9 *ment Act of 1990 (Public Law 101–510; 10 U.S.C.*
10 *2687 note).*

11 (b) *PURPOSE OF TRANSFER.—Any transfer under sub-*
12 *section (a)(1)(A) shall be for the purpose of satisfying a*
13 *stipulated penalty assessed by the Environmental Protec-*
14 *tion Agency on May 4, 2018, regarding former Naval Air*
15 *Station, Moffett Field, California, under the Federal Facil-*
16 *ity Agreement for Naval Air Station, Moffett Field, which*
17 *was entered into between the Navy and the Environmental*
18 *Protection Agency in 1990 pursuant to section 120 of the*
19 *Comprehensive Environmental Response, Compensation,*
20 *and Liability Act of 1980 (42 U.S.C. 9620).*

21 (c) *ACCEPTANCE OF PAYMENT.—If the Secretary of the*
22 *Navy makes a transfer under subsection (a)(1)(A), the Ad-*
23 *ministrator of the Environmental Protection Agency shall*
24 *accept the amount transferred as payment in full of the*
25 *penalty described in subsection (b).*

1 **SEC. 315. TECHNICAL ASSISTANCE FOR COMMUNITIES AND**
2 **INDIVIDUALS POTENTIALLY AFFECTED BY**
3 **RELEASES AT CURRENT AND FORMER DE-**
4 **PARTMENT OF DEFENSE FACILITIES.**

5 (a) *TECHNICAL ASSISTANCE FOR NAVIGATION OF RE-*
6 *SPONSE ACTIONS.*—

7 (1) *IN GENERAL.*—Beginning not later than 180
8 days after the date of the enactment of this Act, and
9 subject to such amounts as are provided in appro-
10 priations Acts, the Secretary of Defense, acting
11 through the Director of the Office of Local Defense
12 Community Cooperation, shall furnish technical as-
13 sistance services described in paragraph (3) through
14 the Technical Assistance for Public Participation
15 (TAPP) Program of the Department of Defense to
16 communities, or individuals who are members thereof,
17 that have been affected by a release of a pollutant af-
18 firmatively determined to have originated from a fa-
19 cility under the jurisdiction of, or formerly used by
20 or under the jurisdiction of, the Department.

21 (2) *IMPLEMENTATION.*—The Secretary, acting
22 through the Director of the Office of Local Defense
23 Community Cooperation, may furnish technical as-
24 sistance services pursuant to paragraph (1) through a
25 Federal interagency agreement, a private service pro-

1 *vider, or a cooperative agreement entered into with a*
 2 *nonprofit organization.*

3 (3) *SERVICES PROVIDED.*—*The technical assist-*
 4 *ance services described in this paragraph are services*
 5 *to improve public participation in, or assist in the*
 6 *navigation of, environmental response efforts, includ-*
 7 *ing—*

8 (A) *the provision of advice and guidance to*
 9 *a community or individual specified in para-*
 10 *graph (1) regarding additional technical assist-*
 11 *ance with respect to which such community or*
 12 *individual may be eligible (including pursuant*
 13 *to subsection (b));*

14 (B) *the interpretation of site-related docu-*
 15 *ments;*

16 (C) *the interpretation of health-related in-*
 17 *formation;*

18 (D) *assistance with the preparation of pub-*
 19 *lic comments; and*

20 (E) *the development of outreach materials*
 21 *to improve public participation.*

22 (b) *GRANTS FOR TECHNICAL ASSISTANCE.*—

23 (1) *AUTHORITY.*—*Beginning not later than 180*
 24 *days after the date of the enactment of this Act, and*
 25 *subject to such amounts as are provided in appro-*

1 *priations Acts, the Secretary of Defense, acting*
2 *through the Director of the Office of Local Defense*
3 *Community Cooperation, shall administer a grant*
4 *program under which the Director may award a*
5 *grant to a community, or individuals who are mem-*
6 *bers thereof, that have been affected by a release of a*
7 *pollutant affirmatively determined to have originated*
8 *from a facility under the jurisdiction of, or formerly*
9 *used by or under the jurisdiction of, the Department*
10 *of Defense.*

11 (2) *USE OF AMOUNTS.—Funds provided under a*
12 *grant awarded pursuant to paragraph (1) in connec-*
13 *tion with a release of a pollutant at a facility may*
14 *be used by the grant recipient only to obtain technical*
15 *assistance and services for public participation in*
16 *various stages of the processes of response, remedi-*
17 *ation, and removal actions at the facility, includ-*
18 *ing—*

19 (A) *interpreting the nature of the release,*
20 *including monitoring and testing plans and re-*
21 *ports associated with site assessment and charac-*
22 *terization at the facility;*

23 (B) *interpreting documents, plans, proposed*
24 *actions, and final decisions related to—*

25 (i) *an interim remedial action;*

- 1 (ii) a remedial investigation or feasi-
 2 bility study;
 3 (iii) a record of decision;
 4 (iv) a remedial design;
 5 (v) the selection and construction of re-
 6 medial action;
 7 (vi) operation and maintenance; and
 8 (vii) a five-year review at the facility.
 9 (C) a removal action at such facility; and
 10 (D) services specified under subsection
 11 (a)(3).

12 (c) *PROHIBITION ON USE OF AMOUNTS.*—None of the
 13 amounts made available under this section may be used for
 14 the purpose of conducting—

- 15 (1) lobbying activities; or
 16 (2) legal challenges of final decisions of the De-
 17 partment of Defense.

18 **Subtitle C—Treatment of**
 19 **Perfluoroalkyl Substances and**
 20 **Polyfluoroalkyl Substances**

21 **SEC. 321. TREATMENT OF CERTAIN MATERIALS CONTAMI-**
 22 **NATED WITH PERFLUOROALKYL SUBSTANCES**
 23 **OR POLYFLUOROALKYL SUBSTANCES.**

24 (a) *IN GENERAL.*—The Secretary of Defense may treat
 25 covered materials, including soils that have been contami-

1 nated with PFAS, until the date on which the Secretary
 2 adopts the final rule required under section 343(b) of the
 3 National Defense Authorization Act for Fiscal Year 2022
 4 (Public Law 117–81; 10 U.S.C. 2701 note) if the treatment
 5 of such materials occurs through the use of remediation or
 6 disposal technology approved by the relevant Federal regu-
 7 latory agency.

8 (b) *DEFINITIONS.*—In this section, the terms “covered
 9 material” and “PFAS” have the meanings given those
 10 terms in section 343(e) of the National Defense Authoriza-
 11 tion Act for Fiscal Year 2022 (Public Law 117–81; 10
 12 U.S.C. 2701 note).

13 **SEC. 322. INCREASE OF TRANSFER AUTHORITY FOR FUND-**
 14 **ING OF STUDY AND ASSESSMENT ON HEALTH**
 15 **IMPLICATIONS OF PER- AND**
 16 **POLYFLUOROALKYL SUBSTANCES CONTAMI-**
 17 **NATION IN DRINKING WATER BY AGENCY FOR**
 18 **TOXIC SUBSTANCES AND DISEASE REGISTRY.**

19 Section 316(a)(2)(B) of the National Defense Author-
 20 ization Act for Fiscal Year 2018 (Public Law 115–91; 131
 21 Stat. 1350), as amended by section 315(a) of the John S.
 22 McCain National Defense Authorization Act for Fiscal Year
 23 2019 (Public Law 115–232; 132 Stat. 1713), section 321
 24 of the National Defense Authorization Act for Fiscal Year
 25 2020 (Public Law 116–92; 133 Stat. 1307), section 337 of

1 *the William M. (Mac) Thornberry National Defense Author-*
 2 *ization Act for Fiscal Year 2021 (Public Law 116–283; 134*
 3 *Stat. 3533), section 342 of the National Defense Authoriza-*
 4 *tion Act for Fiscal Year 2022 (Public Law 117–81; 135*
 5 *Stat. 1643), and section 342 of the James M. Inhofe Na-*
 6 *tional Defense Authorization Act for Fiscal Year 2023 (Pub-*
 7 *lic Law 117–263), is further amended by adding at the end*
 8 *the following new clause:*

9 “(iv) Without regard to section 2215 of title
 10 10, United States Code, the Secretary of Defense
 11 may transfer not more than \$5,000,000 during
 12 fiscal year 2024 to the Secretary of Health and
 13 Human Services to pay for the study and assess-
 14 ment required by this section.”.

15 **SEC. 323. MODIFICATION OF AUTHORITY FOR ENVIRON-**
 16 **MENTAL RESTORATION PROJECTS AT NA-**
 17 **TIONAL GUARD FACILITIES.**

18 (a) *CLARIFICATION OF DEFINITION OF NATIONAL*
 19 *GUARD FACILITIES.*—Paragraph (4) of section 2700 of title
 20 10, United States Code, is amended—

- 21 (1) by striking “State-owned”;
- 22 (2) by striking “owned and operated by a State
- 23 when such land is”; and

1 (3) *by striking “even though such land is not*
 2 *under the jurisdiction of the Department of Defense.”*
 3 *and inserting “without regard to—”*

4 *“(A) the owner or operator of the facility; or*
 5 *“(B) whether the facility is under the juris-*
 6 *diction of the Department of Defense or a mili-*
 7 *tary department.”.*

8 (b) *INCLUSION UNDER DEFENSE ENVIRONMENTAL*
 9 *RESTORATION PROGRAM.—Section 2701(a)(1) of such title*
 10 *is amended by striking “State-owned”.*

11 (c) *RESPONSE ACTIONS AT NATIONAL GUARD FACILI-*
 12 *TIES.—Section 2701(c)(1)(D) of such title is amended by*
 13 *striking “State-owned”.*

14 (d) *SERVICES OF OTHER ENTITIES.—Section*
 15 *2701(d)(1) of such title is amended, in the second sentence,*
 16 *by inserting “or at a National Guard facility” before the*
 17 *period at the end.*

18 (e) *ENVIRONMENTAL RESTORATION ACCOUNTS.—Sec-*
 19 *tion 2703(g)(1) of such title is amended by inserting “, a*
 20 *National Guard facility,” after “Department of Defense”.*

21 (f) *TECHNICAL AND CONFORMING AMENDMENTS.—*

22 (1) *REPEAL.—Section 2707 of such title is*
 23 *amended by striking subsection (e).*

24 (2) *REFERENCE UPDATE.—Section 345(f)(1) of*
 25 *the National Defense Authorization Act for Fiscal*

1 *Year 2022 (Public Law 117–81; 10 U.S.C. 2715 note)*
 2 *is amended by striking “facility where military ac-*
 3 *tivities are conducted by the National Guard of a*
 4 *State pursuant to section 2707(e) of title 10, United*
 5 *States Code” and inserting “National Guard facility,*
 6 *as such term is defined in section 2700 of title 10,*
 7 *United States Code”.*

8 **SEC. 324. LIMITATION ON AVAILABILITY OF TRAVEL FUNDS**
 9 **UNTIL SUBMITTAL OF PLAN FOR RESTORING**
 10 **DATA SHARING ON TESTING OF WATER FOR**
 11 **PERFLUOROALKYL OR POLYFLUOROALKYL**
 12 **SUBSTANCES.**

13 *(a) IN GENERAL.—Of the funds authorized to be ap-*
 14 *propriated by this Act for operation and maintenance, de-*
 15 *fense-wide, for travel for the Office of the Under Secretary*
 16 *of Defense for Acquisition and Sustainment, not more than*
 17 *85 percent may be obligated or expended until the Under*
 18 *Secretary of Defense for Acquisition and Sustainment sub-*
 19 *mits to the congressional defense committees a plan to re-*
 20 *store data sharing pertaining to the testing of water for*
 21 *perfluoroalkyl or polyfluoroalkyl substances, as required*
 22 *under section 345 of the National Defense Authorization Act*
 23 *for Fiscal Year 2022 (Public Law 117–81; 10 U.S.C. 2715*
 24 *note), which shall include the following:*

1 (1) *A plan to restore data sharing with each rel-*
2 *evant State agency tasked with regulation of environ-*
3 *mental contamination by perfluoroalkyl or*
4 *polyfluoroalkyl substances in each State or territory*
5 *of the United States.*

6 (2) *A plan to restore data sharing with restora-*
7 *tion advisory boards established under section*
8 *2705(d) of title 10, United States Code.*

9 (3) *Information on the geographic specificity of*
10 *the data to be provided under paragraphs (1) and (2)*
11 *and a timeline for the implementation of the plans*
12 *under such paragraphs.*

13 (b) *INABILITY TO MEET TRANSPARENCY REQUIRE-*
14 *MENTS.—If the Under Secretary of Defense for Acquisition*
15 *and Sustainment determines that they are unable to meet*
16 *the requirements under subsection (a), the Under Secretary*
17 *shall brief the congressional defense committees on the ra-*
18 *tionale for why the restoration of data sharing required*
19 *under such subsection is not possible, including a descrip-*
20 *tion of any legislative action required to restore such data*
21 *sharing.*

1 **SEC. 325. DASHBOARD OF FUNDING RELATING TO**
 2 **PERFLUOROALKYL SUBSTANCES AND**
 3 **POLYFLUOROALKYL SUBSTANCES.**

4 *The Secretary of Defense shall include with the submis-*
 5 *sion to Congress by the President of the annual budget of*
 6 *the Department of Defense for a fiscal year under section*
 7 *1105(a) of title 31, United States Code, a separate budget*
 8 *justification document that consolidates all information*
 9 *pertaining to activities of the Department of Defense relat-*
 10 *ing to perfluoroalkyl substances and polyfluoroalkyl sub-*
 11 *stances, including funding for and descriptions of—*

- 12 *(1) research and development efforts;*
- 13 *(2) testing;*
- 14 *(3) remediation;*
- 15 *(4) contaminant disposal; and*
- 16 *(5) community outreach.*

17 **SEC. 326. REPORT ON SCHEDULE AND COST ESTIMATES**
 18 **FOR COMPLETION OF TESTING AND REMEDI-**
 19 **ATION OF CONTAMINATED SITES AND PUBLI-**
 20 **CATION OF CLEANUP INFORMATION.**

21 *(a) REPORT.—*

22 *(1) IN GENERAL.—Not later than 270 days after*
 23 *the date of the enactment of this Act, and once every*
 24 *two years thereafter through December 31, 2029, the*
 25 *Secretary of Defense shall submit to the Committees*

on Armed Services of the Senate and the House of
Representatives a report detailing—

(A) a proposed schedule for the completion
of testing and remediation activities, including
remediation of perfluoroalkyl substances and
polyfluoroalkyl substances, at military installa-
tions, facilities of the National Guard, and for-
merly used defense sites in the United States
where the Secretary obligated funding for envi-
ronmental restoration activities in fiscal year
2022;

(B) detailed cost estimates to complete such
activities, if such estimates are available; and

(C) if such estimates are not available, esti-
mated costs to complete such activities based on
historical costs of remediation for—

(i) sites remediated under the Defense
Environmental Restoration Program under
section 2701 of title 10, United States Code;

(ii) other Federally-funded sites; or

(iii) privately-funded sites.

(2) *INCLUSION OF REMEDIAL INVESTIGATIONS
AND FEASIBILITY STUDIES.*—The schedule and cost es-
timates required under paragraph (1) shall include a
schedule and estimated costs for the completion of re-

8 (b) *PUBLICATION OF INFORMATION.*—Beginning not
9 later than one year after the date of the enactment of this
10 Act, the Secretary of Defense shall publish on the publicly
11 available website established under section 331(b) of the Na-
12 tional Defense Authorization Act for Fiscal Year 2020 (Pub-
13 lic Law 116–92; 10 U.S.C. 2701 note) timely and regularly
14 updated information on the status of cleanup at sites for
15 which the Secretary has obligated amounts for environ-
16 mental restoration activities.

19 *Section 2714(f) of title 10, United States Code, is*
20 *amended by striking “and quarterly thereafter,” and insert-*
21 *ing “and annually thereafter through 2029,”.*

1 **SEC. 328. GOVERNMENT ACCOUNTABILITY OFFICE REPORT**
2 **ON TESTING AND REMEDIATION OF**
3 **PERFLUOROALKYL SUBSTANCES AND**
4 **POLYFLUOROALKYL SUBSTANCES.**

5 *Not later than one year after the date of the enactment*
6 *of this Act, and not later than five years thereafter, the*
7 *Comptroller General of the United States shall submit to*
8 *the congressional defense committees a report assessing the*
9 *state of ongoing testing and remediation by the Department*
10 *of Defense of current or former military installations con-*
11 *taminated with perfluoroalkyl substances or polyfluoroalkyl*
12 *substances, including—*

13 *(1) assessments of the thoroughness, pace, and*
14 *cost-effectiveness of efforts of the Department to con-*
15 *duct testing and remediation relating to those sub-*
16 *stances;*

17 *(2) recommendations to improve those efforts;*
18 *and*

19 *(3) such other matters as the Comptroller Gen-*
20 *eral determines appropriate.*

***Subtitle D—Logistics and
Sustainment***

**SEC. 331. ASSURING CRITICAL INFRASTRUCTURE SUPPORT
FOR MILITARY CONTINGENCIES PILOT PRO-
GRAM.**

(a) *ESTABLISHMENT OF PILOT PROGRAM.*—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall establish a pilot program to be known as the “Assuring Critical Infrastructure Support for Military Contingencies Pilot Program”.

(b) *SELECTION OF INSTALLATIONS.*—

(1) *IN GENERAL.*—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, acting through the Assistant Secretary of Defense for Homeland Defense and Hemispheric Affairs, shall select not fewer than four geographically diverse military installations at which to carry out the pilot program under subsection (a).

(2) *PRIORITIZATION.*—

(A) *IN GENERAL.*—In selecting military installations under paragraph (1), the Secretary of Defense shall give priority to any military installation that is a key component of not fewer than two Contingency Plans (CONPLANs) or Operational Plans (OPLANs), with priority

1 *given to such plans in the area of responsibility*
 2 *of the United States Indo-Pacific Command or*
 3 *the United States European Command.*

4 *(B) ADDITIONAL PRIORITY.—If two or more*
 5 *military installations are given equal priority*
 6 *under subparagraph (A), priority for selection*
 7 *under paragraph (1) shall be given to the mili-*
 8 *tary installations that are—*

9 *(i) connected to national-level infra-*
 10 *structure;*

11 *(ii) located near a commercial port; or*

12 *(iii) located near a national financial*
 13 *hub.*

14 *(c) ACTIVITIES.—In carrying out the pilot program*
 15 *under subsection (a), the Secretary of Defense, acting*
 16 *through the Assistant Secretary of Defense for Homeland*
 17 *Defense and Hemispheric Affairs, shall—*

18 *(1) without duplicating or disrupting existing*
 19 *cyber exercise activities under the National Cyber Ex-*
 20 *ercise Program under section 2220B of the Homeland*
 21 *Security Act of 2002 (6 U.S.C. 665h), conduct cyber*
 22 *resiliency and reconstitution stress test scenarios*
 23 *through tabletop exercises and, if possible, live exer-*
 24 *cises—*

1 (A) to assess how to prioritize restoration of
2 power, water, and telecommunications for a
3 military installation in the event of a significant
4 cyberattack on regional critical infrastructure
5 that has similar impacts on State and local in-
6 frastructure; and

7 (B) to determine the recovery process needed
8 to ensure the military installation can function
9 and support an overseas contingency operation
10 or a homeland defense mission, as appropriate;

11 (2) map dependencies of power, water, and tele-
12 communications at the military installation and the
13 connections to distribution and generation outside the
14 military installation;

15 (3) recommend priorities for the order of recov-
16 ery for the military installation in the event of a sig-
17 nificant cyberattack, considering both the require-
18 ments needed for operations of the military installa-
19 tion and the potential participation of personnel at
20 the military installation in an overseas contingency
21 operation or a homeland defense mission; and

22 (4) create a lessons-learned database from the ex-
23 ercises conducted under paragraph (1) across all in-
24 stallations participating in the pilot program to
25 share with the appropriate committees of Congress.

1 (d) *COORDINATION WITH RELATED PROGRAMS.*—The
 2 Secretary of Defense, acting through the Assistant Secretary
 3 of Defense for Homeland Defense and Hemispheric Affairs,
 4 shall ensure that activities under subsection (c) are coordi-
 5 nated with—

6 (1) *private entities that operate power, water,*
 7 *and telecommunications for a military installation*
 8 *participating in the pilot program under subsection*
 9 (i);

10 (2) *relevant military and civilian personnel; and*

11 (3) *any other entity that the Assistant Secretary*
 12 *of Defense for Homeland Defense and Hemispheric*
 13 *Affairs determines is relevant to the execution of ac-*
 14 *tivities under subsection (c).*

15 (e) *REPORT.*—Not later than one year after the date
 16 of the enactment of this Act, the Secretary of Defense shall
 17 submit to the Assistant to the President for Homeland Secu-
 18 rity, the National Cyber Director, the head of any other
 19 relevant Sector Risk Management Agency, the Committees
 20 on Armed Services of the Senate and the House of Rep-
 21 resentatives, and, if appropriate, relevant private sector
 22 owners and operators of critical infrastructure a report on
 23 the activities carried out under pilot program under sub-
 24 section (a), including a description of any operational chal-
 25 lenges identified.

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

2 (1) *CRITICAL INFRASTRUCTURE.*—*The term*
 3 *“critical infrastructure” has the meaning given that*
 4 *term in the Critical Infrastructures Protection Act of*
 5 *2001 (42 U.S.C. 5195c).*

6 (2) *SECTOR RISK MANAGEMENT AGENCY.*—*The*
 7 *term “Sector Risk Management Agency” has the*
 8 *meaning given that term in section 2200 of the*
 9 *Homeland Security Act of 2002 (6 U.S.C. 650).*

10 **SEC. 332. STRATEGY AND ASSESSMENT ON USE OF AUTOMA-**
 11 **TION AND ARTIFICIAL INTELLIGENCE FOR**
 12 **SHIPYARD OPTIMIZATION.**

13 (a) *STRATEGY.*—*The Secretary of Navy, in coordina-*
 14 *tion with the Shipyard Infrastructure Optimization Pro-*
 15 *gram, shall develop and implement a strategy to leverage*
 16 *commercial best practices used in shipyards to make oper-*
 17 *ations more efficient and demonstrate a digital mainte-*
 18 *nance artificial intelligence platform that analyzes data on*
 19 *the maintenance and health of shipboard assets of the Navy*
 20 *at shipyards, which shall improve readiness of the Armed*
 21 *Forces, predict and diagnose issues before they occur, and*
 22 *lower maintenance costs.*

23 (b) *ASSESSMENT.*—*The Secretary of Navy shall assess*
 24 *the costs of maintenance delays on shipboard assets of the*
 25 *Navy and assess the potential cost savings of adopting arti-*

1 *ficial intelligence predictive maintenance technology tech-*
2 *niques that help determine the condition of in-service equip-*
3 *ment to estimate when maintenance should be performed*
4 *rather than waiting until failure or end of life, including—*

5 (1) *an analysis of maintenance delays and costs*
6 *due to unplanned and unpredicted maintenance*
7 *issues;*

8 (2) *an evaluation of opportunities to dem-*
9 *onstrate commercial best practices at shipyards, in-*
10 *cluding artificial intelligence technologies to ensure*
11 *timely predictions for maintainers and planners at*
12 *shipyards by connecting datasets, executing models,*
13 *and providing outputs in near real-time;*

14 (3) *an identification of shipyard assets of the*
15 *Navy with sufficient data available to enable near-*
16 *term demonstrations of artificial intelligence pre-*
17 *dictive maintenance and an estimate of resources*
18 *needed within the Navy to accelerate the demonstra-*
19 *tion of predictive artificial intelligence capabilities*
20 *with respect to those assets; and*

21 (4) *an identification of any policy or technical*
22 *challenges to implementing artificial intelligence or*
23 *machine learning for purposes of carrying out the*
24 *Shipyard Infrastructure Optimization Program.*

1 (c) *BRIEFING TO COMMITTEE*.—Not later than 180
 2 days after the date of the enactment of this Act, the Sec-
 3 retary of Navy shall provide to the congressional defense
 4 committees a briefing on—

5 (1) the strategy developed by the Secretary under
 6 subsection (a);

7 (2) the results of the assessment under subsection
 8 (b); and

9 (3) a plan to execute any measures pursuant to
 10 such assessment.

11 ***Subtitle E—Briefings and Reports***

12 ***SEC. 341. CRITICAL INFRASTRUCTURE CONDITIONS AT*** 13 ***MILITARY INSTALLATIONS.***

14 (a) *PLAN*.—Not later than one year after the date of
 15 the enactment of this Act, the Secretary of Defense, in co-
 16 ordination with the head of each military department, shall
 17 submit to the Committees on Armed Services of the Senate
 18 and the House of Representatives a plan to implement a
 19 standardized system to measure and report on the condition
 20 and performance of, level of investment in, and any appli-
 21 cable risks to critical infrastructure systems owned by the
 22 Federal Government that—

23 (1) have not been privatized pursuant to a con-
 24 veyance under section 2688 of title 10, United States
 25 Code; and

1 (2) *are located on a military installation.*

2 (b) *REPORT.—*

3 (1) *IN GENERAL.—Beginning on February 1 of*
 4 *the year immediately following the date on which the*
 5 *plan under subsection (a) is submitted, and annually*
 6 *thereafter, the Secretary of Defense, in coordination*
 7 *with the head of each military department, shall sub-*
 8 *mit to the Committees on Armed Services of the Sen-*
 9 *ate and the House of Representatives a consolidated*
 10 *report on the condition of critical infrastructure sys-*
 11 *tems owned by the Federal Government at military*
 12 *installations.*

13 (2) *ELEMENTS.—Each report required by para-*
 14 *graph (1) shall include the following:*

15 (A) *Installation-level critical infrastructure*
 16 *system data for each critical infrastructure sys-*
 17 *tem owned by the Federal Government located at*
 18 *a military installation that includes the fol-*
 19 *lowing for each such system:*

20 (i) *All instances of noncompliance with*
 21 *any applicable Federal or State law (in-*
 22 *cluding regulations) with which the system*
 23 *has been required to comply during the pre-*
 24 *ceding five-year period, including informa-*
 25 *tion on any prior or current consent order*

1 *or equivalent compliance agreement with*
2 *any regulatory agency.*

3 *(ii) The year of original installation of*
4 *major critical infrastructure system compo-*
5 *nents, including treatment facilities, pump*
6 *stations, and storage tanks.*

7 *(iii) The average age of distribution*
8 *system piping and wiring.*

9 *(iv) The rate of system recapitaliza-*
10 *tion, represented as an annual percentage*
11 *replacement rate of all critical infrastruc-*
12 *ture system assets.*

13 *(v) The percentage of key system oper-*
14 *ational components inspected, and deter-*
15 *mined through actual testing to be fully*
16 *operational, during the preceding one-year*
17 *period, including fire hydrants, valves, and*
18 *backflow preventors.*

19 *(vi) The absolute number, and a nor-*
20 *malized measure for comparative purposes,*
21 *of all unplanned system outages during the*
22 *preceding one-year period.*

23 *(vii) The absolute duration, and a nor-*
24 *malized measure for comparative purposes,*

1 *of all unplanned system outages during the*
2 *preceding one-year period.*

3 *(viii) The absolute number, and a nor-*
4 *malized measure for comparative purposes,*
5 *of all critical infrastructure system main*
6 *breaks and leaks during the preceding one-*
7 *year period.*

8 *(B) A standardized risk assessment for each*
9 *military installation, identifying the current*
10 *and projected level of risk related to the fol-*
11 *lowing:*

12 *(i) The ability to maintain compliance*
13 *with all current and known future regu-*
14 *latory agency regulations and standards*
15 *and all applicable regulations and policies*
16 *of the Department of Defense and the mili-*
17 *tary departments related to critical infra-*
18 *structure, and the ability to operate systems*
19 *in accordance with accepted industry stand-*
20 *ards.*

21 *(ii) The ability to maintain a con-*
22 *sistent and compliant supply of water for*
23 *current and projected future installation*
24 *needs based on current and projected source*
25 *water availability and quality, including*

1 *an assessment of source water contamination*
 2 *risks.*

3 *(iii) The ability to withstand severe*
 4 *weather events, including drought, flooding,*
 5 *and temperature fluctuations.*

6 *(iv) The ability for utility industrial*
 7 *controls systems to maintain compliance*
 8 *with current and future cybersecurity*
 9 *standards and regulations.*

10 **SEC. 342. REPORT ON ESTABLISHING SUFFICIENT STA-**
 11 **BLING, PASTURE, AND TRAINING AREA FOR**
 12 **THE OLD GUARD CAISSON PLATOON**
 13 **EQUINES.**

14 *(a) IN GENERAL.—Not later than March 1, 2024, the*
 15 *Secretary of the Army shall submit to the congressional de-*
 16 *fense committees a report containing the results of a study*
 17 *to address the feasibility and advisability of establishing*
 18 *sufficient stabling, pasture, and training area for the*
 19 *equines in the Caisson Platoon of the 3rd United States*
 20 *Infantry (commonly known as the “Old Guard”).*

21 *(b) INCLUSION OF RECOMMENDATIONS.—The report*
 22 *required under subsection (a) shall include—*

23 *(1) any recommendations determined necessary*
 24 *and appropriate by the Secretary—*

1 (A) to implement the plan required under
 2 section 391(b) of the James M. Inhofe National
 3 Defense Authorization Act for Fiscal Year 2023
 4 (Public Law 117–263; 136 Stat. 2549); and

5 (B) to ensure proper animal facility sanita-
 6 tion for the equines in the Caisson Platoon of the
 7 3rd United States Infantry; and

8 (2) plans for the housing and care of such
 9 equines.

10 (c) LOCATIONS.—

11 (1) REVIEW OF MILITARY CONSTRUCTION AU-
 12 THORIZATION.—The report required under subsection
 13 (a) shall include a review of all physical locations
 14 under consideration as stabling, pasture, or training
 15 area described in such subsection for any withdrawals
 16 or projects that would require individual military
 17 construction authorization.

18 (2) CONSIDERATION.—In considering locations
 19 for stabling, pasture, or training area under sub-
 20 section (a), the Secretary of the Army shall consider
 21 all viable options within a reasonable distance to Ar-
 22 lington National Cemetery.

23 (d) ELEMENTS.—The report required under subsection
 24 (a) shall include, for each location under consideration as

1 *stabling, pasture, or training area described in such sub-*
 2 *section—*

3 (1) *a brief environmental assessment of the loca-*
 4 *tion;*

5 (2) *estimated costs for preparing the location for*
 6 *construction;*

7 (3) *a narrative of how the location will be bene-*
 8 *ficial and conducive the health of the equines in the*
 9 *Caisson Platoon of the 3rd United States Infantry;*

10 (4) *a narrative of how, if necessary, the location*
 11 *can be expanded; and*

12 (5) *a narrative of how the location will affect*
 13 *community access to outdoor recreation.*

14 **SEC. 343. QUARTERLY BRIEFINGS ON OPERATIONAL STA-**
 15 **TUS OF AMPHIBIOUS WARSHIP FLEET OF DE-**
 16 **PARTMENT OF THE NAVY.**

17 (a) *IN GENERAL.*—*Not later than October 1, 2023, and*
 18 *quarterly thereafter until September 30, 2024, the Secretary*
 19 *of the Navy shall provide to the Committees on Armed Serv-*
 20 *ices of the Senate and the House of Representatives a brief-*
 21 *ing on the operational status of the amphibious warship*
 22 *fleet of the Department of the Navy.*

23 (b) *ELEMENTS.*—*Each briefing under subsection (a)*
 24 *shall include, with respect to each amphibious warship, the*
 25 *following:*

1 (1) *Average quarterly Operational Availability*
2 (AO).

3 (2) *Number of days underway as follows:*

4 (A) *Training for the purpose of supporting*
5 *Mission Essential Tasks (in this section referred*
6 *to as “MET”) of the Marine Corps, including*
7 *unit level well-deck or flight-deck operations*
8 *training and Amphibious Ready Group and Ma-*
9 *rine Expeditionary Unit integrated training.*

10 (B) *Deployed, which shall not include*
11 *scheduled or unscheduled in port maintenance.*

12 (3) *Expected completion date for in-work and*
13 *scheduled and unscheduled maintenance.*

14 (4) *An update on any delays in completion of*
15 *scheduled and unscheduled maintenance and casualty*
16 *reports impacting the following:*

17 (A) *Scheduled unit level well-deck and*
18 *flight-deck operations training of the Marine*
19 *Corps.*

20 (B) *MET certifications of the Marine Corps,*
21 *including mobility, communications, amphibious*
22 *well-deck operations, aviation operations, and*
23 *warfare training.*

1 (C) *Composition and deployment dates of*
 2 *scheduled and deployed Amphibious Ready*
 3 *Groups and Marine Expeditionary Units.*

4 (c) *DEFINITIONS.—In this section:*

5 (1) *AMPHIBIOUS WARSHIP.—The term “amphib-*
 6 *ious warship” means a ship that is classified as an*
 7 *amphibious assault ship (general purpose) (LHA), an*
 8 *amphibious assault ship (multi-purpose) (LHD), an*
 9 *amphibious transport dock (LPD), or a dock landing*
 10 *ship (LSD) that is included in the Battle Force In-*
 11 *ventory in accordance with instruction 5030.8D of the*
 12 *Secretary of the Navy, or successor instruction.*

13 (2) *AMPHIBIOUS READY GROUP; MARINE EXPEDI-*
 14 *TIONARY UNIT.—The terms “Amphibious Ready*
 15 *Group” and “Marine Expeditionary Unit” means a*
 16 *group or unit, as the case may be, that consists of a*
 17 *minimum of—*

18 (A) *three amphibious assault ships (general*
 19 *purpose) (LHA) or amphibious assault ships*
 20 *(multi-purpose) (LHD); and*

21 (B) *one amphibious transport dock (LPD)*
 22 *Flight I.*

1 **SEC. 344. BRIEFING ON PLAN FOR MAINTAINING PRO-**
 2 **FICIENCY IN EMERGENCY MOVEMENT OF MU-**
 3 **NITIONS IN JOINT REGION MARIANAS, GUAM.**

4 *Not later than 90 days after the date of the enactment*
 5 *of this Act, the Secretary of the Navy and the Secretary*
 6 *of the Air Force shall brief the congressional defense com-*
 7 *mittees on a plan for maintaining the proficiency of the*
 8 *Navy and the Air Force, respectively, in executing the emer-*
 9 *gency movement of munitions stored in weapons storage*
 10 *areas in Joint Region Marianas, Guam, onto aircraft and*
 11 *naval vessels, including plans to regularly exercise such ca-*
 12 *pabilities.*

13 ***Subtitle F—Other Matters***

14 **SEC. 351. CONTINUED DESIGNATION OF SECRETARY OF**
 15 **THE NAVY AS EXECUTIVE AGENT FOR NAVAL**
 16 **SMALL CRAFT INSTRUCTION AND TECHNICAL**
 17 **TRAINING SCHOOL.**

18 *The Secretary of the Navy shall continue, through fis-*
 19 *cal year 2024—*

20 *(1) to perform the responsibilities of the Depart-*
 21 *ment of Defense executive agent for the Naval Small*
 22 *Craft Instruction and Technical Training School pur-*
 23 *suant to section 352(b) of title 10, United States*
 24 *Code; and*

25 *(2) in coordination with the Commander of the*
 26 *United States Special Operations Command, to pro-*

1 *vide such support, as necessary, for the continued op-*
 2 *eration of such school.*

3 **SEC. 352. RESTRICTION ON RETIREMENT OF U-28 AIR-**
 4 **CRAFT.**

5 *None of the funds authorized to be appropriated by this*
 6 *Act may be used to retire U-28 aircraft until the Secretary*
 7 *of Defense certifies to the congressional defense committees*
 8 *that the future-years defense program submitted to Congress*
 9 *under section 221 of title 10, United States Code, with re-*
 10 *spect to the United States Special Operations Command*
 11 *provides for intelligence, surveillance, and reconnaissance*
 12 *capacity and capability that is equal to or greater than*
 13 *such capacity and capability provided by the current fleet*
 14 *of U-28 aircraft for such Command.*

15 **SEC. 353. TRIBAL LIAISONS.**

16 *(a) IN GENERAL.—The Secretary of Defense shall en-*
 17 *sure that each installation of the Department of Defense*
 18 *that has an Indian Tribe, Native Hawaiian organization,*
 19 *or Tribal interests in the area surrounding the installation,*
 20 *including if an Indian Tribe or Native Hawaiian organiza-*
 21 *tion is historically or culturally affiliated with the land or*
 22 *water managed or directly impacted by the installation, has*
 23 *a dedicated Tribal liaison located at the installation.*

24 *(b) DEFINITIONS.—In this section:*

1 (1) *INDIAN TRIBE*.—*The term “Indian Tribe”*
 2 *has the meaning given that term in section 4(e) of the*
 3 *Indian Self-Determination and Education Assistance*
 4 *Act (25 U.S.C. 5304(e)).*

5 (2) *NATIVE HAWAIIAN ORGANIZATION*.—*The term*
 6 *“Native Hawaiian organization” has the meaning*
 7 *given that term in section 6207 of the Elementary*
 8 *and Secondary Education Act of 1965 (20 U.S.C.*
 9 *7517).*

10 **SEC. 354. LIMITATION ON USE OF FUNDS TO EXPAND**
 11 **LEASED FACILITIES FOR THE JOINT MILI-**
 12 **TARY INFORMATION SUPPORT OPERATIONS**
 13 **WEB OPERATIONS CENTER.**

14 *None of the amounts authorized by this Act for oper-*
 15 *ation and maintenance, Defense-wide to expand leased fa-*
 16 *cilities for the Joint Military Information Support Oper-*
 17 *ations Web Operations Center may be obligated or expended*
 18 *until the Secretary of Defense, acting through the Assistant*
 19 *Secretary of Defense for Special Operations and Low-Inten-*
 20 *sity Conflict and the Commander of the United States Spe-*
 21 *cial Operations Command, submits to the congressional de-*
 22 *fense committees a validated manpower study for such cen-*
 23 *ter that includes the following:*

24 (1) *Validated estimates of the number of per-*
 25 *sonnel from the United States Special Operations*

1 *Command and the other combatant commands that*
 2 *will be housed in leased facilities of such center.*

3 (2) *An explanation of how such estimates are*
 4 *aligned with and support the priorities established by*
 5 *the national defense strategy under 113(g) of title 10,*
 6 *United States Code.*

7 **SEC. 355. MODIFICATIONS TO THE CONTESTED LOGISTICS**
 8 **WORKING GROUP OF THE DEPARTMENT OF**
 9 **DEFENSE.**

10 (a) *EXPANSION OF WORKING GROUP.—*

11 (1) *IN GENERAL.—Paragraph (3) of section*
 12 *2926(d) of title 10, United States Code, is amended*
 13 *by adding at the end the following new subparagraph:*

14 “(D) *A representative appointed by the Sec-*
 15 *retary of Defense from each of the following:*

16 “(i) *The Defense Logistics Agency.*

17 “(ii) *The Strategic Capabilities Office.*

18 “(iii) *The Defense Advanced Research*
 19 *Projects Agency.*

20 “(iv) *The Office of the Under Secretary of*
 21 *Defense for Research and Engineering.”.*

22 (2) *TIMING.—Not later than 60 days after the*
 23 *date of the enactment of this Act, the Secretary of De-*
 24 *fense shall appoint the additional members of the*
 25 *working group required under paragraph (3)(D) of*

1 *such section, as added by paragraph (1) of this sub-*
 2 *section.*

3 (b) *MEETINGS.*—*Such section is further amended by*
 4 *adding at the end the following new paragraph:*

5 “(6) *The working group under paragraph (1) shall*
 6 *meet not less frequently than quarterly.*”.

7 (c) *REPORTS.*—*Such section is further amended by*
 8 *adding at the end the following new paragraph:*

9 “(7) *Not later than February 1 of each year, the work-*
 10 *ing group under paragraph (1) shall submit to the congres-*
 11 *sional defense committees a report that contains a descrip-*
 12 *tion of any shortfalls in personnel, equipment, infrastruc-*
 13 *ture, energy and storage, or capabilities required to support*
 14 *the operational plans of the Department of Defense.*”.

15 **SEC. 356. ESTABLISHMENT OF CAISSON PLATOON TO SUP-**
 16 **PORT MILITARY AND STATE FUNERAL SERV-**
 17 **ICES.**

18 (a) *IN GENERAL.*—*There is established in the Depart-*
 19 *ment of the Army an equine unit, to be known as the Cais-*
 20 *son Platoon, assigned to the 3rd Infantry Regiment of the*
 21 *Army, for the purposes of conducting military and State*
 22 *funerals and for other purposes.*

23 (b) *PROHIBITION ON ELIMINATION.*—*The Secretary of*
 24 *the Army may not eliminate the Caisson Platoon of the 3rd*

1 *Infantry Regiment of the Army established under subsection*
2 *(a).*

3 *(c) BRIEFING.—*

4 *(1) IN GENERAL.—Not later than 60 days after*
5 *the date of the enactment of this Act, and not less fre-*
6 *quently than every 180 days thereafter until March*
7 *31, 2027, the Secretary of the Army shall provide to*
8 *the congressional defense committees a briefing on the*
9 *health, welfare, and sustainment of military working*
10 *equids.*

11 *(2) ELEMENTS.—The briefing required by para-*
12 *graph (1) shall include the following:*

13 *(A) An assessment of the ability of the Cais-*
14 *son Platoon of the 3rd Infantry Regiment of the*
15 *Army to support military funeral operations*
16 *within Arlington National Cemetery, including*
17 *milestones associated with achieving full oper-*
18 *ational capability for the Caisson Platoon.*

19 *(B) An update on the plan of the task force*
20 *of the Army on military working equids to pro-*
21 *mote, support, and sustain animal health and*
22 *welfare.*

23 *(C) An update on the plan of such task*
24 *force to ensure that support by the Caisson Pla-*

1 *toon of Arlington National Cemetery and State*
 2 *funerals is never suspended again.*

3 **SEC. 357. LIMITATION ON AVAILABILITY OF FUNDS PEND-**
 4 **ING 30-YEAR SHIPBUILDING PLAN THAT**
 5 **MAINTAINS 31 AMPHIBIOUS WARSHIPS FOR**
 6 **THE DEPARTMENT OF THE NAVY.**

7 (a) *LIMITATION.*—Of the funds authorized to be appro-
 8 *priated by this Act or otherwise made available for fiscal*
 9 *year 2024 for Administration and Servicewide Activities,*
 10 *Operation and Maintenance, Navy, not more than 50 per-*
 11 *cent may be obligated or expended until the date on which*
 12 *the Secretary of the Navy submits to the congressional de-*
 13 *fense committees a 30-year shipbuilding plan that meets the*
 14 *statutory requirement in section 8062(b) of title 10, United*
 15 *States Code, to maintain 31 amphibious warships.*

16 (b) *AMPHIBIOUS WARSHIP DEFINED.*—In this section,
 17 *the term “amphibious warship” means a ship that is classi-*
 18 *fied as an amphibious assault ship (general purpose)*
 19 *(LHA), an amphibious assault ship (multi-purpose)*
 20 *(LHD), an amphibious transport dock (LPD), or a dock*
 21 *landing ship (LSD) that is included in the Battle Force*
 22 *Inventory in accordance with instruction 5030.8D of the*
 23 *Secretary of the Navy, or successor instruction.*

1 **SEC. 358. MODIFICATION OF RULE OF CONSTRUCTION RE-**
2 **GARDING PROVISION OF SUPPORT AND SERV-**
3 **ICES TO NON-DEPARTMENT OF DEFENSE OR-**
4 **GANIZATIONS AND ACTIVITIES.**

5 *Section 2012(i) of title 10, United States Code, is*
6 *amended—*

7 *(1) by redesignating paragraphs (1) and (2) as*
8 *subparagraphs (A) and (B), respectively;*

9 *(2) in the matter preceding subparagraph (A), as*
10 *redesignated by paragraph (1), by striking “Nothing*
11 *in this section” and inserting “(1) Nothing in this*
12 *section”;*

13 *(3) in subparagraph (A), as so redesignated, by*
14 *inserting “, except as provided in paragraph (2),” be-*
15 *fore “for response”; and*

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

18 *“(2) Funds available to the Secretary of a military*
19 *department for operation and maintenance for the Innova-*
20 *tive Readiness Training program may be expended under*
21 *this section, upon approval by the Secretary concerned, to*
22 *assist in demolition, clearing of roads, infrastructure im-*
23 *provements, and construction to restore an area after a nat-*
24 *ural disaster.”.*

1 **SEC. 359. MODIFICATIONS TO MILITARY AVIATION AND IN-**
 2 **STALLATION ASSURANCE CLEARINGHOUSE**
 3 **FOR REVIEW OF MISSION OBSTRUCTIONS.**

4 (a) *PROJECTS PROPOSED WITHIN TWO NAUTICAL*
 5 *MILES OF ANY ACTIVE INTERCONTINENTAL BALLISTIC MIS-*
 6 *SILE LAUNCH FACILITY OR CONTROL CENTER.*—Section
 7 183a of title 10, United States Code, is amended—

8 (1) *in subsection (d)(2)—*

9 (A) *in subparagraph (B), by inserting “or*
 10 *any active intercontinental ballistic missile*
 11 *launch facility or control center” after “military*
 12 *training routes”; and*

13 (B) *in subparagraph (E), by striking “or a*
 14 *Deputy Under Secretary of Defense” and insert-*
 15 *ing “a Deputy Under Secretary of Defense, or,*
 16 *in the case of a geographic area of concern re-*
 17 *lated to an active intercontinental ballistic mis-*
 18 *sile launch facility or control center, the Assist-*
 19 *ant Secretary of Defense for Energy, Installa-*
 20 *tions, and Environment”; and*

21 (2) *in subsection (e)(1)—*

22 (A) *in the first sentence—*

23 (i) *by striking “The Secretary” and*
 24 *inserting “(A) The Secretary”; and*

25 (ii) *by inserting “or antenna structure*
 26 *project” after “energy project”;*

1 (B) in the second sentence, by striking “The
 2 Secretary of Defense’s finding of unacceptable
 3 risk to national security” and inserting the fol-
 4 lowing:

5 “(C) Any finding of unacceptable risk to national secu-
 6 rity by the Secretary of Defense under this paragraph”; and

7 (C) by inserting after subparagraph (A), as
 8 designated by subparagraph (A)(i) of this para-
 9 graph, the following new subparagraph:

10 “(B)(i) In the case of any energy project or antenna
 11 structure project with proposed structures more than 200
 12 feet above ground level located within two nautical miles
 13 of an active intercontinental ballistic missile launch facility
 14 or control center, the Secretary of Defense shall issue a find-
 15 ing of unacceptable risk to national security for such project
 16 if the mitigation actions identified pursuant to this section
 17 do not include removal of all such proposed structures from
 18 such project after receiving notice of presumed risk from
 19 the Clearinghouse under subsection (c)(2).

20 “(ii) Clause (i) does not apply to structures approved
 21 before the date of the enactment of the National Defense Au-
 22 thorization Act for Fiscal Year 2024 or to structures that
 23 are re-powered with updated technology in the same loca-
 24 tion as previously approved structures.”.

25 (b) INCLUSION OF ANTENNA STRUCTURE PROJECTS.—

1 (1) *IN GENERAL.*—*Such section is further*
 2 *amended—*

3 (A) *by inserting “or antenna structure*
 4 *projects” after “energy projects” each place it*
 5 *appears; and*

6 (B) *by inserting “or antenna structure*
 7 *project” after “energy project” each place it ap-*
 8 *pears (except for subsections (e)(1) and (h)(2)).*

9 (2) *ANTENNA STRUCTURE PROJECT DEFINED.*—
 10 *Section 183a(h) of such title is amended—*

11 (A) *by redesignating paragraphs (2)*
 12 *through (9) as paragraphs (3) through (10), re-*
 13 *spectively; and*

14 (B) *by inserting after paragraph (1) the fol-*
 15 *lowing new paragraph:*

16 “(2) *The term ‘antenna structure project’—*

17 “(A) *means a project to construct a struc-*
 18 *ture located within two nautical miles of any*
 19 *intercontinental ballistic missile launch facility*
 20 *or control center that is constructed or used to*
 21 *transmit radio energy or that is constructed or*
 22 *used for the primary purpose of supporting an-*
 23 *tennas to transmit or receive radio energy (or*
 24 *both), and any antennas and other appur-*
 25 *tenances mounted on the structure, from the time*

1 *construction of the supporting structure begins*
 2 *until such time as the supporting structure is*
 3 *dismantled; and*

4 *“(B) does not include any project in sup-*
 5 *port of or required by an intercontinental bal-*
 6 *listic missile launch facility or control center.”.*

7 ***TITLE IV—MILITARY PERSONNEL***
 8 ***AUTHORIZATIONS***
 9 ***Subtitle A—Active Forces***

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

11 *The Armed Forces are authorized strengths for active*
 12 *duty personnel as of September 30, 2024, as follows:*

13 *(1) The Army, 452,000.*

14 *(2) The Navy, 342,000.*

15 *(3) The Marine Corps, 172,300.*

16 *(4) The Air Force, 320,000.*

17 *(5) The Space Force, 9,400.*

18 ***SEC. 402. END STRENGTH LEVEL MATTERS.***

19 *Section 115 of title 10, United States Code, is amend-*
 20 *ed—*

21 *(1) in subsection (f)(2), by striking “not more*
 22 *than 2 percent” and inserting “not more than 3 per-*
 23 *cent”;* and

(2) in subsection (g)(1), by striking subparagraphs (A) and (B) and inserting the following new subparagraphs:

“(A) vary the end strength pursuant to subsection (a)(1)(A) for a fiscal year for the armed force or forces under the jurisdiction of that Secretary by a number not equal to more than 2 percent of such authorized end strength;

“(B) vary the end strength pursuant to subsection (a)(1)(B) for a fiscal year for the armed force or forces under the jurisdiction of that Secretary by a number not equal to more than 2 percent of such authorized end strength; and

“(C) vary the end strength pursuant to subsection (a)(2) for a fiscal year for the Selected Reserve of the reserve component of the armed force or forces under the jurisdiction of that Secretary by a number equal to not more than 2 percent of such authorized end strength.”.

**SEC. 403. EXTENSION OF ADDITIONAL AUTHORITY TO VARY
SPACE FORCE END STRENGTH.**

Section 403(b) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263) is amended by striking “December 31, 2023” and inserting “October 1, 2025”.

Subtitle B—Reserve Forces

SEC. 411. END STRENGTHS FOR SELECTED RESERVE.

(a) IN GENERAL.—The Armed Forces are authorized strengths for Selected Reserve personnel of the reserve components as of September 30, 2024, as follows:

(1) The Army National Guard of the United States, 325,000.

(2) The Army Reserve, 174,800.

(3) The Navy Reserve, 57,200.

(4) The Marine Corps Reserve, 33,600.

(5) The Air National Guard of the United States, 105,000.

(6) The Air Force Reserve, 69,600.

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

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

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

(2) the total number of individual members not in units organized to serve as units of the Selected Reserve of such component who are on active duty (other than for training or for unsatisfactory partici-

1 *pation in training) without their consent at the end*
 2 *of the fiscal year.*

3 *(c) END STRENGTH INCREASES.—Whenever units or*
 4 *individual members of the Selected Reserve for any reserve*
 5 *component are released from active duty during any fiscal*
 6 *year, the end strength prescribed for such fiscal year for*
 7 *the Selected Reserve of such reserve component shall be in-*
 8 *creased proportionately by the total authorized strengths of*
 9 *such units and by the total number of such individual mem-*
 10 *bers.*

11 **SEC. 412. END STRENGTHS FOR RESERVES ON ACTIVE**
 12 **DUTY IN SUPPORT OF THE RESERVES.**

13 *Within the end strengths prescribed in section 411(a),*
 14 *the reserve components of the Armed Forces are authorized,*
 15 *as of September 30, 2024, the following number of Reserves*
 16 *to be serving on full-time active duty or full-time duty, in*
 17 *the case of members of the National Guard, for the purpose*
 18 *of organizing, administering, recruiting, instructing, or*
 19 *training the reserve components:*

20 *(1) The Army National Guard of the United*
 21 *States, 30,845.*

22 *(2) The Army Reserve, 16,511.*

23 *(3) The Navy Reserve, 10,327.*

24 *(4) The Marine Corps Reserve, 2,355.*

1 (5) *The Air National Guard of the United*
 2 *States, 25,333.*

3 (6) *The Air Force Reserve, 6,003.*

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

6 (a) *IN GENERAL.*—*The minimum number of military*
 7 *technicians (dual status) as of the last day of fiscal year*
 8 *2024 for the reserve components of the Army and the Air*
 9 *Force (notwithstanding section 129 of title 10, United*
 10 *States Code) shall be the following:*

11 (1) *For the Army National Guard of the United*
 12 *States, 22,294.*

13 (2) *For the Army Reserve, 7,990.*

14 (3) *For the Air National Guard of the United*
 15 *States, 10,994.*

16 (4) *For the Air Force Reserve, 7,111.*

17 (b) *LIMITATION ON NUMBER OF TEMPORARY MILITARY*
 18 *TECHNICIANS (DUAL STATUS).*—*The number of temporary*
 19 *military technicians (dual status) employed under the au-*
 20 *thority of subsection (a) may not exceed 25 percent of the*
 21 *total authorized number specified in such subsection.*

22 (c) *LIMITATION.*—*Under no circumstances may a*
 23 *military technician (dual status) employed under the au-*
 24 *thority of this section be coerced by a State into accepting*
 25 *an offer of realignment or conversion to any other military*

1 *status, including as a member of the Active, Guard, and*
 2 *Reserve program of a reserve component. If a military tech-*
 3 *nician (dual status) declines to participate in such realign-*
 4 *ment or conversion, no further action will be taken against*
 5 *the individual or the individual's position.*

6 **SEC. 414. MAXIMUM NUMBER OF RESERVE PERSONNEL AU-**
 7 **THORIZED TO BE ON ACTIVE DUTY FOR**
 8 **OPERATIONAL SUPPORT.**

9 *During fiscal year 2024, the maximum number of*
 10 *members of the reserve components of the Armed Forces who*
 11 *may be serving at any time on full-time operational sup-*
 12 *port duty under section 115(b) of title 10, United States*
 13 *Code, is the following:*

14 (1) *The Army National Guard of the United*
 15 *States, 17,000.*

16 (2) *The Army Reserve, 13,000.*

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

18 (4) *The Marine Corps Reserve, 3,000.*

19 (5) *The Air National Guard of the United*
 20 *States, 16,000.*

21 (6) *The Air Force Reserve, 14,000.*

***Subtitle C—Authorization of
Appropriations***

SEC. 421. MILITARY PERSONNEL.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal year 2024 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for military personnel, as specified in the funding table in section 4401.

(b) CONSTRUCTION OF AUTHORIZATION.—The authorization of appropriations in subsection (a) supersedes any other authorization of appropriations (definite or indefinite) for such purpose for fiscal year 2024.

***TITLE V—MILITARY PERSONNEL
POLICY***

Subtitle A—Officer Personnel Policy

SEC. 501. AUTHORIZED STRENGTH: GENERAL AND FLAG OFFICERS ON ACTIVE DUTY.

(a) REPEAL OF OBSOLETE AUTHORITY; REDESIGNATION.—Chapter 32 of title 10, United States Code, is amended—

- (1) by repealing section 526;*
- (2) by redesignating section 526a as section 526;*
- (3) in the table of sections for such chapter, by striking the item relating to section 526a; and*

1 (4) *in the section heading for section 526, as re-*
 2 *designated by paragraph (2), by striking “after De-*
 3 ***cember 31, 2022*”.**

4 (b) *INCREASED AUTHORIZED STRENGTH.—Section*
 5 *526 of title 10, United States Code, as redesignated and*
 6 *amended by subsection (a), is further amended—*

7 (1) *in subsection (a)—*

8 (A) *by striking “after December 31, 2022,”;*

9 (B) *in paragraph (1), by striking “218”*
 10 *and inserting “219”;*

11 (C) *in paragraph (2), by striking “149”*
 12 *and inserting “150”;*

13 (D) *in paragraph (3), by striking “170”*
 14 *and inserting “171”; and*

15 (E) *in paragraph (4), by striking “62” and*
 16 *inserting “64”; and*

17 (2) *by redesignating the second subsection des-*
 18 *ignated as subsection (i) as subsection (j).*

19 (c) *REPEAL OF EXCLUSION OF OFFICERS SERVING AS*
 20 *LEAD SPECIAL TRIAL COUNSEL FROM LIMITATIONS ON AU-*
 21 *THORIZED STRENGTHS.—Section 506 of the James M.*
 22 *Inhofe National Defense Authorization Act for Fiscal Year*
 23 *2023 is hereby repealed.*

1 **SEC. 502. PROHIBITION ON APPOINTMENT OR NOMINATION**
 2 **OF CERTAIN OFFICERS WHO ARE SUBJECT TO**
 3 **SPECIAL SELECTION REVIEW BOARDS.**

4 *(a) OFFICERS ON ACTIVE-DUTY LIST.—*

5 *Section 628a(a)(2)(B) of title 10, United States*
 6 *Code, is amended to read as follows:*

7 *“(B) shall not be forwarded for appointment or*
 8 *nomination to the Secretary of Defense, the President,*
 9 *or the Senate, as applicable.”.*

10 *(b) OFFICERS ON RESERVE ACTIVE-STATUS LIST.—*

11 *Section 14502a(a)(2)(B) of title 10, United*
 12 *States Code, is amended to read as follows:*

13 *“(B) shall not be forwarded for appointment or*
 14 *nomination to the Secretary of Defense, the President,*
 15 *or the Senate, as applicable.”.*

16 **SEC. 503. EXCLUSION OF OFFICERS WHO ARE LICENSED BE-**
 17 **HAVIORAL HEALTH PROVIDERS FROM LIMI-**
 18 **TATIONS ON ACTIVE DUTY COMMISSIONED**
 19 **OFFICER END STRENGTHS.**

20 *Section 523(b) of title 10, United States Code, is*
 21 *amended by adding at the end the following new paragraph:*

22 *“(10) Officers who are licensed behavioral health*
 23 *providers, including clinical psychologists, social*
 24 *workers, and mental health nurse practitioners.”.*

1 **SEC. 504. UPDATING AUTHORITY TO AUTHORIZE PRO-**
 2 **MOTION TRANSFERS BETWEEN COMPONENTS**
 3 **OF THE SAME SERVICE OR A DIFFERENT**
 4 **SERVICE.**

5 (a) *WARRANT OFFICERS TRANSFERRED BETWEEN*
 6 *COMPONENTS WITHIN THE SAME OR A DIFFERENT UNI-*
 7 *FORMED SERVICE.*—Section 578 of title 10, United States
 8 Code, is amended by adding at the end the following new
 9 subsection:

10 “(g) Notwithstanding subsection (d), and subject to
 11 regulations prescribed by the Secretary of Defense, in the
 12 case of a warrant officer who is selected for promotion by
 13 a selection board convened under this chapter, and prior
 14 to the placement of the warrant officer’s name on the appli-
 15 cable promotion list is approved for transfer to a new com-
 16 ponent within the same or a different uniformed service,
 17 the Secretary concerned may place the warrant officer’s
 18 name on a corresponding promotion list of the new compo-
 19 nent without regard to the warrant officer’s competitive cat-
 20 egory. A warrant officer’s promotion under this subsection
 21 shall be made pursuant to section 12242 of this title.”.

22 (b) *OFFICERS TRANSFERRED TO RESERVE ACTIVE*
 23 *STATUS LIST.*—

24 (1) *IN GENERAL.*—Section 624 of such title is
 25 amended by adding at the end the following new sub-
 26 sections:

1 “(e) Notwithstanding subsection (a)(2), in the case of
 2 an officer who is selected for promotion by a selection board
 3 convened under this chapter, and prior to the placement
 4 of the officer’s name on the applicable promotion list is ap-
 5 proved for transfer to the reserve active status list of the
 6 same or a different uniformed service, the Secretary con-
 7 cerned may place the officer’s name on a corresponding pro-
 8 motion list on the reserve active-status list without regard
 9 to the officer’s competitive category. An officer’s promotion
 10 under this subsection shall be made pursuant to section
 11 14308 of this title.

12 “(f) Notwithstanding subsection (a)(3), in the case of
 13 an officer who is placed on an all-fully-qualified-officers
 14 list, and is subsequently approved for transfer to the reserve
 15 active status list, the Secretary concerned may place the of-
 16 ficer’s name on an appropriate all-fully-qualified-officers
 17 list on the reserve active status list. An officer’s promotion
 18 under this subsection shall be made pursuant to section
 19 14308 of this title.”.

20 (2) DATE OF RANK.—Section 14308(c) of such
 21 title is amended—

22 (A) by redesignating paragraph (3) as
 23 paragraph (4); and

24 (B) by inserting after paragraph (2) the fol-
 25 lowing new paragraph:

1 “(3) *The Secretary concerned may adjust the date of*
 2 *rank of an officer whose name is placed on a reserve active*
 3 *status promotion list pursuant to subsection (e) or (f) of*
 4 *section 624 of this title.*”.

5 **SEC. 505. EFFECT OF FAILURE OF SELECTION FOR PRO-**
 6 **MOTION.**

7 (a) *EFFECT OF FAILURE OF SELECTION FOR PRO-*
 8 *MOTION: CAPTAINS AND MAJORS OF THE ARMY, AIR FORCE,*
 9 *MARINE CORPS, AND SPACE FORCE AND LIEUTENANTS AND*
 10 *LIEUTENANT COMMANDERS OF THE NAVY.—*

11 (1) *IN GENERAL.—Section 632 of title 10,*
 12 *United States Code, is amended—*

13 (A) *in the section heading, by striking*
 14 *“and Marine Corps” and inserting “Ma-*
 15 *rine Corps, and Space Force”;*

16 (B) *in subsection (a)(1), by striking “Presi-*
 17 *dent approves the report of the board which con-*
 18 *sidered him for the second time” and inserting*
 19 *“Secretary concerned releases the promotion re-*
 20 *sults of the board which considered the officer for*
 21 *the second time to the public”.*

22 (2) *CLERICAL AMENDMENT.—The table of sec-*
 23 *tions at the beginning of chapter 36 of title 10,*
 24 *United States Code, is amended by striking the item*

1 relating to section 632 and inserting the following
 2 new item:

“632. *Effect of failure of selection for promotion: captains and majors of the Army, Air Force, Marine Corps, and Space Force and lieutenants and lieutenant commanders of the Navy.*”.

3 (b) *RETIREMENT OF REGULAR OFFICERS OF THE*
 4 *NAVY FOR LENGTH OF SERVICE OR FAILURE OF SELEC-*
 5 *TION FOR PROMOTION.*—Section 8372(a)(2)(A) of title 10,
 6 *United States Code, is amended by striking “President ap-*
 7 *proves the report of the board which considered him for the*
 8 *second time” and inserting “Secretary concerned releases*
 9 *the promotion results of the board which considered the offi-*
 10 *cer for the second time to the public”.*

11 **SEC. 506. PERMANENT AUTHORITY TO ORDER RETIRED**
 12 **MEMBERS TO ACTIVE DUTY IN HIGH-DEMAND,**
 13 **LOW-DENSITY APPOINTMENTS.**

14 (a) *IN GENERAL.*—Section 688a of title 10, *United*
 15 *States Code, is amended—*

16 (1) *in the section heading, by striking “**Retired***
 17 ***aviators: temporary authority*” and inserting**
 18 ***“Authority”;***

19 (2) *by striking subsection (f);*

20 (3) *by redesignating subsections (g) and (h) as*
 21 *subsections (f) and (g), respectively; and*

22 (4) *in subsection (f), as redesignated by para-*
 23 *graph (3), by striking “limitations in subsections (c)*
 24 *and (f)” and inserting “limitation in subsection (c)”.*

1 (b) *CLERICAL AMENDMENT.*—*The table of sections at*
 2 *the beginning of chapter 39 of title 10, United States Code,*
 3 *is amended by striking the item relating to section 688a*
 4 *and inserting the following new item:*

“688a. Authority to order to active duty in high-demand, low-density assignments.”.

5 **SEC. 507. WAIVER AUTHORITY EXPANSION FOR THE EXTEN-**
 6 **SION OF SERVICE OBLIGATION FOR MARINE**
 7 **CORPS CYBERSPACE OPERATIONS OFFICERS.**

8 (a) *REQUIRED SERVICE.*—*Section 651(c) of title 10,*
 9 *United States Code, is amended—*

10 (1) *in paragraph (1), by inserting “or in the*
 11 *case of an unrestricted officer designated within a*
 12 *cyberspace occupational specialty” before the period*
 13 *at the end; and*

14 (2) *in paragraph (2)—*

15 (A) *in subparagraph (A), by striking “; or”*
 16 *and inserting a semicolon;*

17 (B) *in subparagraph (B), by striking the*
 18 *period and inserting “; or”; and*

19 (C) *by adding at the end the following new*
 20 *subparagraph:*

21 “(C) *in the case of an unrestricted officer who*
 22 *has been designated with a cyberspace occupational*
 23 *specialty, the period of obligated service specified in*
 24 *such contract or agreement.”.*

1 (b) *MINIMUM SERVICE REQUIREMENT FOR CERTAIN*
 2 *CYBERSPACE OCCUPATIONAL SPECIALTIES.*—

3 (1) *IN GENERAL.*—Chapter 37 of title 10, United
 4 States Code, is amended by inserting after section 653
 5 the new following section:

6 **“§ 654. Minimum service requirement for certain**
 7 **cyberspace occupational specialties**

8 “(a) *CYBERSPACE OPERATIONS OFFICER.*—The min-
 9 imum service obligation for any member who successfully
 10 completes training in the armed forces in direct accession
 11 to the cyberspace operations officer occupational specialty
 12 of the Marine Corps shall be 8 years.

13 “(b) *SERVICE OBLIGATION DEFINED.*—In this section,
 14 the term ‘service obligation’ means the period of active duty
 15 or, in the case of a member of a reserve component who
 16 completed cyberspace operations training in an active duty
 17 for training status as a member of a reserve component,
 18 the period of service in an active status in the Selected Re-
 19 serve, required to be served after completion of cyberspace
 20 operations training.”.

21 (2) *TABLE OF SECTIONS AMENDMENT.*—The table
 22 of sections at the beginning of such chapter 37 is
 23 amended by inserting after the item relating to sec-
 24 tion 653 the following new item:

“654. Minimum service requirement for certain cyberspace occupational special-
 ties.”.

1 **SEC. 508. REMOVAL OF ACTIVE DUTY PROHIBITION FOR**
 2 **MEMBERS OF THE AIR FORCE RESERVE POL-**
 3 **ICY COMMITTEE.**

4 *Section 10305 of title 10, United States Code, is*
 5 *amended__*

6 *(1) in subsection (b), by striking “not on active*
 7 *duty” both places it appears; and*

8 *(2) in subsection (c)—*

9 *(A) by inserting “of the reserve components”*
 10 *after “among the members”; and*

11 *(B) by striking “not on active duty”.*

12 **SEC. 509. EXTENSION OF AUTHORITY TO VARY NUMBER OF**
 13 **SPACE FORCE OFFICERS CONSIDERED FOR**
 14 **PROMOTION TO MAJOR GENERAL.**

15 *Subsection (b) of section 503 of the National Defense*
 16 *Authorization Act for Fiscal Year 2022 (Public Law 117–*
 17 *81; 135 Stat. 1680) is amended by striking “shall terminate*
 18 *on December 31, 2022” and inserting “shall terminate on*
 19 *December 31, 2024”.*

20 **SEC. 510. REALIGNMENT OF NAVY SPOT-PROMOTION**
 21 **QUOTAS.**

22 *Section 605(g)(4)(B) of title 10, United States Code,*
 23 *is amended by striking “325” and inserting “425”.*

1 **SEC. 511. MODIFICATION OF LIMITATION ON PROMOTION**

2 **SELECTION BOARD RATES.**

3 *Section 616 of title 10, United States Code, is amend-*
 4 *ed—*

5 *(1) in subsection (d)—*

6 *(A) by striking “The number” and inserting*
 7 *“(1) Except as provided in paragraph (2), the*
 8 *number”; and*

9 *(B) by adding at the end the following new*
 10 *paragraph:*

11 *“(2) If a promotion zone established under section 623*
 12 *of this title includes less than 50 officers and is established*
 13 *with respect to promotions to a grade below the grade of*
 14 *colonel or Navy captain, the Secretary concerned may au-*
 15 *thorize selection boards convened under section 611(a) of*
 16 *this title to recommend for promotion a number equal to*
 17 *not more than 100 percent of the number of officers included*
 18 *in such promotion zone.”; and*

19 *(2) in subsection (e), by striking “unless he” and*
 20 *inserting “unless the officer”.*

21 **SEC. 512. TIME IN GRADE REQUIREMENTS.**

22 *Section 1305 of title 10, United States Code, is amend-*
 23 *ed—*

24 *(1) in subsection (a)(3), by inserting “or a Ma-*
 25 *rine Corps Marine Gunner warrant officer in such*
 26 *grade,” after “chief warrant officer, W-5,”;*

1 (2) *in subsection (b), by striking “when he” and*
 2 *inserting “when the warrant officer”; and*

3 (3) *in subsection (c)—*

4 (A) *by striking “as he” and inserting “as*
 5 *the Secretary concerned”; and*

6 (B) *by striking “after he” and inserting*
 7 *“after the warrant officer”.*

8 **SEC. 513. FLEXIBILITY IN DETERMINING TERMS OF AP-**
 9 **POINTMENT FOR CERTAIN SENIOR OFFICER**
 10 **POSITIONS.**

11 (a) *IN GENERAL.*—Chapter 35 of title 10, United
 12 States Code, is amended by inserting after section 601 the
 13 following new section:

14 **“§ 602. Flexibility in determining terms of appoint-**
 15 **ment for certain senior officer positions**

16 *“The Secretary of Defense may extend or reduce the*
 17 *duration of an appointment made under section 152, 154,*
 18 *7033, 8033, 8043, 9033, and 9082 of this title by up to*
 19 *six months if the Secretary determines that such an exten-*
 20 *sion or reduction is necessary either in the interests of na-*
 21 *tional defense, or to ensure an appropriate staggering of*
 22 *terms of senior military leadership.”.*

23 (b) *CLERICAL AMENDMENT.*—The table of sections at
 24 the beginning of chapter 35 of title 10, United States Code,

1 *is amended by inserting after the item relating to section*
 2 *601 the following new item:*

“602. Flexibility in determining terms of appointment for certain senior officer positions.”.

3 ***Subtitle B—Reserve Component***
 4 ***Management***

5 ***SEC. 521. ALTERNATIVE PROMOTION AUTHORITY FOR RE-***
 6 ***SERVE OFFICERS IN DESIGNATED COMPETI-***
 7 ***TIVE CATEGORIES.***

8 *(a) IN GENERAL.—Part III of subtitle E of title 10,*
 9 *United States Code, is amended by adding at the end the*
 10 *following new chapter:*

11 ***“CHAPTER 1413—ALTERNATIVE PRO-***
 12 ***MOTION AUTHORITY FOR OFFICERS IN***
 13 ***DESIGNATED COMPETITIVE CAT-***
 14 ***EGORIES***

“Sec.

“15101. Officers in designated competitive categories.

“15102. Selection for promotion.

“15103. Eligibility for consideration for promotion.

“15104. Opportunities for consideration for promotion.

“15105. Promotions.

“15106. Failure of selection for promotion.

“15107. Retirement: retirement for years of service; selective early retirement.

“15108. Continuation on the Reserve Active-Status List.

“15109. Other administrative authorities.

“15110. Regulations.

15 ***“§ 15101. Officers in designated competitive categories***

16 *“(a) AUTHORITY TO DESIGNATE COMPETITIVE CAT-*
 17 *EGORIES OF OFFICERS.—Each Secretary of a military de-*
 18 *partment may designate one or more competitive categories*
 19 *for promotion of officers under section 14005 of this title*

1 *that are under the jurisdiction of such Secretary as a com-*
 2 *petitive category of officers whose promotion, retirement,*
 3 *and continuation on the reserve active-status list shall be*
 4 *subject to the provisions of this chapter.*

5 “(b) *LIMITATION ON EXERCISE OF AUTHORITY.—The*
 6 *Secretary of a military department may not designate a*
 7 *competitive category of officers for purposes of this chapter*
 8 *until 60 days after the date on which the Secretary submits*
 9 *to the Committees on Armed Services of the Senate and the*
 10 *House of Representatives a report on the designation of the*
 11 *competitive category. The report on the designation of a*
 12 *competitive category shall set forth the following:*

13 “(1) *A detailed description of officer require-*
 14 *ments for officers within the competitive category.*

15 “(2) *An explanation of the number of opportuni-*
 16 *ties for consideration for promotion to each particular*
 17 *grade, and an estimate of promotion timing, within*
 18 *the competitive category.*

19 “(3) *An estimate of the size of the promotion*
 20 *zone for each grade within the competitive category.*

21 “(4) *A description of any other matters the Sec-*
 22 *retary considered in determining to designate the*
 23 *competitive category for purposes of this chapter.*

1 **“§ 15102. Selection for promotion**

2 “(a) *IN GENERAL.*—Except as provided in this section,
3 the selection for promotion of officers in any competitive
4 category of officers designated for purposes of this chapter
5 shall be governed by the provisions under chapter 1403 of
6 this title.

7 “(b) *NO RECOMMENDATION FOR PROMOTION OF OFFI-*
8 *CERS BELOW PROMOTION ZONE.*—Section 14301(d) of this
9 title shall not apply to the selection for promotion of officers
10 described in subsection (a).

11 “(c) *RECOMMENDATION FOR OFFICERS TO BE EX-*
12 *CLUDED FROM FUTURE CONSIDERATION FOR PRO-*
13 *MOTION.*—In making recommendations pursuant to chapter
14 1403 of this title for purposes of the administration of this
15 chapter, a selection board convened under section 14101(a)
16 of this title may recommend that an officer considered by
17 the board be excluded from future consideration for pro-
18 motion under this chapter.

19 **“§ 15103. Eligibility for consideration for promotion**

20 “(a) *IN GENERAL.*—Except as provided by this sec-
21 tion, eligibility for promotion of officers in any competitive
22 category of officers designated for purposes of this chapter
23 shall be governed by the provisions of sections 14301, 14303,
24 and 14304 of this title.

25 “(b) *INAPPLICABILITY OF CERTAIN TIME-IN-GRADE*
26 *REQUIREMENTS.*—Sections 14303 and 14304 of this title

1 *shall not apply to the promotion of officers described in sub-*
 2 *section (a).*

3 “(c) *INAPPLICABILITY TO OFFICERS ABOVE AND*
 4 *BELOW PROMOTION ZONE.*—*The following provisions of*
 5 *this title shall not apply to the promotion of officers de-*
 6 *scribed in subsection (a):*

7 “(1) *The reference in section 14301(b) to an offi-*
 8 *cer above the promotion zone.*

9 “(2) *Section 14301(d).*

10 “(d) *INELIGIBILITY OF CERTAIN OFFICERS.*—*The fol-*
 11 *lowing officers are not eligible for promotion under this*
 12 *chapter:*

13 “(1) *An officer described in section 14301(c) of*
 14 *this title.*

15 “(2) *An officer not included within the pro-*
 16 *motion zone.*

17 “(3) *An officer who has failed of promotion to a*
 18 *higher grade the maximum number of times specified*
 19 *for opportunities for promotion for such grade within*
 20 *the competitive category concerned pursuant to sec-*
 21 *tion 15104 of this title.*

22 “(4) *An officer recommended by a selection board*
 23 *to be removed from consideration for promotion in ac-*
 24 *cordance with section 15102(c) of this title.*

1 **“§ 15104. Opportunities for consideration for pro-**
 2 **motion**

3 “(a) *SPECIFICATION OF NUMBER OF OPPORTUNITIES*
 4 *FOR CONSIDERATION FOR PROMOTION.*—*In designating a*
 5 *competitive category of officers pursuant to section 15101*
 6 *of this title, the Secretary of a military department shall*
 7 *specify the number of opportunities for consideration for*
 8 *promotion to be afforded officers of the armed force con-*
 9 *cerned within the category for promotion to each grade*
 10 *above the grade of first lieutenant or lieutenant (junior*
 11 *grade), as applicable.*

12 “(b) *LIMITED AUTHORITY OF SECRETARY OF MILI-*
 13 *TARY DEPARTMENT TO MODIFY NUMBER OF OPPORTUNI-*
 14 *TIES.*—*The Secretary of a military department may modify*
 15 *the number of opportunities for consideration for promotion*
 16 *to be afforded officers of an armed force within a competi-*
 17 *tive category for promotion to a particular grade, as pre-*
 18 *viously specified by the Secretary pursuant subsection (a)*
 19 *of this subsection, not more frequently than once every five*
 20 *years.*

21 “(c) *DISCRETIONARY AUTHORITY OF SECRETARY OF*
 22 *DEFENSE TO MODIFY NUMBER OF OPPORTUNITIES.*—*The*
 23 *Secretary of Defense may modify the number of opportuni-*
 24 *ties for consideration for promotion to be afforded officers*
 25 *of an armed force within a competitive category for pro-*
 26 *motion to a particular grade, as previously specified or*

1 *modified pursuant to any provision of this section, at the*
 2 *discretion of the Secretary.*

3 “(d) *LIMITATION ON NUMBER OF OPPORTUNITIES*
 4 *SPECIFIED.—The number of opportunities for consider-*
 5 *ation for promotion to be afforded officers of an armed force*
 6 *within a competitive category for promotion to a particular*
 7 *grade, as specified or modified pursuant to any provision*
 8 *of this section, may not exceed five opportunities.*

9 “(e) *EFFECT OF CERTAIN REDUCTION IN NUMBER OF*
 10 *OPPORTUNITIES SPECIFIED.—If, by reason of a reduction*
 11 *in the number of opportunities for consideration for pro-*
 12 *motion under this section, an officer would no longer have*
 13 *one or more opportunities for consideration for promotion*
 14 *that were available to the officer before the reduction, the*
 15 *officer shall be afforded one additional opportunity for con-*
 16 *sideration for promotion after the reduction.*

17 **“§ 15105. Promotions**

18 “Sections 14307 through 14317 of this title shall apply
 19 in promotions of officers in competitive categories of officers
 20 designated for purposes of this chapter.

21 **“§ 15106. Failure of selection for promotion**

22 “(a) *IN GENERAL.—Except as provided in this section,*
 23 *sections 14501 through 14513 of this title shall apply to*
 24 *promotions of officers in competitive categories of officers*
 25 *designated for purposes of this chapter.*

1 “(b) *INAPPLICABILITY OF FAILURE OF SELECTION FOR*
 2 *PROMOTION TO OFFICERS ABOVE PROMOTION ZONE.*—*The*
 3 *reference in section 14501 of this title to an officer above*
 4 *the promotion zone shall not apply in the promotion of offi-*
 5 *cers described in subsection (a).*

6 “(c) *SPECIAL SELECTION BOARD MATTERS.*—*The ref-*
 7 *erence in section 14502(a)(1) of this title to a person above*
 8 *the promotion zone shall not apply in the promotion of offi-*
 9 *cers described in subsection (a).*

10 “(d) *EFFECT OF FAILURE OF SELECTION.*—*In the ad-*
 11 *ministration of this chapter pursuant to subsection (a)—*

12 “(1) *an officer described in subsection (a) shall*
 13 *not be deemed to have failed twice of selection for pro-*
 14 *motion for purposes of section 14502(b) of this title*
 15 *until the officer has failed selection of promotion to*
 16 *the next higher grade the maximum number of times*
 17 *specified for opportunities for promotion to such*
 18 *grade within the competitive category concerned pur-*
 19 *suant to section 15104 of this title; and*

20 “(2) *any reference in sections 14504 through*
 21 *14506 of this title to an officer who has failed of selec-*
 22 *tion for promotion to the next higher grade for the*
 23 *second time shall be deemed to refer instead to an offi-*
 24 *cer described in subsection (a) who has failed of selec-*
 25 *tion for promotion to the next higher grade for the*

1 *maximum number of times specified for opportunities*
 2 *for promotion to such grade within the competitive*
 3 *category concerned pursuant to such section 15104.*

4 **“§ 15107. Retirement: retirement for years of service;**
 5 ***selective early retirement***

6 “(a) *RETIREMENT FOR YEARS OF SERVICE.*—Sections
 7 14507 through 14515 of this title shall apply to the retire-
 8 ment of officers in competitive categories of officers des-
 9 ignated for purposes of this chapter.

10 “(b) *SELECTIVE EARLY RETIREMENT.*—Section
 11 14101(b) of this title shall apply to the retirement of officers
 12 described in subsection (a).

13 **“§ 15108. Continuation on the Reserve Active-Status**
 14 ***List***

15 “Sections 14701 through 14703 of this title shall apply
 16 in continuation or retention on a reserve active-status list
 17 of officers designated for purposes of this chapter.

18 **“§ 15109. Other administrative authorities**

19 “(a) *IN GENERAL.*—The following provisions of this
 20 title shall apply to officers in competitive categories of offi-
 21 cers designated for purposes of this chapter:

22 “(1) Section 14518, relating to continuation of
 23 officers to complete disciplinary action.

24 “(2) Section 14519, relating to deferment of re-
 25 tirement or separation for medical reasons.

6 “§ 15110. Regulations

(b) *TABLE OF CHAPTERS AMENDMENT.*—The table of chapters at the beginning of part III of subtitle E of title 10, United States Code, is amended by adding at the end the following new item:

17 **SEC. 522. SELECTED RESERVE AND READY RESERVE ORDER**
18 **TO ACTIVE DUTY TO RESPOND TO A SIGNIFI-**
19 **CANT CYBER INCIDENT.**

20 *Section 12304 of title 10, United States Code, is*
21 *amended—*

22 (1) in subsection (a), by striking “for any named
23 operational mission”;

1 (2) *by redesignating subsections (c) through (j)*
 2 *as subsections (d) through (k), respectively;*

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

5 “(c) *SIGNIFICANT CYBER INCIDENTS.*—*The Secretary*
 6 *of Defense and the Secretary of the Department in which*
 7 *the Coast Guard is operating may, without the consent of*
 8 *the member affected, order any unit, and any member not*
 9 *assigned to a unit organized to serve as a unit, of the Se-*
 10 *lected Reserve or Individual Ready Reserve to active duty*
 11 *for a continuous period of not more than 365 days when*
 12 *the Secretary of Defense or, with respect to the Coast Guard,*
 13 *the Secretary of the Department in which the Coast Guard*
 14 *is operating determines it is necessary to augment the ac-*
 15 *tive forces for the respective responses from the Department*
 16 *of Defense or the Department of Homeland Security to a*
 17 *covered incident.”;*

18 (4) *in paragraph (1) of subsection (d), as redes-*
 19 *ignated by paragraph (2) of this section, by inserting*
 20 *“or subsection (c)” after “subsection (b)”;*

21 (5) *in subsection (h) (as so redesignated)—*

22 (A) *by redesignating paragraphs (1) and*
 23 (2) *as subparagraphs (A) and (B), respectively;*

24 (B) *by striking “Whenever any” and insert-*
 25 *ing “(1) Whenever any”; and*

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

3 “(2) Whenever any unit of the Selected Reserve or any
4 member of the Selected Reserve not assigned to a unit orga-
5 nized to serve as a unit, or any member of the Individual
6 Ready Reserve, is ordered to active duty under authority
7 of subsection (c), the service of all units or members so or-
8 dered to active duty may be terminated by—

9 “(A) order of the Secretary of Defense or the Sec-
10 retary of the Department in which the Coast Guard
11 is operating; or

12 “(B) law.”; and

13 (6) in subsection (k) (as so redesignated)—

14 (A) by redesignating paragraph (2) as
15 paragraph (3); and

16 (B) by inserting after paragraph (1) the fol-
17 lowing new paragraph:

18 “(2) The term ‘covered incident’ means—

19 “(A) a cyber incident involving a Depart-
20 ment of Defense information system, or a breach
21 of a Department of Defense system that involves
22 personally identifiable information, that the Sec-
23 retary of Defense determines is likely to result in
24 demonstrable harm to the national security in-
25 terests, foreign relations, or the economy of the

1 *United States, or to the public confidence, civil*
2 *liberties, or public health and safety of the people*
3 *of the United States;*

4 “(B) a cyber incident involving a Depart-
5 *ment of Homeland Security information system*
6 *or a breach of a Department of Homeland Secu-*
7 *rity system that involves personally identifiable*
8 *information that the Secretary of Homeland Se-*
9 *curity determines is likely to result in demon-*
10 *strable harm to the national security interests,*
11 *foreign relations, or the economy of the United*
12 *States or to the public confidence, civil liberties,*
13 *or public health and safety of the people of the*
14 *United States;*

15 “(C) a cyber incident or collection of related
16 *cyber incidents that the President determines is*
17 *likely to result in demonstrable harm to the na-*
18 *tional security interests, foreign relations, or*
19 *economy of the United States or to the public*
20 *confidence, civil liberties, or public health and*
21 *safety of the people of the United States; or*

22 “(D) a significant incident declared pursu-
23 *ant to section 2233 of the Homeland Security*
24 *Act of 2002 (6 U.S.C. 677b).”.*

1 **SEC. 523. MOBILIZATION OF SELECTED RESERVE FOR**
 2 **PREPLANNED MISSIONS IN SUPPORT OF THE**
 3 **COMBATANT COMMANDS.**

4 *Section 12304b(b)(1) of title 10, United States Code,*
 5 *is amended—*

6 *(1) by redesignating subparagraphs (A) and (B)*
 7 *as clauses (i) and (ii), respectively;*

8 *(2) by striking “Units” and inserting “(A) Ex-*
 9 *cept as provided under subparagraph (B), units”;*
 10 *and*

11 *(3) by adding at the end the following new sub-*
 12 *paragraph:*

13 *“(B) In the event the President’s budget is deliv-*
 14 *ered later than April 1st in the year prior to the year*
 15 *of the mobilization of one or more units under this*
 16 *section, the Secretary concerned may submit to Con-*
 17 *gress the information required under subparagraph*
 18 *(A) in a separate notice.”.*

19 **SEC. 524. ALTERNATING SELECTION OF OFFICERS OF THE**
 20 **NATIONAL GUARD AND THE RESERVES AS**
 21 **DEPUTY COMMANDERS OF CERTAIN COMBAT-**
 22 **ANT COMMANDS.**

23 *Section 164(e)(4) of title 10, United States Code, is*
 24 *amended—*

25 *(1) by inserting “(A)” before “At least one dep-*
 26 *uty commander”; and*

1 (2) *by adding at the end the following new sub-*
 2 *paragraphs:*

3 “(B) *In carrying out the requirement in subparagraph*
 4 *(A) pertaining to the selection of an officer of the reserve*
 5 *component, the Secretary of Defense shall alternate between*
 6 *selecting an officer of the National Guard and an officer*
 7 *of the Reserves no less frequently than every two terms.*

8 “(C) *The Secretary of Defense may waive the require-*
 9 *ment under subparagraph (B) regarding the alternating se-*
 10 *lection of reserve component officers if the Secretary of De-*
 11 *fense determines that such action is in the national inter-*
 12 *est.”.*

13 **SEC. 525. GRADE OF VICE CHIEF OF THE NATIONAL GUARD**
 14 **BUREAU.**

15 *Section 10505 of title 10, United States Code, is*
 16 *amended by adding at the end the following new subsection:*

17 “(c) *GRADE AND EXCLUSION FROM GENERAL AND*
 18 *FLAG OFFICER AUTHORIZED STRENGTH.—(1) The Vice*
 19 *Chief of the National Guard Bureau shall be appointed to*
 20 *serve in the grade of general.*

21 “(2) *The Secretary of Defense shall designate, pursu-*
 22 *ant to subsection (b) of section 526a of this title, the posi-*
 23 *tion of Vice Chief of the National Guard Bureau as one*
 24 *of the general officer and flag officer positions to be excluded*
 25 *from the limitations in subsection (a) of such section.”.*

1 ***Subtitle C—General Service***
 2 ***Authorities and Military Records***

3 ***SEC. 531. MODIFICATION OF LIMITATION ON ENLISTMENT***
 4 ***AND INDUCTION OF PERSONS WHOSE SCORE***
 5 ***ON THE ARMED FORCES QUALIFICATION***
 6 ***TEST IS BELOW A PRESCRIBED LEVEL.***

7 *Section 520(a) of title 10, United States Code, is*
 8 *amended—*

9 (1) *by striking “The number of persons” and in-*
 10 *serting “(1) The number of persons”;*

11 (2) *by striking “may not exceed 20 percent” and*
 12 *inserting “may not exceed 4 percent”; and*

13 (3) *by adding at the end the following new para-*
 14 *graph:*

15 “(2) *Upon the request of the Secretary concerned, the*
 16 *Secretary of Defense may authorize an armed force to in-*
 17 *crease the limitation specified in paragraph (1) to not ex-*
 18 *ceed 20 percent of the total number of persons originally*
 19 *enlisted or inducted to serve on active duty (other than ac-*
 20 *tive duty for training) in such armed forced during such*
 21 *fiscal year. The Secretary of Defense shall notify the Com-*
 22 *mittees on Armed Services of the Senate and the House of*
 23 *Representatives not later than 30 days after using such au-*
 24 *thority.”.*

1 **SEC. 532. NON-MEDICAL COUNSELING SERVICES FOR MILI-**
 2 **TARY FAMILIES.**

3 *Section 1781 of title 10, United States Code, is amend-*
 4 *ed by adding at the end the following new subsection:*

5 “(d) *NON-MEDICAL COUNSELING SERVICES.*—(1) *In*
 6 *carrying out its duties under subsection (b), the Office may*
 7 *coordinate programs and activities to provide non-medical*
 8 *counseling services to military families through the Depart-*
 9 *ment of Defense Military and Family Life Counseling Pro-*
 10 *gram.*

11 “(2) *A mental health care professional described in*
 12 *paragraph (3) may provide non-medical counseling services*
 13 *at any location in a State, the District of Columbia, or*
 14 *a territory or possession of the United States, without re-*
 15 *gard to where the professional or recipient of such services*
 16 *is located or delivery of such services is provided (including*
 17 *face-to-face and telehealth), if the provision of such services*
 18 *is within the scope of the authorized Federal duties of the*
 19 *professional.*

20 “(3) *A non-medical mental health professional de-*
 21 *scribed in this subsection is a person who is—*

22 “(A) *a currently licensed mental health care pro-*
 23 *vider who holds a license that is—*

24 “(i) *issued by a State, the District of Co-*
 25 *lumbia, or a territory or possession of the United*
 26 *States; and*

1 “(ii) recognized by the Secretary of Defense
2 as an appropriate license for the provision of
3 non-medical counseling services;

4 “(B) a member of the armed forces, a civilian
5 employee of the Department of Defense, or a con-
6 tractor designated by the Secretary; and

7 “(C) performing authorized duties for the De-
8 partment of Defense under a program or activity re-
9 ferred to in paragraph (1).

10 “(4) The authority under this subsection shall termi-
11 nate three years after the date of the enactment of this sub-
12 section.

13 “(5) In this subsection, the term ‘non-medical coun-
14 seling services’ means mental health care services that are
15 non-clinical, short-term and solution focused, and address
16 topics related to personal growth, development, and positive
17 functioning.”.

18 **SEC. 533. PRIMACY OF NEEDS OF THE SERVICE IN DETER-**
19 **MINING INDIVIDUAL DUTY ASSIGNMENTS.**

20 (a) *IN GENERAL.*—Chapter 39 of title 10, United
21 States Code, is amended by inserting after section 674 the
22 following new section:

1 **“§ 675. Primacy of needs of the service in determining**
 2 **individual duty assignments**

3 “(a) *IN GENERAL.*—The Secretaries of the military de-
 4 partments shall make duty assignments of individual mem-
 5 bers based on the needs of the military services.

6 “(b) *ASSIGNMENTS BASED ON SERVICE NEEDS.*—A
 7 servicemember’s opinion on State laws shall not take prece-
 8 dence over the needs of the military services in determining
 9 individual duty assignments.

10 “(c) *RULE OF CONSTRUCTION.*—Nothing in this sec-
 11 tion shall be construed as prohibiting the Secretaries of the
 12 military departments from considering the general pref-
 13 erences of members of the armed forces in making deter-
 14 minations about individual duty assignments.”.

15 (b) *CLERICAL AMENDMENT.*—The table of sections at
 16 the beginning of such chapter is amended by inserting after
 17 the item relating to section 674 the following new item:

“675. *Primacy of needs of the service in determining individual duty assign-
 ments.*”.

18 **SEC. 534. REQUIREMENT TO USE QUALIFICATIONS, PER-**
 19 **FORMANCE, AND MERIT AS BASIS FOR PRO-**
 20 **MOTIONS, ASSIGNMENTS, AND OTHER PER-**
 21 **SONNEL ACTIONS.**

22 *The Secretary of Defense shall ensure that all pro-*
 23 *motions, assignments, and other personnel actions of the*

1 *Armed Forces are based primarily on qualifications, per-*
 2 *formance, and merit.*

3 **SEC. 535. REQUIREMENT TO BASE TREATMENT IN THE MILI-**
 4 **TARY ON MERIT AND PERFORMANCE.**

5 (a) *FINDINGS.*—Congress makes the following findings:

6 (1) *The United States Armed Forces is the great-*
 7 *est civil rights program in the history of the world.*

8 (2) *Former Chairman of the Joint Chiefs Gen-*
 9 *eral Colin Powell wrote that “the military [has] given*
 10 *African-Americans more equal opportunity than any*
 11 *other institution in American society”.*

12 (3) *Today’s Armed Forces is the most diverse*
 13 *large public institution in the country, and brings to-*
 14 *gether Americans from every background in the serv-*
 15 *ice of defending the country.*

16 (4) *Military readiness depends on the guarantee*
 17 *of equal opportunity, without the promise of an equal*
 18 *outcome, because warfare is a competitive endeavor*
 19 *and the nation’s enemies must know that the United*
 20 *States Armed Forces is led by the best, brightest, and*
 21 *bravest Americans.*

22 (5) *The tenets of critical race theory are antithet-*
 23 *ical to the merit-based, all-volunteer, military that*
 24 *has served the country with great distinction for the*
 25 *last 50 years.*

1 (b) *DEFINITION OF EQUITY.*—For the purposes of any
 2 Department of Defense Diversity, Equity, and Inclusion di-
 3 rective, program, policy, or instruction, the term “equity”
 4 is defined as “the right of all persons to have the oppor-
 5 tunity to participate in, and benefit from, programs, and
 6 activities for which they are qualified”.

7 (c) *PROHIBITIONS.*—

8 (1) *DIRECTIVES.*—The Department of Defense
 9 shall not direct or otherwise compel any member of
 10 the Armed Forces, military dependent, or civilian em-
 11 ployee of the Department of Defense to personally af-
 12 firm, adopt, or adhere to the tenet that any sex, race,
 13 ethnicity, religion or national origin is inherently su-
 14 perior or inferior.

15 (2) *TRAINING AND INSTRUCTION.*—No organiza-
 16 tion or institution under the authority of the Sec-
 17 retary of Defense may provide courses, training, or
 18 any other type of instruction that directs, compels, or
 19 otherwise suggests that members of the Armed Forces,
 20 military dependents, or civilian employees of the De-
 21 partment of Defense should affirm, adopt, or adhere
 22 to the tenet described in paragraph (1).

23 (3) *DISTINCTIONS AND CLASSIFICATIONS.*—

24 (A) *IN GENERAL.*—No organization or in-
 25 stitution under the authority of the Secretary of

1 *Defense shall make a distinction or classification*
 2 *of members of the Armed Forces, military de-*
 3 *pendents, or civilian employees of the Depart-*
 4 *ment of Defense based on account of race, eth-*
 5 *nicity, or national origin.*

6 *(B) RULE OF CONSTRUCTION.—Nothing in*
 7 *this paragraph shall be construed to prohibit the*
 8 *required collection or reporting of demographic*
 9 *information by the Department of Defense.*

10 *(d) MERIT REQUIREMENT.—All Department of De-*
 11 *fense personnel actions, including accessions, promotions,*
 12 *assignments and training, shall be based exclusively on in-*
 13 *dividual merit and demonstrated performance.*

14 **SEC. 536. TIGER TEAM FOR OUTREACH TO FORMER MEM-**
 15 **BERS.**

16 *(a) ESTABLISHMENT OF TIGER TEAM.—*

17 *(1) IN GENERAL.—Not later than 60 days after*
 18 *the date of the enactment of this Act, the Secretary of*
 19 *Defense shall establish a team (commonly known as*
 20 *a “tiger team” and referred to in this section as the*
 21 *“Tiger Team”)* responsible for conducting outreach to
 22 *build awareness among former members of the Armed*
 23 *Forces of the process established pursuant to section*
 24 *527 of the National Defense Authorization Act for*
 25 *Fiscal Year 2020 (Public Law 116–92; 10 U.S.C.*

1 1552 note) for the review of discharge characteriza-
 2 tions by appropriate discharge boards. The Tiger
 3 Team shall consist of appropriate personnel of the De-
 4 partment of Defense assigned to the Tiger Team by
 5 the Secretary for purposes of this section.

6 (2) *TIGER TEAM LEADER.*—One of the persons
 7 assigned to the Tiger Team under paragraph (1) shall
 8 be a senior-level officer or employee of the Department
 9 who shall serve as the lead official of the Tiger Team
 10 (in this section referred to as the “Tiger Team Lead-
 11 er”) and who shall be accountable for the activities of
 12 the Tiger Team under this section.

13 (3) *REPORT ON COMPOSITION.*—Not later than
 14 90 days after the date of the enactment of this Act,
 15 the Secretary shall submit to Congress a report set-
 16 ting forth the names of the personnel of the Depart-
 17 ment assigned to the Tiger Team pursuant to this
 18 subsection, including the positions to which assigned.
 19 The report shall specify the name of the individual
 20 assigned as Tiger Team Leader.

21 (b) *DUTIES.*—

22 (1) *IN GENERAL.*—The Tiger Team shall conduct
 23 outreach to build awareness among veterans of the
 24 process established pursuant to section 527 of the Na-
 25 tional Defense Authorization Act for Fiscal Year 2020

1 *for the review of discharge characterizations by ap-*
2 *propriate discharge boards.*

3 (2) *COLLABORATION.*—*In conducting activities*
4 *under this subsection, the Tiger Team Leader shall*
5 *identify appropriate external stakeholders with whom*
6 *the Tiger Team shall work to carry out such activi-*
7 *ties. Such stakeholders shall include representatives of*
8 *veterans service organizations and such other stake-*
9 *holders as the Tiger Team Leader considers appro-*
10 *priate.*

11 (3) *INITIAL REPORT.*—*Not later than 210 days*
12 *after the date of the enactment of this Act, the Sec-*
13 *retary of Defense shall submit to Congress the fol-*
14 *lowing:*

15 (A) *A plan setting forth the following:*

16 (i) *A description of the manner in*
17 *which the Secretary, working through the*
18 *Tiger Team and in collaboration with exter-*
19 *nal stakeholders described in paragraph (2),*
20 *shall identify individuals who meet the cri-*
21 *teria in section 527(b) of the National De-*
22 *fense Authorization Act for Fiscal Year*
23 *2020 for review of discharge characteriza-*
24 *tion.*

1 (ii) A description of the manner in
2 which the Secretary, working through the
3 Tiger Team and in collaboration with the
4 external stakeholders, shall improve out-
5 reach to individuals who meet the criteria
6 in section 527(b) of the National Defense
7 Authorization Act for Fiscal Year 2020 for
8 review of discharge characterization, includ-
9 ing through—

10 (I) obtaining contact information
11 on such individuals; and

12 (II) contacting such individuals
13 on the process established pursuant to
14 section 527 of the National Defense Au-
15 thorization Act for Fiscal Year 2020
16 for the review of discharge character-
17 izations.

18 (B) A description of the manner in which
19 the work described in clauses (i) and (ii) of sub-
20 paragraph (A) will be carried out, including an
21 allocation of the work among the Tiger Team
22 and the external stakeholders.

23 (C) A schedule for the implementation, car-
24 rying out, and completion of the plan required
25 under subparagraph (A).

1 (D) *A description of the additional funding,*
2 *personnel, or other resources of the Department*
3 *required to carry out the plan required under*
4 *subparagraph (A), including any modification of*
5 *applicable statutory or administrative authori-*
6 *ties.*

7 (4) *IMPLEMENTATION OF PLAN.—*

8 (A) *IN GENERAL.—The Secretary shall im-*
9 *plement and carry out the plan submitted under*
10 *subparagraph (A) of paragraph (3) in accord-*
11 *ance with the schedule submitted under subpara-*
12 *graph (C) of that paragraph.*

13 (B) *UPDATES.—Not less frequently than*
14 *once every 90 days after the submittal of the re-*
15 *port under paragraph (3), the Tiger Team shall*
16 *submit to Congress an update on the carrying*
17 *out of the plan submitted under subparagraph*
18 *(A) of that paragraph.*

19 (5) *FINAL REPORT.—Not later than 3 years after*
20 *the date of the enactment of this Act, the Tiger Team*
21 *shall submit to the Committees on Armed Services of*
22 *the Senate and the House of Representatives a final*
23 *report on the activities of the Tiger Team under this*
24 *subsection. The report shall set forth the following:*

1 (A) *The number of individuals discharged*
2 *under Don't Ask, Don't Tell or a similar policy*
3 *prior to the enactment of Don't Ask, Don't Tell.*

4 (B) *The number of individuals described in*
5 *subparagraph (A) who availed themselves of a*
6 *review of discharge characterization (whether*
7 *through discharge review or correction of mili-*
8 *tary records) through a process established prior*
9 *to the enactment of this Act.*

10 (C) *The number of individuals contacted*
11 *through outreach conducted pursuant to this sec-*
12 *tion.*

13 (D) *The number of individuals described in*
14 *subparagraph (A) who availed themselves of a*
15 *review of discharge characterization through the*
16 *process established pursuant to section 527 of the*
17 *National Defense Authorization Act for Fiscal*
18 *Year 2020.*

19 (E) *The number of individuals described in*
20 *subparagraph (D) whose review of discharge*
21 *characterization resulted in a change of charac-*
22 *terization to honorable discharge.*

23 (F) *The total number of individuals de-*
24 *scribed in subparagraph (A), including individ-*
25 *uals also covered by subparagraph (E), whose re-*

1 *view of discharge characterization since Sep-*
 2 *tember 20, 2011 (the date of repeal of Don't Ask,*
 3 *Don't Tell), resulted in a change of characteriza-*
 4 *tion to honorable discharge.*

5 (6) *TERMINATION.*—*On the date that is 60 days*
 6 *after the date on which the final report required by*
 7 *paragraph (5) is submitted, the Secretary shall termi-*
 8 *nate the Tiger Team.*

9 (c) *ADDITIONAL REPORTS.*—

10 (1) *REVIEW.*—*The Secretary of Defense shall*
 11 *conduct a review of the consistency and uniformity of*
 12 *the reviews conducted pursuant to section 527 of the*
 13 *National Defense Authorization Act for Fiscal Year*
 14 *2020.*

15 (2) *REPORTS.*—*Not later than 270 days after the*
 16 *date of the enactment of this Act, and each year there-*
 17 *after for a four-year period, the Secretary shall sub-*
 18 *mit to Congress a report on the reviews under para-*
 19 *graph (1). Such reports shall include any comments*
 20 *or recommendations for continued actions.*

21 (d) *DON'T ASK, DON'T TELL DEFINED.*—*In this sec-*
 22 *tion, the term “Don't Ask, Don't Tell” means section 654*
 23 *of title 10, United States Code, as in effect before such sec-*
 24 *tion was repealed pursuant to the Don't Ask, Don't Tell*
 25 *Repeal Act of 2010 (Public Law 111–321).*

1 **SEC. 537. DIVERSITY, EQUITY, AND INCLUSION PERSONNEL**

2 **GRADE CAP.**

3 (a) *IN GENERAL.*—*The Secretary concerned may not*
4 *appoint to, or otherwise employ in, any position with sole*
5 *duties as described in subsection (b) a military or civilian*
6 *employee paid annual pay at a rate that exceeds the equiva-*
7 *lent of the rate payable for GS–10, not adjusted for locality.*

8 (b) *COVERED DUTIES.*—*The duties referred to in sub-*
9 *section (a) are as follows:*

10 (1) *Developing, refining, and implementing di-*
11 *versity, equity, and inclusion policy.*

12 (2) *Leading working groups and councils to de-*
13 *veloping diversity, equity, and inclusion goals and*
14 *objectives to measure performance and outcomes.*

15 (3) *Creating and implementing diversity, equity,*
16 *and inclusion education, training courses, and work-*
17 *shops for military and civilian personnel.*

18 (c) *APPLICABILITY TO CURRENT EMPLOYEES.*—*Any*
19 *military or civilian employee appointed to a position with*
20 *duties described in subsection (b) who is paid annual pay*
21 *at a rate that exceeds the amount allowed under subsection*
22 *(a) shall be reassigned to another position not later than*
23 *180 days after the date of the enactment of this Act.*

***Subtitle D—Military Justice and
Other Legal Matters***

***SEC. 541. ESTABLISHMENT OF STAGGERED TERMS FOR
MEMBERS OF THE MILITARY JUSTICE REVIEW
PANEL.***

*(a) APPOINTMENT TO STAGGERED TERMS.—Sub-
section (b) of section 946 of title 10, United States Code
(article 146 of the Uniform Code of Military Justice), is
amended by adding at the end the following new paragraph:*

*“(4) ESTABLISHMENT OF STAGGERED TERMS.—
Notwithstanding subsection (e), members of the Panel
appointed to serve on the Panel to fill vacancies that
exist due to terms of appointment expiring during the
period beginning on August 1, 2030, and ending on
August 31, 2030, shall be appointed to terms as fol-
lows:*

*“(A) Three members designated by the Sec-
retary of Defense shall serve a term of two years.*

*“(B) Three members designated by the Sec-
retary of Defense shall serve a term of four years.*

*“(C) Three members designated by the Sec-
retary of Defense shall serve a term of six years.*

*“(D) Four members designated by the Sec-
retary of Defense shall serve a term of eight
years.”.*

1 (b) *TERM; VACANCIES.*—*Subsection (e) of such section*
 2 *is amended to read as follows:*

3 “(e) *TERM; VACANCIES.*—

4 “(1) *TERM.*—*Subject to subsection (b)(4) and*
 5 *paragraphs (2) and (3) of this subsection, each mem-*
 6 *ber shall be appointed for a term of eight years, and*
 7 *no member may serve more than one term.*

8 “(2) *VACANCY.*—*Any vacancy in the Panel shall*
 9 *be filled in the same manner as the original appoint-*
 10 *ment. A member appointed to fill a vacancy in the*
 11 *Panel that occurs before the expiration of the term of*
 12 *appointment of the predecessor of such member shall*
 13 *be appointed for the remainder of the term of such*
 14 *predecessor.*

15 “(3) *AVAILABILITY OF REAPPOINTMENT FOR*
 16 *CERTAIN MEMBERS.*—*Notwithstanding paragraph (1),*
 17 *a member of the Panel may be appointed to a single*
 18 *additional term if—*

19 “(A) *the appointment of the member is to*
 20 *fill a vacancy described in subsection (b)(4); or*

21 “(B) *the member was initially appointed*
 22 *to—*

23 “(i) *a term of four years or less in ac-*
 24 *cordance with subsection (b)(4); or*

1 “(ii) fill a vacancy that occurs before
 2 the expiration of the term of the predecessor
 3 of such member and for which the remain-
 4 der of the term of such predecessor is four
 5 years or less.”.

6 **SEC. 542. TECHNICAL AND CONFORMING AMENDMENTS TO**
 7 **THE UNIFORM CODE OF MILITARY JUSTICE.**

8 (a) *TECHNICAL AMENDMENT RELATING TO GUILTY*
 9 *PLEAS FOR MURDER.*—Section 918 of title 10, United
 10 States Code (article 118 of the Uniform Code of Military
 11 Justice), is amended—

12 (1) by striking “he” both places it appears and
 13 inserting “such person”; and

14 (2) in the matter following paragraph (4), by
 15 striking the period and inserting “, unless such per-
 16 son is otherwise sentenced in accordance with a plea
 17 agreement entered into between the parties under sec-
 18 tion 853a (article 53a).”.

19 (b) *TECHNICAL AMENDMENTS RELATING TO THE*
 20 *MILITARY JUSTICE REFORMS IN THE NATIONAL DEFENSE*
 21 *AUTHORIZATION ACT FOR FISCAL YEAR 2022.*—

22 (1) *ARTICLE 16.*—Subsection (c)(2)(A) of section
 23 816 of title 10, United States Code (article 16 of the
 24 Uniform Code of Military Justice), is amended by
 25 striking “by the convening authority”.

(2) *ARTICLE 25.—Section 825 of title 10, United States Code (article 25 of the Uniform Code of Military Justice), is amended—*

(A) in subsection (d)—

(i) in paragraph (1), by striking “may, after the findings are announced and before any matter is presented in the sentencing phase, request, orally on the record or in writing, sentencing by the members” and inserting “shall be sentenced by the military judge”; and

(ii) by amending paragraph (2) to read as follows:

“(2) In a capital case, if the accused is convicted of an offense for which the court-martial may sentence the accused to death, the accused shall be sentenced in accordance with section 853(c) of this title (article 53(c)).”;

(B) in subsection (e)—

(i) in paragraph (1), by striking “him” and inserting “the member being tried”; and

(ii) in paragraph (2)—

(I) in the first sentence, by striking “his opinion” and inserting “the

1 *opinion of the convening authority*’;
 2 *and*

3 (II) *in the second sentence, by*
 4 *striking “he” and inserting “the mem-*
 5 *ber”*; *and*

6 (C) *in subsection (f)—*

7 (i) *by striking “his authority” and in-*
 8 *serting “the authority of the convening au-*
 9 *thority”*; *and*

10 (ii) *by striking “his staff judge advo-*
 11 *cate or legal officer” and inserting “the staff*
 12 *judge advocate or legal officer of the con-*
 13 *vening authority”.*

14 (c) *AUTHORITY OF SPECIAL TRIAL COUNSEL WITH*
 15 *RESPECT TO CERTAIN OFFENSES OCCURRING BEFORE EF-*
 16 *FECTIVE DATE OF MILITARY JUSTICE REFORMS ENACTED*
 17 *IN THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FIS-*
 18 *CAL YEAR 2022.—*

19 (1) *AUTHORITY.—Section 824a of title 10,*
 20 *United States Code, as added by section 531 of the*
 21 *National Defense Authorization Act for Fiscal Year*
 22 *2022 (Public Law 117–81), is amended by adding at*
 23 *the end the following new subsection:*

24 “(d) *SPECIAL TRIAL COUNSEL AUTHORITY OVER CER-*
 25 *TAIN OTHER OFFENSES.—*

1 “(1) *OFFENSES OCCURRING BEFORE EFFECTIVE*
 2 *DATE.*—A special trial counsel may, at the sole and
 3 *exclusive discretion of the special trial counsel, exer-*
 4 *cise authority over the following offenses:*

5 “(A) *An offense under section 917a (article*
 6 *117a), 918 (article 118), section 919 (article*
 7 *119), section 920 (article 120), section 920b (ar-*
 8 *ticle 120b), section 920c (article 120c), section*
 9 *928b (article 128b), or the standalone offense of*
 10 *child pornography punishable under section 934*
 11 *(article 134) of this title that occurred on or be-*
 12 *fore December 27, 2023.*

13 “(B) *An offense under section 925 (article*
 14 *125), section 930 (article 130), or section 932*
 15 *(article 132) of this title that occurred on or*
 16 *after January 1, 2019, and before December 28,*
 17 *2023.*

18 “(C) *An offense under section 920a (article*
 19 *120a) of this title, an offense under section 925*
 20 *(article 125) of this title alleging an act of non-*
 21 *consensual sodomy, or the standalone offense of*
 22 *kidnapping punishable under section 934 (article*
 23 *134) of this title that occurred before January 1,*
 24 *2019.*

1 “(D) *A conspiracy to commit an offense*
 2 *specified in subparagraph (A), (B), or (C) as*
 3 *punishable under section 881 of this title (article*
 4 *81).*

5 “(E) *A solicitation to commit an offense*
 6 *specified in subparagraph (A), (B), or (C) as*
 7 *punishable under section 882 of this title (article*
 8 *82).*

9 “(F) *An attempt to commit an offense speci-*
 10 *fied in subparagraph (A), (B), (C), (D), or (E)*
 11 *as punishable under section 880 of this title (ar-*
 12 *ticle 80).*

13 “(2) *EFFECT OF EXERCISE OF AUTHORITY.—*

14 “(A) *TREATMENT AS COVERED OFFENSE.—*
 15 *If a special trial counsel exercises authority over*
 16 *an offense pursuant to paragraph (1), the offense*
 17 *over which the special trial counsel exercises au-*
 18 *thority shall be considered a covered offense for*
 19 *purposes of this chapter.*

20 “(B) *KNOWN OR RELATED OFFENSES.—If a*
 21 *special trial counsel exercises authority over an*
 22 *offense pursuant to paragraph (1), the special*
 23 *trial counsel may exercise the authority of the*
 24 *special trial counsel under subparagraph (B) of*
 25 *subsection (c)(2) with respect to other offenses de-*

1 *scribed in that subparagraph without regard to*
 2 *the date on which the other offenses occur.”.*

3 (2) *CONFORMING AMENDMENT TO EFFECTIVE*
 4 *DATE.—Section 539C(a) of the National Defense Au-*
 5 *thorization Act for Fiscal Year 2022 (10 U.S.C. 801*
 6 *note; Public Law 117–81) is amended by striking*
 7 *“and shall” and inserting “and, except as provided in*
 8 *section 824a(d) of title 10, United States Code (article*
 9 *24a of the Uniform Code of Military Justice), shall”.*

10 (d) *CLARIFICATION OF APPLICABILITY OF DOMESTIC*
 11 *VIOLENCE AND STALKING TO DATING PARTNERS.—*

12 (1) *ARTICLE 128B; DOMESTIC VIOLENCE.—Sec-*
 13 *tion 928b of title 10, United States Code (article 128b*
 14 *of the Uniform Code of Military Justice), is amend-*
 15 *ed—*

16 (A) *in the matter preceding paragraph (1),*
 17 *by striking “Any person” and inserting “(A) IN*
 18 *GENERAL.—Any person”;*

19 (B) *in subsection (a), as designated by*
 20 *paragraph (1) of this section, by inserting “a*
 21 *dating partner,” after “an intimate partner,”*
 22 *each place it appears; and*

23 (C) *by adding at the end the following new*
 24 *subsection:*

1 “(b) *DEFINITIONS.*—*In this section (article), the terms*
 2 *‘dating partner’, ‘immediate family’, and ‘intimate part-*
 3 *ner’ have the meaning given such terms in section 930 of*
 4 *this title (article 130 of the Uniform Code of Military Jus-*
 5 *tice).*”.

6 (2) *ARTICLE 130; STALKING.*—*Section 930 of*
 7 *such title (article 130 of the Uniform Code of Military*
 8 *Justice) is amended—*

9 (A) *in subsection (a), by striking “or to his*
 10 *or her intimate partner” each place it appears*
 11 *and inserting “to his or her intimate partner, or*
 12 *to his or her dating partner”; and*

13 (B) *in subsection (b)—*

14 (i) *by redesignating paragraphs (3)*
 15 *through (5) as paragraphs (4) through (6),*
 16 *respectively; and*

17 (ii) *by inserting after paragraph (2)*
 18 *the following new paragraph:*

19 “(3) *The term ‘dating partner’, in the case of a*
 20 *specific person, means a person who is or has been in*
 21 *a social relationship of a romantic or intimate nature*
 22 *with such specific person based on a consideration*
 23 *of—*

24 “(A) *the length of the relationship;*

25 “(B) *the type of relationship;*

1 “(C) the frequency of interaction between
2 the persons involved in the relationship; and

3 “(D) the extent of physical intimacy or sex-
4 ual contact between the persons involved in the
5 relationship.”.

6 (e) *EFFECTIVE DATE.*—The amendments made by sub-
7 section (b) and subsection (c)(1) shall take effect imme-
8 diately after the coming into effect of the amendments made
9 by part 1 of subtitle D of title V of the National Defense
10 Authorization Act for Fiscal Year 2022 (Public Law 117–
11 81) as provided in section 539C of that Act (10 U.S.C. 801
12 note).

13 **SEC. 543. ANNUAL REPORT ON INITIATIVE TO ENHANCE**
14 **THE CAPABILITY OF MILITARY CRIMINAL IN-**
15 **VESTIGATIVE ORGANIZATIONS TO PREVENT**
16 **AND COMBAT CHILD SEXUAL EXPLOITATION.**

17 *In order to effectively carry out the initiative under*
18 *section 550D of the National Defense Authorization Act for*
19 *Fiscal Year 2020 (Public Law 116–92; 10 U.S.C. 1561 note*
20 *prec.), the Secretary of Defense shall carry out the following*
21 *actions:*

22 (1) *Not later than 90 days after the date of the*
23 *enactment of this Act, and annually thereafter, sub-*
24 *mit to the Committee on Armed Services of the Senate*
25 *and the Committee on Armed Services of the House*

1 *of Representatives an annual report on the progress*
 2 *of the initiative carried out under such section, out-*
 3 *lining specific actions taken and planned to detect,*
 4 *combat, and stop the use of the Department of Defense*
 5 *network to further online child sexual exploitation*
 6 *(CSE).*

7 *(2) Develop partnerships and execute collabo-*
 8 *rative agreements with functional experts, including*
 9 *highly qualified national child protection organiza-*
 10 *tions or law enforcement training centers with dem-*
 11 *onstrated expertise in the delivery of law enforcement*
 12 *training, to identify, investigate and prosecute indi-*
 13 *viduals engaged in online CSE.*

14 *(3) Establish mandatory training for Depart-*
 15 *ment of Defense criminal investigative organizations*
 16 *and personnel at military installations to maintain*
 17 *capacity and address turnover and relocation issues.*

18 ***Subtitle E—Member Education,***
 19 ***Training, Transition***

20 ***SEC. 551. FUTURE SERVICEMEMBER PREPARATORY***
 21 ***COURSE.***

22 *(a) REQUIREMENT.—If the number of nonprior service*
 23 *enlisted personnel covered under section 520 of title 10,*
 24 *United States Code, exceeds 10 percent of the total number*
 25 *of persons originally enlisted in an Armed Force during*

1 *a fiscal year, the Secretary concerned shall establish a fu-*
2 *ture servicemember preparatory course within the Armed*
3 *Force concerned.*

4 (b) *PURPOSE.*—*The course established under sub-*
5 *section (a) shall be designed to improve the physical and*
6 *aptitude qualifications of military recruits.*

7 (c) *CRITERIA.*—*Each course established under this sec-*
8 *tion shall comply with the following requirements:*

9 (1) *ENROLLMENT.*—*All nonprior service enlisted*
10 *persons whose score on the Armed Forces Qualifica-*
11 *tion Test is at or above the twentieth percentile and*
12 *below the thirty-first percentile must be enrolled in*
13 *the course prior to attending initial basic training.*

14 (2) *GRADUATION REQUIREMENT.*—*Prior to at-*
15 *tending initial basic training, all enlisted persons at-*
16 *tending the course established under this section must*
17 *achieve a score that exceeds the thirty-first percentile*
18 *of the Armed Forces Qualification Test.*

19 (3) *EFFECT OF COURSE FAILURE.*—*Any enlisted*
20 *person who fails to achieve course graduation require-*
21 *ments within 180 days of enlistment shall be sepa-*
22 *rated under regulations prescribed by the Secretary*
23 *concerned.*

1 **SEC. 552. DETERMINATION OF ACTIVE DUTY SERVICE COM-**
 2 **MITMENT FOR RECIPIENTS OF FELLOWSHIPS,**
 3 **GRANTS, AND SCHOLARSHIPS.**

4 *Section 2603(b) of title 10, United States Code, is*
 5 *amended by striking “at least three times the length of the*
 6 *period of the education or training.” and inserting “deter-*
 7 *mined by the Secretary concerned. Notwithstanding sections*
 8 *2004(c), 2004a(f), and 2004b(e) of this title, the service obli-*
 9 *gation required under this subsection may run concurrently*
 10 *with any service obligations incurred under chapter 101 of*
 11 *this title in accordance with regulations established by the*
 12 *Secretary concerned.”.*

13 **SEC. 553. MILITARY SERVICE ACADEMY PROFESSIONAL**
 14 **SPORTS PATHWAY REPORT AND LEGISLATIVE**
 15 **PROPOSAL REQUIRED.**

16 *(a) LEGISLATIVE PROPOSAL.—Not later than March*
 17 *1, 2024, the Secretary of Defense shall submit to the Com-*
 18 *mittees on Armed Services of the Senate and the House of*
 19 *Representatives a report including the following elements:*

- 20 *(1) A legislative proposal that would—*
- 21 *(A) update and clarify the legislative frame-*
 - 22 *work related to the ability of military service*
 - 23 *academy graduates to pursue employment as a*
 - 24 *professional athlete prior to serving at least 5*
 - 25 *years on active duty; and*

1 (B) retain the existing requirement that all
2 military service academy graduates must serve
3 for 2 years on active duty before affiliating with
4 the reserves to pursue employment as a profes-
5 sional athlete.

6 (2) A description of amendments to current law
7 that would be necessary to implement the legislative
8 proposal described under paragraph (1).

9 (b) *REPORT REQUIRED*.—Not later than March 1,
10 2024, and annually thereafter, the Secretary of Defense
11 shall provide to the Committees on Armed Services of the
12 Senate and the House of Representatives a report that in-
13 cludes the following information:

14 (1) The name, military service, and sport of each
15 military service graduate released or deferred from
16 active service in order to participate in professional
17 sports.

18 (2) A description of the sports career progress of
19 each participant, such as drafted, signed, released, or
20 returned to military service.

21 (3) A summary by participant of marketing
22 strategy and recruiting related activities conducted.

23 (4) A description by participant of the assess-
24 ments conducted by the military services to determine

1 *the recruiting value associated with approved releases*
 2 *from active duty.*

3 (5) *The current status of each participant, in-*
 4 *cluding, as appropriate, affiliated franchise.*

5 **SEC. 554. COMMUNITY COLLEGE ENLISTED TRAINING**
 6 **CORPS DEMONSTRATION PROGRAM.**

7 (a) *DEMONSTRATION PROGRAM.*—

8 (1) *IN GENERAL.*—*Not later than August 1,*
 9 *2025, the Secretary concerned shall establish within*
 10 *each military department an Enlisted Training*
 11 *Corps demonstration program for the purpose of in-*
 12 *troducing students to the military, and preparing se-*
 13 *lected students for enlisted service in the Army, Navy,*
 14 *Air Force, Marine Corps, or Space Force.*

15 (2) *LOCATION.*—*Demonstration programs estab-*
 16 *lished under this section shall be located at a commu-*
 17 *nity or junior college. No program may be established*
 18 *at a military college or military junior college as de-*
 19 *fined for purposes of section 2107a of title 10, United*
 20 *States Code.*

21 (b) *ELIGIBILITY FOR MEMBERSHIP.*—*To be eligible for*
 22 *membership in a program under this section, a person must*
 23 *be a student at an institution where a unit of the Enlisted*
 24 *Training Corps is located.*

1 (c) *INSTRUCTORS.*—*The Secretary concerned may as-*
2 *sign as an instructor for a unit established under this sec-*
3 *tion an individual eligible to serve as an instructor under*
4 *section 2111 or section 2031 of title 10, United States Code.*
5 *Instructors who are not currently members on active duty*
6 *shall be paid in a manner consistent with section 2031 of*
7 *title 10, United States Code.*

8 (d) *FINANCIAL ASSISTANCE.*—*The Secretary of the*
9 *military department concerned may provide financial as-*
10 *sistance to persons enrolled in a unit of the Enlisted Train-*
11 *ing Corps in exchange for an agreement in writing that*
12 *the person enlist in the active component of the military*
13 *department concerned upon graduation or disenrollment*
14 *from the community college. Financial assistance provided*
15 *under this subsection may include tuition, living expenses,*
16 *stipend, or other payment.*

17 (e) *CURRICULUM.*—*The Secretary concerned shall en-*
18 *sure that any programs created under this section include*
19 *as part of the curriculum the following:*

20 (1) *An introduction to the benefits of military*
21 *service.*

22 (2) *Military history.*

23 (3) *Military customs and courtesies.*

24 (4) *Physical fitness requirements.*

1 (5) *Instruction on ethical behavior and decision-*
2 *making.*

3 (f) *REPORTING REQUIREMENT.*—*Not later than one*
4 *year after the date of the enactment of this Act, and annu-*
5 *ally thereafter until the date specified by subsection (g), the*
6 *Secretary of Defense shall submit to the Committees on*
7 *Armed Services of the Senate and the House of Representa-*
8 *tives a report on the status of the demonstration program*
9 *required by this section.*

10 (g) *SUNSET.*—*The requirements of this provision shall*
11 *sunset on September 30, 2030.*

12 **SEC. 555. LANGUAGE TRAINING CENTERS FOR MEMBERS OF**
13 **THE ARMED FORCES AND CIVILIAN EMPLOY-**
14 **EES OF THE DEPARTMENT OF DEFENSE.**

15 *Section 529 of the National Defense Authorization Act*
16 *for Fiscal Year 2010 (Public Law 111–84; 10 U.S.C. 2001*
17 *note prec.) is amended—*

18 (1) *in subsection (a), by striking “may carry out*
19 *a program” and inserting “shall carry out a pro-*
20 *gram”;*

21 (2) *by redesignating subsection (e) as subsection*
22 *(f);*

23 (3) *by inserting after subsection (d) the following*
24 *new subsection:*

1 “(e) *CONTRACT AUTHORITY.*—*The Secretary of De-*
 2 *fense may enter into one or more contracts, cooperative*
 3 *agreements, or grants with private national organizations*
 4 *having an expertise in foreign languages, area studies, and*
 5 *other international fields, for the awarding of grants to ac-*
 6 *credited universities, senior military colleges, or other simi-*
 7 *lar institutions of higher education to establish and main-*
 8 *tain language training centers authorized by subsection*
 9 *(a).”; and*

10 (4) *in subsection (f), as redesignated by para-*
 11 *graph (2)—*

12 (A) *by striking “one year after the date of*
 13 *the establishment of the program authorized by*
 14 *subsection (a)” and inserting “180 days after the*
 15 *date of the enactment of the National Defense*
 16 *Authorization Act for Fiscal Year 2024”;*

17 (B) *by striking “report on the program”*
 18 *and inserting “report on the Language Training*
 19 *Center program”;*

20 (C) *by redesignating paragraph (4) as*
 21 *paragraph (5);*

22 (D) *by inserting after paragraph (3) the fol-*
 23 *lowing new paragraph:*

1 “(4) *An assessment of the resources required to*
 2 *carry out the Language Training Center program by*
 3 *year through fiscal year 2027.*”; and

4 (E) in paragraph (5), as redesignated by
 5 subparagraph (C), by striking “A recommenda-
 6 tion whether the program should be continued
 7 and, if so, recommendations as to any modifica-
 8 tions of the program” and inserting “Rec-
 9 ommendations as to any modifications to the
 10 *Language Training Center program*”.

11 **SEC. 556. LIMITATION ON AVAILABILITY OF FUNDS FOR RE-**
 12 **LOCATION OF ARMY CID SPECIAL AGENT**
 13 **TRAINING COURSE.**

14 (a) *LIMITATION.*—None of the funds authorized to be
 15 appropriated by this Act for fiscal year 2024 for the Army
 16 to relocate an Army CID special agent training course may
 17 be obligated or expended until—

18 (1) *the Secretary of the Army submits to the*
 19 *Committees on Armed Services of the Senate and the*
 20 *House of Representatives a separate report on any*
 21 *plans of the Secretary to relocate an Army CID spe-*
 22 *cial agent training course, including an explanation*
 23 *of the business case for any transfer of training per-*
 24 *sonnel proposed as part of such plan; and*

1 (2) *the Secretary provides to the Committees on*
2 *Armed Services of the Senate and the House of Rep-*
3 *resentatives a briefing on the contents of the report*
4 *specified in paragraph (1).*

5 (b) *DEFINITIONS.—In this section:*

6 (1) *The term “relocate”, when used with respect*
7 *to an Army CID special agent training course, means*
8 *the transfer of such course to a location different than*
9 *the location used for such course as of the date of the*
10 *enactment of this Act.*

11 (2) *The term “Army CID special agent training*
12 *course” means a training course provided to members*
13 *of the Army to prepare such members for service as*
14 *special agents in the Army Criminal Investigation*
15 *Division.*

16 **SEC. 557. ARMY PHYSICAL FITNESS TEST.**

17 (a) *IN GENERAL.—The physical fitness test of record*
18 *for the United States Army in compliance with Department*
19 *of Defense Instruction 1308.03, or any successor regulation,*
20 *is the Army Physical Fitness Test according to the grading*
21 *and evaluation scale as it existed on January 1, 2020. This*
22 *test shall be the baseline test of physical fitness for members*
23 *of the Army and administered at least annually, except*
24 *when operational requirements or contingency operations*
25 *would make such test administration impracticable.*

1 (b) *UPDATES AND MODIFICATIONS.*—Notwithstanding
2 subsection (a), the Army may update, replace, or modify
3 the events and scoring standards in the Army Physical Fit-
4 ness Test as the needs of the Army require after a robust
5 pilot and testing period of at least 24 months. Such modi-
6 fications shall not take effect until the date that is one year
7 after the Secretary of the Army has provided a briefing on
8 the planned changes to the Committees on Armed Services
9 of the Senate and the House of Representatives.

10 (c) *RULE OF CONSTRUCTION.*—Nothing in this section
11 prohibits the Army from using the Army Combat Fitness
12 Test, or any other physical assessment the Army may de-
13 velop, as a supplemental tool to assess physical fitness for
14 all or parts of the force. Army Commanders may also re-
15 quire higher standards than the Army-wide grading scale
16 for promotions, awards, schools and similar actions. Such
17 supplemental assessment shall not constitute the baseline
18 physical fitness assessment of record for the Army unless
19 it is incorporated into the Army Physical Fitness Test
20 using the procedure described in subsection (b).

1 **SEC. 558. OPT-OUT SHARING OF INFORMATION ON MEM-**
 2 **BERS RETIRING OR SEPARATING FROM THE**
 3 **ARMED FORCES WITH COMMUNITY-BASED OR-**
 4 **GANIZATIONS AND RELATED ENTITIES.**

5 *Section 570F of the National Defense Authorization*
 6 *Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C.*
 7 *1142 note) is amended—*

8 *(1) in subsection (c)—*

9 *(A) by striking “out the form to indicate an*
 10 *email address” and inserting the following: “out*
 11 *the form to indicate—*

12 *“(1) an email address; and”; and*

13 *(B) by adding at the end the following new*
 14 *paragraph:*

15 *“(2) if the individual would like to opt-out of the*
 16 *transmittal of the individual’s information to and*
 17 *through a State veterans agency as described in sub-*
 18 *section (a).”; and*

19 *(2) by amending subsection (d) to read as fol-*
 20 *lows:*

21 *“(d) OPT-OUT OF INFORMATION SHARING.—Informa-*
 22 *tion on an individual shall be transmitted to and through*
 23 *a State veterans agency as described in subsection (a) unless*
 24 *the individual indicates pursuant to subsection (c)(2) that*
 25 *the individual would like to opt out of such transmittal.”.*

1 **SEC. 559. ESTABLISHMENT OF PROGRAM TO PROMOTE PAR-**
2 **TICIPATION OF FOREIGN STUDENTS IN THE**
3 **SENIOR RESERVE OFFICERS' TRAINING**
4 **CORPS.**

5 (a) *ESTABLISHMENT.*—

6 (1) *IN GENERAL.*—Not later than January 1,
7 2025, the Secretary of Defense shall establish a pro-
8 gram using the authority provided under section
9 2103(b) of title 10, United States Code, to promote
10 the participation of foreign students in the Senior Re-
11 serve Officers' Training Corps (in this section referred
12 to as the “Program”).

13 (2) *ORGANIZATION.*—The Secretary of Defense,
14 in consultation with the Director of the Defense Secu-
15 rity Cooperation Agency, the Secretaries of the mili-
16 tary departments, the commanders of the combatant
17 commands, the participant institutions in the Senior
18 Reserve Officers' Training Corps program, and any
19 other individual the Secretary of Defense considers
20 appropriate, shall be responsible for, and shall over-
21 see, the Program.

22 (b) *OBJECTIVE.*—The objective of the Program is to
23 promote the readiness and interoperability of the United
24 States Armed Forces and the military forces of partner
25 countries by providing a high-quality, cost effective mili-
26 tary-based educational experience for foreign students in

1 *furtherance of the military-to-military program objectives*
2 *of the Department of Defense and to enhance the edu-*
3 *cational experience and preparation of future United States*
4 *military leaders through increased, extended interaction*
5 *with highly qualified potential foreign military leaders.*

6 (c) *ACTIVITIES.*—

7 (1) *IN GENERAL.*—*Under the Program, the Sec-*
8 *retary of Defense shall—*

9 (A) *identify to the military services' Senior*
10 *Reserve Officers' Training Corps program the*
11 *foreign students who, based on criteria estab-*
12 *lished by the Secretary, the Secretary rec-*
13 *ommends be considered for admission under the*
14 *Program;*

15 (B) *coordinate with partner countries to*
16 *evaluate interest in and promote awareness of*
17 *the Program;*

18 (C) *establish a mechanism for tracking an*
19 *alumni network of foreign students who partici-*
20 *pate in the Program; and*

21 (D) *to the extent practicable, work with the*
22 *participant institutions in the Senior Reserve*
23 *Officers' Training Corps program and partner*
24 *countries to identify academic institutions and*
25 *programs that—*

1 (i) *have specialized academic programs*
2 *in areas of study of interest to participating*
3 *countries; or*

4 (ii) *have high participation from or*
5 *significant diaspora populations from par-*
6 *ticipating countries.*

7 (d) *STRATEGY.—*

8 (1) *IN GENERAL.—Not later than September 30,*
9 *2024, the Secretary of Defense shall submit to the*
10 *Committee on Armed Services of the Senate and the*
11 *Committee on Armed Services of the House of Rep-*
12 *resentatives a strategy for the implementation of the*
13 *Program.*

14 (2) *ELEMENTS.—The strategy required by para-*
15 *graph (1) shall include the following elements:*

16 (A) *A governance structure for the Program,*
17 *including—*

18 (i) *the officials tasked to oversee the*
19 *Program;*

20 (ii) *the format of the governing body of*
21 *the Program;*

22 (iii) *the functions and duties of such*
23 *governing body with respect to establishing*
24 *and maintaining the Program; and*

1 (iv) mechanisms for coordinating with
2 partner countries whose students are se-
3 lected to participate in the Program.

4 (B) A list of additional authorities, appro-
5 priations, or other congressional support nec-
6 essary to ensure the success of the Program.

7 (C) A description of targeted partner coun-
8 tries and participant institutions in the Senior
9 Reserve Officers' Training Corps for the first
10 three fiscal years of the Program, including a ra-
11 tionale for selecting such initial partners.

12 (D) A description of opportunities and po-
13 tential timelines for future Program expansion,
14 as appropriate.

15 (E) A description of the mechanism for
16 tracking the alumni network of participants of
17 the Program.

18 (F) Any other information the Secretary of
19 Defense considers appropriate.

20 (e) REPORT.—

21 (1) IN GENERAL.—Not later than September 20,
22 2025, and annually thereafter, the Secretary of De-
23 fense shall submit to the congressional defense com-
24 mittees (as defined in section 101 of title 10, United
25 States Code) a report on the Program.

1 (2) *ELEMENTS.*—*Each report required by para-*
2 *graph (1) shall include the following elements:*

3 (A) *A narrative summary of activities con-*
4 *ducted as part of the Program during the pre-*
5 *ceding fiscal year.*

6 (B) *An overview of participant Senior Re-*
7 *serve Officers' Training Corps programs, indi-*
8 *viduals, and countries, to include a description*
9 *of the areas of study entered into by the students*
10 *participating in the Program.*

11 (C) *A description of opportunities and po-*
12 *tential timelines for future Program expansion,*
13 *as appropriate.*

14 (D) *Any other information the Secretary of*
15 *Defense considers appropriate.*

16 (f) *LIMITATION ON AUTHORITY.*—*The Secretary of De-*
17 *fense may not use the authority provided under this section*
18 *to pay for tuition or room and board for foreign students*
19 *who participate in the Program.*

20 (g) *TERMINATION.*—*The Program shall terminate on*
21 *December 31, 2029.*

1 **SEC. 560. CONSIDERATION OF STANDARDIZED TEST**
 2 **SCORES IN MILITARY SERVICE ACADEMY AP-**
 3 **PLICATION PROCESS.**

4 *The Secretary of Defense shall ensure that the United*
 5 *States Military Academy, the United States Naval Acad-*
 6 *emy, and the United States Air Force Academy require the*
 7 *submission and consideration of standardized test scores as*
 8 *part of the their application processes.*

9 **SEC. 560A. EXTENSION OF TROOPS FOR TEACHERS PRO-**
 10 **GRAM TO THE JOB CORPS.**

11 *Section 1154 of title 10, United States Code, is amend-*
 12 *ed—*

13 *(1) in subsection (a)—*

14 *(A) in paragraph (2)—*

15 *(i) in subparagraph (A)(ii), by strik-*
 16 *ing “; or” and inserting s semicolon;*

17 *(ii) in subparagraph (B), by striking*
 18 *the period at the end and inserting “; or”;*
 19 *and*

20 *(iii) by adding at the end the following*
 21 *new subparagraph:*

22 *“(C) a Job Corps center as defined in sec-*
 23 *tion 147 of the Workforce Innovation and Oppor-*
 24 *tunity Act (29 U.S.C. 3197).”; and*

25 *(B) in paragraph (3)—*

1 (i) in subparagraph (B), by striking “;
2 or” and inserting a semicolon;

3 (ii) in subparagraph (C), by striking
4 the period at the end and inserting “; or”;
5 and

6 (iii) by adding at the end the following
7 new subparagraph:

8 “(D) a Job Corps center as defined in sec-
9 tion 147 of the Workforce Innovation and Oppor-
10 tunity Act (29 U.S.C. 3197).”;

11 (2) in subsection (d)(4)(A)(ii), by inserting “or
12 Job Corps centers” after “secondary schools”; and

13 (3) in subsection (e)(2)(E), by inserting “or Job
14 Corps center” after “secondary school”.

15 ***Subtitle F—Military Family Readiness and Dependents’ Education***

17 ***SEC. 561. PILOT PROGRAM ON RECRUITMENT AND RETEN-***
18 ***TION OF EMPLOYEES FOR CHILD DEVELOP-***
19 ***MENT PROGRAMS.***

20 (a) *IN GENERAL.*—The Secretary of Defense may de-
21 velop and implement a pilot program to assess the effective-
22 ness of increasing compensation for employees of child de-
23 velopment programs on military installations in improving
24 the ability of such programs to recruit and retain such em-
25 ployees.

1 (b) *COMPENSATION.*—*If the Secretary implements the*
2 *pilot program authorized by subsection (a), the Secretary*
3 *shall provide for the payment of compensation to employees*
4 *of child development programs under the pilot program at*
5 *a fair and competitive wage in keeping with market condi-*
6 *tions.*

7 (c) *SELECTION OF LOCATIONS.*—

8 (1) *IN GENERAL.*—*If the Secretary implements*
9 *the pilot program authorized by subsection (a), the*
10 *Secretary shall select not fewer than five military in-*
11 *stallations for purposes of carrying out the pilot pro-*
12 *gram.*

13 (2) *CONSIDERATIONS.*—*In selecting military in-*
14 *stallations under paragraph (1), the Secretary shall*
15 *consider military installations with child development*
16 *programs—*

17 (A) *with a shortage of qualified employees;*

18 *or*

19 (B) *subject to other conditions identified by*
20 *the Secretary that affect the ability of the pro-*
21 *grams to operate at full capacity.*

22 (d) *REGULATIONS.*—*The Secretary may prescribe such*
23 *regulations as are necessary to carry out this section.*

1 (e) *DURATION OF PILOT PROGRAM.*—If the Secretary
 2 implements the pilot program authorized by subsection (a),
 3 the pilot program shall—

4 (1) *commence on the date on which the Secretary*
 5 *prescribes regulations under subsection (d); and*

6 (2) *terminate on the date that is 3 years after*
 7 *the date described in paragraph (1).*

8 (f) *BRIEFINGS REQUIRED.*—

9 (1) *INITIAL BRIEFING.*—If the Secretary imple-
 10 ments the pilot program authorized by subsection (a),
 11 the Secretary shall, when the pilot program com-
 12 mences in accordance with subsection (e)(1), brief the
 13 Committees on Armed Services of the Senate and the
 14 House of Representatives on—

15 (A) *the military installations selected under*
 16 *subsection (c) for purposes of carrying out the*
 17 *pilot program; and*

18 (B) *the data that informed those selections.*

19 (2) *FINAL BRIEFING.*—If the Secretary imple-
 20 ments the pilot program authorized by subsection (a),
 21 the Secretary shall, not later than 180 days before the
 22 pilot program terminates in accordance with sub-
 23 section (e)(2), brief the Committees on Armed Services
 24 of the Senate and the House of Representatives on the

1 *outcomes and findings of the pilot program, includ-*
 2 *ing—*

3 *(A) data collected and analyses conducted*
 4 *under the pilot program with respect to the rela-*
 5 *tionship between increased compensation for em-*
 6 *ployees of child development programs and im-*
 7 *proved recruitment or retention of those employ-*
 8 *ees; and*

9 *(B) any recommendations with respect to*
 10 *increases in compensation for employees of child*
 11 *development programs across the Department of*
 12 *Defense as a result of the pilot program.*

13 *(g) CHILD DEVELOPMENT PROGRAM DEFINED.—In*
 14 *this section, the term “child development program” means*
 15 *a program to provide child care services for children, be-*
 16 *tween birth through 12 years of age, of members of the*
 17 *Armed Forces and civilian employees of the Department of*
 18 *Defense.*

19 **SEC. 562. CERTAIN ASSISTANCE TO LOCAL EDUCATIONAL**
 20 **AGENCIES THAT BENEFIT DEPENDENTS OF**
 21 **MILITARY AND CIVILIAN PERSONNEL.**

22 *(a) CONTINUATION OF AUTHORITY TO ASSIST LOCAL*
 23 *EDUCATIONAL AGENCIES THAT BENEFIT DEPENDENTS OF*
 24 *MEMBERS OF THE ARMED FORCES AND DEPARTMENT OF*
 25 *DEFENSE CIVILIAN EMPLOYEES.—*

1 (1) *ASSISTANCE TO SCHOOLS WITH SIGNIFICANT*
 2 *NUMBERS OF MILITARY DEPENDENT STUDENTS.*—Of
 3 *the amount authorized to be appropriated for fiscal*
 4 *year 2024 by section 301 and available for operation*
 5 *and maintenance for Defense-wide activities as speci-*
 6 *fied in the funding table in section 4301, \$50,000,000*
 7 *shall be available only for the purpose of providing*
 8 *assistance to local educational agencies under sub-*
 9 *section (a) of section 572 of the National Defense Au-*
 10 *thorization Act for Fiscal Year 2006 (Public Law*
 11 *109–163; 20 U.S.C. 7703b).*

12 (2) *LOCAL EDUCATIONAL AGENCY DEFINED.*—In
 13 *this subsection, the term “local educational agency”*
 14 *has the meaning given that term in section 7013(9)*
 15 *of the Elementary and Secondary Education Act of*
 16 *1965 (20 U.S.C. 7713(9)).*

17 (b) *IMPACT AID FOR CHILDREN WITH SEVERE DIS-*
 18 *ABILITIES.*—

19 (1) *IN GENERAL.*—Of the amount authorized to
 20 *be appropriated for fiscal year 2024 pursuant to sec-*
 21 *tion 301 and available for operation and mainte-*
 22 *nance for Defense-wide activities as specified in the*
 23 *funding table in section 4301, \$10,000,000 shall be*
 24 *available for payments under section 363 of the Floyd*
 25 *D. Spence National Defense Authorization Act for*

1 *Fiscal Year 2001 (as enacted into law by Public Law*
2 *106–398; 114 Stat. 1654A–77; 20 U.S.C. 7703a).*

3 (2) *ADDITIONAL AMOUNT.—Of the amount au-*
4 *thorized to be appropriated for fiscal year 2024 pur-*
5 *suant to section 301 and available for operation and*
6 *maintenance for Defense-wide activities as specified*
7 *in the funding table in section 4301, \$20,000,000*
8 *shall be available for use by the Secretary of Defense*
9 *to make payments to local educational agencies deter-*
10 *mined by the Secretary to have higher concentrations*
11 *of military children with severe disabilities.*

12 (3) *REPORT.—Not later than March 31, 2024,*
13 *the Secretary shall brief the Committees on Armed*
14 *Services of the Senate and the House of Representa-*
15 *tives on the Department’s evaluation of each local*
16 *educational agency with higher concentrations of*
17 *military children with severe disabilities and subse-*
18 *quent determination of the amounts of impact aid*
19 *each such agency shall receive.*

1 **SEC. 563. MODIFICATIONS TO ASSISTANCE TO LOCAL EDU-**
 2 **CATIONAL AGENCIES THAT BENEFIT DEPEND-**
 3 **ENTS OF MEMBERS OF THE ARMED FORCES**
 4 **WITH ENROLLMENT CHANGES DUE TO BASE**
 5 **CLOSURES, FORCE STRUCTURE CHANGES, OR**
 6 **FORCE RELOCATIONS.**

7 (a) *IN GENERAL.*—Section 575 of the James M. Inhofe
 8 National Defense Authorization Act for Fiscal Year 2023
 9 (20 U.S.C. 7703d) is amended—

10 (1) *in subsection (a)*—

11 (A) *by striking “year, the local educational*
 12 *agency” and all that follows through “(as deter-*
 13 *mined” and inserting “year, the local edu-*
 14 *cational agency had (as determined”;*

15 (B) *by striking paragraph (2);*

16 (C) *by redesignating subparagraphs (A)*
 17 *and (B) as paragraphs (1) and (2), respectively,*
 18 *and by moving such paragraphs, as so redesign-*
 19 *ated, two ems to the left; and*

20 (D) *in paragraph (2), as redesignated by*
 21 *subparagraph (C), by striking “; or” and insert-*
 22 *ing a period;*

23 (2) *in subsection (f)*—

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

1 “(1) *IN GENERAL.*—*The Secretary of Defense,*
 2 *acting through the Director of the Office of Local De-*
 3 *fense Community Cooperation,*”; and

4 *(B) by adding at the end the following:*

5 “(2) *METHOD OF DISBURSEMENT.*—*The Director*
 6 *shall make disbursements under paragraph (1) using*
 7 *existing authorities of the Office.*”;

8 *(3) by striking subsection (h); and*

9 *(4) by redesignating subsections (i) and (j) as*
 10 *subsections (h) and (i), respectively.*

11 *(b) BRIEFING REQUIRED.*—*Not later than March 1,*
 12 *2024, the Director of the Office of Local Defense Community*
 13 *Cooperation shall brief the Committees of the Armed Serv-*
 14 *ices of the Senate and the House of Representatives on—*

15 *(1) any additional authorities that would be*
 16 *helpful to the Office in its efforts to better support*
 17 *local educational agencies; and*

18 *(2) any actions taken to implement the rec-*
 19 *ommendations outlined in the March 2008 report en-*
 20 *titled “Update to the Report on Assistance to Local*
 21 *Educational Agencies for Defense Dependents Edu-*
 22 *cation” and required by section 574(c) of the John*
 23 *Warner National Defense Authorization Act for Fiscal*
 24 *Year 2007 (Public Law 109–364; 120 Stat. 2227) (as*
 25 *in effect on the date of the enactment of that Act).*

1 **SEC. 564. ASSISTANCE FOR MILITARY SPOUSES TO OBTAIN**
 2 **DOULA CERTIFICATIONS.**

3 *Section 1784a of title 10, United States Code, is*
 4 *amended by adding at the end the following new subsection:*

5 “(f) *DOULA CERTIFICATIONS.*—*In carrying out the*
 6 *programs authorized by subsection (a), the Secretary shall*
 7 *provide assistance to the spouse of a member of the armed*
 8 *forces described in subsection (b) in obtaining a doula cer-*
 9 *tification provided by an organization that receives reim-*
 10 *bursement under the extramedical maternal health pro-*
 11 *viders demonstration project required by section 746 of the*
 12 *William M. (Mac) Thornberry National Defense Authoriza-*
 13 *tion Act for Fiscal Year 2021 (Public Law 116–283; 10*
 14 *U.S.C. 1073 note).”.*

15 **Subtitle G—Junior Reserve Officers’**
 16 **Training Corps**

17 **SEC. 571. EXPANSION OF JUNIOR RESERVE OFFICERS’**
 18 **TRAINING CORPS.**

19 *Section 2031 of title 10, United States Code, is amend-*
 20 *ed—*

21 *(1) in subsection (a)(1)—*

22 *(A) by striking “The President shall pro-*
 23 *mulgate” and inserting “The Secretary of De-*
 24 *fense shall promulgate”; and*

1 (B) by striking “maintained, and shall pro-
 2 vide” and all that follows through the period at
 3 the end and inserting “maintained.”; and

4 (2) by adding at the end the following new sub-
 5 section:

6 “(g)(1) The Secretary of Defense shall establish and
 7 support not less than 3,400, and not more than 4,000, units
 8 of the Junior Reserve Officers’ Training Corps.

9 “(2) The requirement under paragraph (1) shall not
 10 apply—

11 “(A) if the Secretary fails to receive an adequate
 12 number of requests for Junior Reserve Officer’s Train-
 13 ing Corps units by public and private secondary edu-
 14 cational institutions; and

15 “(B) during a time of national emergency when
 16 the Secretaries of the military departments determine
 17 that funding must be allocated elsewhere.”.

18 **SEC. 572. JROTC PROGRAM CERTIFICATION.**

19 Section 2031 of title 10, United States Code, is amend-
 20 ed by adding at the end the following new subsection:

21 “(i)(1) The Secretary of Defense may suspend or place
 22 on probation a Junior Reserve Officers’ Training Corps
 23 unit that fails to comply with provisions of the standard-
 24 ized memorandum of understanding required pursuant to
 25 subsection (b).

1 “(2) *Not later than one year after the date of the enact-*
 2 *ment of this subsection, and annually thereafter for four*
 3 *years, the Secretary of Defense shall submit to the Com-*
 4 *mittee on Armed Services of the Senate and the Committee*
 5 *on Armed Services of the House of Representatives a report*
 6 *including information on units suspended or placed on pro-*
 7 *bation pursuant to this subsection and a justification for*
 8 *the reinstatement of any such unit.*

9 “(3) *A unit may be placed on probation for a period*
 10 *of up to three years for failing to comply with the provisions*
 11 *of the standardized memorandum of understanding or any*
 12 *other requirement in this section. A unit may be suspended*
 13 *if, after the three-year probationary period, such unit re-*
 14 *mains out of compliance with the requirements of this sec-*
 15 *tion, and the Secretary of the military department con-*
 16 *cerned determines that such suspension is necessary to miti-*
 17 *gate program deficiencies or to protect the safety of program*
 18 *participants.”.*

19 **SEC. 573. MEMORANDUM OF UNDERSTANDING REQUIRED.**

20 *Section 2031(b) of title 10, United States Code, is*
 21 *amended—*

- 22 *(1) by redesignating paragraphs (1) through (5)*
 23 *as subparagraphs (A) through (E);*
 24 *(2) by inserting “(1)” after “(b)”;*

1 (3) in subparagraph (A), as redesignated by
2 paragraph (1)—

3 (A) by striking “(A)” and inserting “(i)”;

4 and

5 (B) by striking “(B)” and inserting “(ii)”;

6 (4) by amending subparagraph (E), as so rededesignated, to read as follows: “the unit meets such other requirements as the Secretary of the military department concerned proscribes in the memorandum of understanding required under this subsection.”; and

11 (5) by adding at the end the following new paragraph:

13 “(2) The Secretary of Defense shall issue regulations
14 establishing a standardized memorandum of understanding
15 to be signed by the Secretary of the military department
16 concerned and each institution operating a unit under this
17 section. The memorandum shall address the following mat-
18 ters:

19 “(A) A requirement for institutions to notify the
20 appropriate armed force of allegations of misconduct
21 against an instructor receiving retired or other pay
22 from such armed force, including procedures that
23 would require such institutions to report allegations
24 of sexual misconduct, including harassment, against

1 *an instructor, within 48 hours of learning of such al-*
2 *legations;*

3 *“(B) Processes by which the military depart-*
4 *ments certify instructors, including the conduct of ap-*
5 *propriate background checks by the military service*
6 *and the institution concerned.*

7 *“(C) Processes by which the military service will*
8 *conduct oversight of their certified instructors, includ-*
9 *ing the requirement to recertify instructors not less*
10 *often than once every five years.*

11 *“(D) Processes by which such institution’s pro-*
12 *gram will be inspected by the military department*
13 *concerned prior to establishment of a new unit, or not*
14 *less often than once every four years in the case of*
15 *units existing as of January 1, 2024, staggered as the*
16 *Secretary determines appropriate.*

17 *“(E) A requirement that each institution cer-*
18 *tifies it—*

19 *“(i) has created a process for students to re-*
20 *port violations of their rights under title IX of*
21 *the Education Amendments of 1972 (20 U.S.C.*
22 *1681 et seq.), as applicable, and title VI of the*
23 *Civil Rights Act of 1964 (42 U.S.C. 2000d et*
24 *seq.), including the rights of students to not be*
25 *subject to discrimination or subject to retaliation*

1 *for reporting a violation of those laws, if such*
2 *laws apply to the institution;*

3 “(ii) has implemented policies ensuring stu-
4 *dents and instructors are notified of those rights,*
5 *as well as the process for reporting violations of*
6 *those rights, including information on available*
7 *mandatory reporters, if such laws apply to the*
8 *institution;*

9 “(iii) has implemented annual training to
10 *inform students of methods to prevent, respond*
11 *to, and report sexual assault and harassment;*

12 “(iv) agrees to report all allegations of vio-
13 *lations described under this subparagraph to the*
14 *military department concerned and, if subject to*
15 *the jurisdiction of the Department of Education,*
16 *the Department of Education’s Office of Civil*
17 *Rights not less often than annually;*

18 “(v) has developed processes to ensure that
19 *each student enrolled in a unit under this section*
20 *has done so voluntarily; and*

21 “(vi) agrees to provide the data necessary to
22 *compile the report required under subsection*
23 *(j).”.*

1 **SEC. 574. JUNIOR RESERVE OFFICERS' TRAINING CORPS IN-**
 2 **STRUCTOR COMPENSATION.**

3 *Section 2031 of title 10, United States Code, is amend-*
 4 *ed—*

5 *(1) by amending subsection (d) to read as fol-*
 6 *lows:*

7 *“(d)(1) Instead of, or in addition to, detailing officers*
 8 *and noncommissioned officers on active duty under sub-*
 9 *section (c)(1), the Secretary of the military department con-*
 10 *cerned may authorize qualified institutions to employ, as*
 11 *administrators and instructors in the program—*

12 *“(A) retired officers and noncommissioned offi-*
 13 *cers whose qualifications are approved by the Sec-*
 14 *retary and the institution concerned and who request*
 15 *such employment;*

16 *“(B) officers and noncommissioned officers who*
 17 *are separated with an honorable discharge within the*
 18 *past 5 years with at least 8 years of service and are*
 19 *approved by the Secretary and the institution con-*
 20 *cerned and who request such employment; or*

21 *“(C) officers and noncommissioned officers who*
 22 *are active participating members of the selected re-*
 23 *serve at the time of application, for purposes of sec-*
 24 *tion 101(d) of this title, and have not yet reached re-*
 25 *irement eligibility and are approved by the Secretary*

1 *and the institution concerned and who request such*
2 *employment.*

3 “(2) *Employment under this subsection shall be subject*
4 *to the following conditions:*

5 “(A) *The Secretary concerned shall pay to the*
6 *institution an amount equal to one-half of the De-*
7 *partment’s prescribed JROTC Standardized Instruc-*
8 *tor Pay Scale (JSIPS) amount paid to the member*
9 *by the institution for any period.*

10 “(B) *The Secretary concerned may pay to the*
11 *institution more than one-half of the amount paid to*
12 *the member by the institution if (as determined by the*
13 *Secretary)—*

14 “(i) *the institution is in an educationally*
15 *and economically deprived area; and*

16 “(ii) *the Secretary determines that such ac-*
17 *tion is in the national interest.*

18 “(C) *Payments by the Secretary concerned under*
19 *this subsection shall be made from funds appropriated*
20 *for that purpose.*

21 “(D) *The Secretary concerned may require suc-*
22 *cessful applicants to transfer to the Individual Ready*
23 *Reserve (IRR).”;*

24 (2) *by striking subsections (e) and (f); and*

1 (3) by redesignating subsections (g) and (h) as
2 subsections (e) and (f), respectively.

3 **SEC. 575. ANNUAL REPORT ON ALLEGATIONS OF SEXUAL**
4 **MISCONDUCT IN JROTC PROGRAMS.**

5 Section 2031 of title 10, United States Code, as amend-
6 ed by section 572 of this Act, is further amended by adding
7 at the end the following new subsection:

8 “(j)(1) Not later than March 31, 2024, and annually
9 thereafter through March 31, 2029, the Secretary of Defense
10 shall submit to Committees on Armed Services of the Senate
11 and the House of Representatives a report on allegations
12 of sexual misconduct, sexual harassment, and sex discrimi-
13 nation in JROTC programs during the preceding year.

14 “(2) Each report required under paragraph (1) shall
15 set forth the following:

16 “(A) The number of reported allegations of viola-
17 tions under title IX of the Education Amendments of
18 1972 (20 U.S.C. 1681 et seq.) in school-affiliated
19 JROTC programs, including—

20 “(i) the number of such reported allegations
21 that were investigated;

22 “(ii) the outcome of those investigations;
23 and

1 “(iii) the number of such reported allega-
 2 tions by State, the District of Columbia, or over-
 3 seas location where these reports occurred.

4 “(B) The number of reports that the Department
 5 of Defense or military services have received during
 6 the reporting period involving allegations of acts of
 7 violence, including sexual abuse or harassment, by in-
 8 structors against students in the JROTC program, in-
 9 cluding—

10 “(i) the offense involved;

11 “(ii) the military service involved;

12 “(iii) the number of instructors and number
 13 of allegations they each received;

14 “(iv) the number of reports of sexual mis-
 15 conduct and harassment that have been inves-
 16 tigated;

17 “(v) the number of reports or investigations
 18 that have led to the removal of instructors from
 19 JROTC programs; and

20 “(vi) the number of such reported allega-
 21 tions by State, the District of Columbia, or over-
 22 seas location where these reports occurred.

23 “(C) Any steps the Department of Defense has
 24 taken to mitigate sexual misconduct and harassment
 25 in JROTC programs during the preceding year.

1 “(3) *Each report required under paragraph (1) shall*
2 *be submitted in unclassified form and may not be marked*
3 *as controlled unclassified information.*

4 “(4) *The Secretary shall annually report to the Com-*
5 *mittees on Armed Services of the Senate and the House of*
6 *Representatives regarding compliance with this subsection*
7 *by the JROTC program, including an up-to-date report on*
8 *the Secretary’s monitoring of such compliance.*

9 “(5) *The Secretary may seek the advice and counsel*
10 *of the Attorney General and the Secretary of Health and*
11 *Human Services concerning the development and dissemi-*
12 *nation to the JROTC program of best practices information*
13 *about preventing and responding to incidents of domestic*
14 *violence, dating violence, sexual assault, and stalking, in-*
15 *cluding elements of institutional policies that have proven*
16 *successful based on evidence-based outcome measurements.*

17 “(6) *No officer, employee, or agent of an institution*
18 *participating in any program under this chapter shall re-*
19 *taliate, intimidate, threaten, coerce, or otherwise discrimi-*
20 *nate against any individual for exercising their rights or*
21 *responsibilities under any provision of this subsection.”.*

1 **SEC. 576. COMPTROLLER GENERAL REPORT ON EFFORTS**
 2 **TO INCREASE TRANSPARENCY AND REPORT-**
 3 **ING ON SEXUAL VIOLENCE IN THE JUNIOR**
 4 **RESERVE OFFICERS' TRAINING CORPS PRO-**
 5 **GRAM.**

6 (a) *IN GENERAL.*—Not later than one year after the
 7 date of the enactment of this Act, the Comptroller General
 8 of the United States shall submit to the appropriate con-
 9 gressional committees a report on efforts to increase trans-
 10 parency and reporting on sexual violence in the Junior Re-
 11 serve Officers' Training Corps Program.

12 (b) *ELEMENTS.*—The report required under subsection
 13 (a) shall include a description of the following:

14 (1) *The implementation of section 2031 of title*
 15 *10, United States Code, as amended by sections 572,*
 16 *573, and 575 of this Act.*

17 (2) *The adequacy of the Department of Defense's*
 18 *vetting process for Junior Reserve Officers' Training*
 19 *Corps instructors.*

20 (3) *The Department of Defense and the Depart-*
 21 *ment of Education's oversight of compliance of units*
 22 *with respect to title IX of the Education Amendments*
 23 *of 1972 (20 U.S.C. 1681 et seq.) and title VI of the*
 24 *Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.).*

1 (4) *Any changes in the numbers of sexual harass-*
 2 *ment, assault, or stalking incidents reported to insti-*
 3 *tutions or law enforcement agencies.*

4 (5) *The sufficiency of military department unit*
 5 *inspections.*

6 (c) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
 7 *FINED.—In this section, the term “appropriate congres-*
 8 *sional committees” means the Committee on Armed Services*
 9 *of the Senate and the House of Representatives.*

10 ***Subtitle H—Decorations and Other***
 11 ***Awards, Miscellaneous Reports***
 12 ***and Other Matters***

13 ***SEC. 581. EXTENSION OF DEADLINE FOR REVIEW OF WORLD***
 14 ***WAR I VALOR MEDALS.***

15 *Section 584(f) of the National Defense Authorization*
 16 *Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C.*
 17 *7271 note) is amended by striking “six years after the date*
 18 *of the enactment of this Act” and inserting “December 31,*
 19 *2028”.*

1 **SEC. 582. PROHIBITION ON FORMER MEMBERS OF THE**
 2 **ARMED FORCES ACCEPTING POST-SERVICE**
 3 **EMPLOYMENT WITH CERTAIN FOREIGN GOV-**
 4 **ERNMENTS.**

5 (a) *IN GENERAL.*—Chapter 49 of title 10, United
 6 States Code, is amended by adding at the end the following
 7 new section:

8 **“§ 989. Prohibition on former members of the armed**
 9 **forces accepting post-service employment**
 10 **with certain foreign governments**

11 “(a) *IN GENERAL.*—Except as provided by subsection
 12 (b), a covered individual may not occupy a covered post-
 13 service position.

14 “(b) *TEMPORARY WAIVER.*—

15 “(1) *IN GENERAL.*—The Secretary of Defense
 16 shall establish a process under which a covered indi-
 17 vidual may be granted a temporary waiver of the
 18 prohibition under subsection (a) if—

19 “(A) the individual, or a Federal agency on
 20 behalf of, and with the consent of, the individual,
 21 submits to the Secretary a written application
 22 for a waiver in such form and manner as the
 23 Secretary determines appropriate; and

24 “(B) the Secretary determines that the
 25 waiver is necessary to advance the national secu-
 26 rity interests of the United States.

1 “(2) *PERIOD OF WAIVER.*—A waiver issued
2 under paragraph (1) shall apply for a period not ex-
3 ceeding 5 years. The Secretary may renew such a
4 waiver.

5 “(3) *REVOCATION.*—The Secretary may revoke a
6 waiver issued under paragraph (1) to a covered indi-
7 vidual with respect to a covered-post service position
8 if the Secretary determines that the employment of
9 the individual in the covered-post service position
10 poses a threat to national security.

11 “(4) *NOTIFICATION.*—

12 “(A) *IN GENERAL.*—Not later than 30 days
13 after the date on which the Secretary issues a
14 waiver under paragraph (1) or revokes a waiver
15 under paragraph (3), the Secretary shall submit
16 to the Committees on Armed Services of the Sen-
17 ate and the House of Representatives written no-
18 tification of the waiver or revocation, as the case
19 may be.

20 “(B) *ELEMENTS.*—A notification required
21 by subparagraph (A) shall include the following:

22 “(i) With respect to a waiver issued to
23 a covered individual—

1 “(I) the details of the application,
2 including the position held by the indi-
3 vidual in the armed forces;

4 “(II) the nature of the post-service
5 position of the individual;

6 “(III) a description of the na-
7 tional security interests that will be
8 advanced by reason of issuing such a
9 waiver; and

10 “(IV) the specific reasons why the
11 Secretary determines that issuing the
12 waiver will advance such interests.

13 “(ii) With respect to a revocation of a
14 waiver issued to a covered individual—

15 “(I) the details of the waiver, in-
16 cluding any renewals of the waiver,
17 and the dates of such waiver and re-
18 newals; and

19 “(II) the specific reasons why the
20 Secretary determined that the revoca-
21 tion is warranted.

22 “(c) CERTIFICATION OF PROHIBITION.—In imple-
23 menting the prohibition under subsection (a), the Secretary
24 shall establish a process under which each member of the

1 *armed forces is, before the member retires or is otherwise*
 2 *separated from the armed forces—*

3 *“(1) informed in writing of the prohibition, and*
 4 *the penalties for violations of the prohibition; and*

5 *“(2) is required to certify that the member un-*
 6 *derstands the prohibition and those penalties.*

7 *“(d) PENALTIES.—In the case of a covered individual*
 8 *who knowingly and willfully fails to comply with the prohi-*
 9 *bition under subsection (a), the Secretary shall, as applica-*
 10 *ble—*

11 *“(1) withhold any pay, allowances, or benefits*
 12 *that would otherwise be provided to the individual by*
 13 *the Department of Defense; and*

14 *“(2) revoke any security clearance of the indi-*
 15 *vidual.*

16 *“(e) ANNUAL REPORTS.—*

17 *“(1) REQUIREMENT.—Not later than March 31,*
 18 *2024, and annually thereafter, the Secretary shall*
 19 *submit to the congressional defense committees a re-*
 20 *port on covered post-service employment occurring*
 21 *during the year covered by the report.*

22 *“(2) ELEMENTS.—Each report required by para-*
 23 *graph (1) shall include the following:*

1 “(A) *The number of former covered individ-*
2 *uals who occupy a covered post-service position,*
3 *broken down by—*

4 “(i) *the name of the employer;*

5 “(ii) *the foreign government, including*
6 *by the specific foreign individual, agency,*
7 *or entity, for whom the covered post-service*
8 *employment is being performed; and*

9 “(iii) *the nature of the services pro-*
10 *vided as part of the covered post-service em-*
11 *ployment.*

12 “(B) *An assessment by the Secretary of*
13 *whether—*

14 “(i) *the Department of Defense main-*
15 *tains adequate systems and processes for en-*
16 *sureing that former members of the armed*
17 *forces are submitting required reports relat-*
18 *ing to their employment by foreign govern-*
19 *ments;*

20 “(ii) *all covered individuals who oc-*
21 *cupy a covered post-service position are in*
22 *compliance with this section;*

23 “(iii) *the services provided by the cov-*
24 *ered individuals who occupy a covered post-*
25 *service position pose a current or future*

1 *threat to the national security of the United*
 2 *States; and*

3 “(iv) *there is any credible information*
 4 *or reporting that any covered individual*
 5 *who occupies a covered post-service position*
 6 *has engaged in activities that violate Fed-*
 7 *eral law.*

8 “(3) *FORM OF REPORT.—Each report required*
 9 *by paragraph (1) shall be submitted in unclassified*
 10 *form, but may include a classified annex.*

11 “(f) *NOTIFICATIONS OF DETERMINATIONS OF CERTAIN*
 12 *THREATS.—*

13 “(1) *REQUIREMENT.—In addition to the annual*
 14 *reports under subsection (d), if the Secretary deter-*
 15 *mines that the services provided by a covered indi-*
 16 *vidual who occupies a covered post-service position*
 17 *pose a threat described in clause (iii) of paragraph*
 18 *(2)(B) of that subsection, or include activities de-*
 19 *scribed in clause (iv) of such paragraph, the Sec-*
 20 *retary shall notify the congressional defense commit-*
 21 *tees of that determination by not later than 30 days*
 22 *after making the determination.*

23 “(2) *ELEMENTS.—A notification required by*
 24 *paragraph (1) shall include the following:*

25 “(A) *The name of the covered individual.*

1 “(B) *The name of the employer.*

2 “(C) *The foreign government, including the*
 3 *specific foreign individual, agency, or entity, for*
 4 *whom the covered post-service employment is*
 5 *being performed.*

6 “(D) *As applicable, a description of the risk*
 7 *to national security and the activities that may*
 8 *violate Federal law.*

9 “(g) *RULE OF CONSTRUCTION.—Nothing in this sec-*
 10 *tion may be construed to indemnify or shield covered indi-*
 11 *viduals from prosecution under any relevant provision of*
 12 *title 18.*

13 “(h) *DEFINITIONS.—In this section:*

14 “(1) *COVERED INDIVIDUAL.—The term ‘covered*
 15 *individual’ means an individual who has retired or*
 16 *otherwise separated from an active or reserve compo-*
 17 *nent of the Armed Forces.*

18 “(2) *COVERED POST-SERVICE EMPLOYMENT.—*
 19 *The term ‘covered post-service employment’ means di-*
 20 *rect or indirect employment by, representation of, or*
 21 *any provision of advice or services relating to na-*
 22 *tional security, intelligence, the military, or internal*
 23 *security to—*

24 “(A) *the government of—*

1 “(i) a country of concern (as defined
 2 in section 1(m) of the State Department
 3 Basic Authorities Act of 1956 (22 U.S.C.
 4 2651a(m))); or

5 “(ii) a country the Secretary of De-
 6 fense determines acts as a proxy or pass-
 7 through for services for a country of con-
 8 cern; or

9 “(B) any company, entity, or other person
 10 the activities of which are directly or indirectly
 11 supervised, directed, controlled, financed, or sub-
 12 sidized, in whole or in major part, by a govern-
 13 ment described in subparagraph (A).

14 “(3) COVERED POST-SERVICE POSITION.—The
 15 term ‘covered post-service position’ means a position
 16 of employment described in paragraph (2).”.

17 (b) CLERICAL AMENDMENT.—The table of sections at
 18 the beginning of chapter 49 of such title is amended by add-
 19 ing at the end the following new item:

“989. Prohibition on former members of the armed forces accepting post-service
 employment with certain foreign governments.”.

20 (c) CONFORMING AMENDMENT.—Section 908 of title
 21 37, United States Code, is amended by adding at the end
 22 the following new subsection:

23 “(f) PROHIBITION ON FORMER MEMBERS OF ARMED
 24 FORCES ACCEPTING EMPLOYMENT WITH CERTAIN FOR-

1 *EIGN GOVERNMENTS.—For a provision of law prohibiting*
 2 *former members of the armed forces from accepting post-*
 3 *service employment with certain foreign governments, see*
 4 *section 989 of title 10.”.*

5 **SEC. 583. PROHIBITION ON REQUIRING LISTING OF GEN-**
 6 **DER OR PRONOUNS IN OFFICIAL COR-**
 7 **RESPONDENCE.**

8 *The Department of Defense is prohibited from requir-*
 9 *ing members of the Armed Forces or civilian employees of*
 10 *the Department of Defense to list their gender or pronouns*
 11 *in official correspondence, whether such correspondence is*
 12 *written or electronic.*

13 ***Subtitle I—Enhanced Recruiting***
 14 ***Efforts***

15 **SEC. 591. SHORT TITLE.**

16 *This subtitle may be cited as the “Military Service*
 17 *Promotion Act of 2023”.*

18 **SEC. 592. INCREASED ACCESS TO POTENTIAL RECRUITS AT**
 19 **SECONDARY SCHOOLS.**

20 *Section 503(c) of title 10, United States Code, is*
 21 *amended—*

22 *(1) in paragraph (1)—*

23 *(A) in subparagraph (A)—*

24 *(i) in clause (i), by striking “; and”*

25 *and inserting a semicolon;*

1 (ii) by redesignating clause (ii) as
2 clause (iii);

3 (iii) by inserting after clause (i) the
4 following new clause:

5 “(ii) shall provide to military recruiters access
6 to career fairs or similar events upon a request made
7 by military recruiters for military recruiting pur-
8 poses; and”; and

9 (iv) in clause (iii), as redesignated by
10 subparagraph (B), by inserting “, not later
11 than 60 days after receiving such request,”
12 after “provide”; and

13 (B) in subparagraph (B), by striking “sub-
14 paragraph (A)(ii)” and inserting “subparagraph
15 (A)(iii)”;

16 (2) by redesignating paragraph (6) as para-
17 graph (7); and

18 (3) by inserting after paragraph (5) the fol-
19 lowing new paragraph:

20 “(6) The Secretary of Defense shall submit an annual
21 report to Congress not later than February 1 each calendar
22 year, detailing each notification of denial of recruiting ac-
23 cess issued under paragraph (3).”.

1 **SEC. 593. INCREASED ACCESS TO POTENTIAL RECRUITS AT**
 2 **INSTITUTIONS OF HIGHER EDUCATION.**

3 *Section 983(b) of title 10, United States Code, is*
 4 *amended—*

5 *(1) in paragraph (1), by striking “; or” and in-*
 6 *serting a semicolon;*

7 *(2) in paragraph (2)—*

8 *(A) by striking “to the following informa-*
 9 *tion pertaining” and inserting “, with respect”;*

10 *(B) by striking “institution):” and insert-*
 11 *ing “institution)—”;*

12 *(C) in subparagraph (A)—*

13 *(i) by striking “Names” and inserting*
 14 *“names”; and*

15 *(ii) by striking “telephone listings.”*
 16 *and inserting “telephone listings, which in-*
 17 *formation shall be made available not later*
 18 *than the 60th day following the date of a re-*
 19 *quest; and”; and*

20 *(D) in subparagraph (B), by striking*
 21 *“Date” and inserting “date”.*

1 **TITLE VI—COMPENSATION AND**
 2 **OTHER PERSONNEL BENEFITS**
 3 **Subtitle A—Pay and Allowances**

4 **SEC. 601. PAY OF MEMBERS OF RESERVE COMPONENTS FOR**
 5 **INACTIVE-DUTY TRAINING TO OBTAIN OR**
 6 **MAINTAIN AN AERONAUTICAL RATING OR**
 7 **DESIGNATION.**

8 (a) *IN GENERAL.*—Chapter 3 of title 37, United States
 9 Code, is amended by inserting after section 206 the fol-
 10 lowing new section:

11 **“§ 206a. Pay of members of reserve components for in-**
 12 **active-duty training to obtain or maintain**
 13 **an aeronautical rating or designation**

14 “Under regulations prescribed by the Secretary con-
 15 cerned, a member of the National Guard or a member of
 16 a reserve component of a uniformed service who is receiving
 17 aviation incentive pay under section 334(a) of this title and
 18 is entitled to compensation under section 206 of this title
 19 is entitled to such compensation for a number of periods
 20 of inactive-duty training each month sufficient for the
 21 member to obtain or maintain an aeronautical rating or
 22 designation.”.

23 (b) *CLERICAL AMENDMENT.*—The table of sections at
 24 the beginning of chapter 3 of such title is amended by in-

1 *serting after the item relating to section 206 the following*
 2 *new item:*

*“206a. Pay of members of reserve components for inactive-duty training to obtain
 or maintain an aeronautical rating or designation.”.*

3 **SEC. 602. MODIFICATION OF CALCULATION METHOD FOR**
 4 **BASIC ALLOWANCE FOR HOUSING TO MORE**
 5 **ACCURATELY ASSESS HOUSING COSTS OF**
 6 **JUNIOR MEMBERS OF UNIFORMED SERVICES.**

7 *Section 403(b)(5) of title 37, United States Code, is*
 8 *amended, in the second sentence, by striking “and shall be*
 9 *based on the following:” and all that follows through “deter-*
 10 *mined in subparagraph (A)”.*

11 **SEC. 603. BASIC ALLOWANCE FOR HOUSING FOR MEMBERS**
 12 **ASSIGNED TO VESSELS UNDERGOING MAIN-**
 13 **TENANCE.**

14 *Section 403(f)(2) of title 37, United States Code, is*
 15 *amended—*

16 *(1) in subparagraph (A), by striking “subpara-*
 17 *graphs (B) and (C)” and inserting “subparagraphs*
 18 *(B), (C), and (D)”;* and

19 *(2) by adding at the end the following new sub-*
 20 *paragraph:*

21 *“(D)(i) Under regulations prescribed by the Secretary*
 22 *concerned, the Secretary may authorize the payment of a*
 23 *basic allowance for housing to a member of a uniformed*
 24 *service without dependents who is serving in a pay grade*

1 below E-6 and has orders to a naval vessel during a ship-
 2 yard availability or maintenance period.

3 “(ii) In prescribing regulations under clause (i), the
 4 Secretary concerned shall consider the availability of quar-
 5 ters for members serving in pay grades below E-6 before
 6 authorizing the payment of a basic allowance for housing
 7 for such members.”.

8 **SEC. 604. DUAL BASIC ALLOWANCE FOR HOUSING FOR**
 9 **TRAINING FOR CERTAIN MEMBERS OF RE-**
 10 **SERVE COMPONENTS.**

11 Section 403(g)(3) of title 37, United States Code, is
 12 amended—

13 (1) by striking “Paragraphs” and inserting “(A)
 14 Except as provided by subparagraph (B), para-
 15 graphs”; and

16 (2) by adding at the end the following new sub-
 17 paragraph:

18 “(B) Paragraphs (1) and (2) shall apply with respect
 19 to a member of a reserve component without dependents who
 20 is called or ordered to active duty to attend training for
 21 a period of 140 days or more but fewer than 365 days and
 22 for whom transportation of household goods is authorized
 23 under section 453(c) of this title as part of the call or order
 24 to active duty.”.

1 **SEC. 605. MODIFICATION OF CALCULATION OF GROSS**
 2 **HOUSEHOLD INCOME FOR BASIC NEEDS AL-**
 3 **LOWANCE TO ADDRESS AREAS OF DEM-**
 4 **ONSTRATED NEED.**

5 (a) *IN GENERAL.*—Section 402b(k)(1)(B) of title 37,
 6 *United States Code*, is amended by inserting “or that other-
 7 wise has a demonstrated need” after “high cost of living”.

8 (b) *IMPLEMENTATION GUIDANCE.*—The Secretary of
 9 Defense shall revise the guidance issued with respect to im-
 10 plementation of the basic needs allowance under section
 11 402b of title 37, *United States Code*, to reflect the amend-
 12 ment made by subsection (a).

13 **SEC. 606. EXPANSION OF ELIGIBILITY FOR REIMBURSE-**
 14 **MENT OF QUALIFIED LICENSURE, CERTIFI-**
 15 **CATION, AND BUSINESS RELOCATION COSTS**
 16 **INCURRED BY MILITARY SPOUSES.**

17 Section 453(g)(1) of title 37, *United States Code*, is
 18 amended—

19 (1) in subparagraph (A)—

20 (A) by striking “member is reassigned” and
 21 inserting the following: “member is—

22 “(i) reassigned”;

23 (B) by striking “; and” and inserting “;
 24 or”; and

25 (C) by adding at the end the following new
 26 clause:

1 “(ii) transferred from a regular component
 2 of a uniformed service into the Selected Reserve
 3 of the Ready Reserve of a uniformed service, if
 4 the member is authorized a final move from the
 5 last duty station to the new jurisdiction or geo-
 6 graphic area; and”;

7 (2) in subparagraph (B), by inserting “or trans-
 8 fer” after “reassignment”.

9 **SEC. 607. COST-OF-LIVING ALLOWANCE IN THE CONTI-**
 10 **NENTAL UNITED STATES: HIGH COST AREAS.**

11 Section 403b(c) of title 37, United States Code, is
 12 amended—

13 (1) in the second sentence, by striking “8 per-
 14 cent” and inserting “5 percent”; and

15 (2) in the third sentence, by striking “shall pre-
 16 scribe” and inserting “may prescribe”.

17 **SEC. 608. OCONUS COST-OF-LIVING ALLOWANCE: ADJUST-**
 18 **MENTS.**

19 Section 617 of the James M. Inhofe National Defense
 20 Authorization Act for Fiscal Year 2023 (Public Law 117–
 21 263) is amended—

22 (1) in the section heading, by striking “; **NO-**
 23 **TICE TO CERTAIN CONGRESSIONAL COMMIT-**
 24 **TEES**”; and

1 (2) *by striking subsections (a), (b), and (c) and*
 2 *inserting the following:*

3 “(a) *IN GENERAL.—Subject to subsections (b) and (c),*
 4 *the Secretary of Defense may announce reductions in the*
 5 *cost-of-living allowance for a member of the uniformed serv-*
 6 *ices assigned to a duty station located outside the conti-*
 7 *ental United States—*

8 “(1) *not more than two times per year; or*

9 “(2) *in connection with a permanent change of*
 10 *station for such member.*

11 “(b) *LIMITATION ON SIZE OF REDUCTIONS.—The Sec-*
 12 *retary may not make a reduction under subsection (a) in*
 13 *the allowance described in that subsection by an amount*
 14 *that exceeds 10 percent of the amount of the allowance before*
 15 *the reduction.*

16 “(c) *TREATMENT OF REDUCTIONS RELATING TO FOR-*
 17 *EIGN CURRENCY EXCHANGE RATES.—The limitations*
 18 *under subsections (a) and (b) shall not apply to reductions*
 19 *in the allowance described in subsection (a) relating to*
 20 *changes in foreign currency exchange rates.*

21 “(d) *IMPLEMENTATION OF REDUCTIONS.—The Sec-*
 22 *retary may phase in the reductions described in subsection*
 23 *(a).*

1 “(e) *INCREASES.*—*The Secretary may increase the al-*
 2 *lowance described in subsection (a) for a member of the uni-*
 3 *formed services at any time.*”.

4 **SEC. 609. EXTENSION OF ONE-TIME UNIFORM ALLOWANCE**
 5 **FOR OFFICERS WHO TRANSFER TO THE**
 6 **SPACE FORCE.**

7 *Section 606(d)(1) of the William M. (Mac) Thornberry*
 8 *National Defense Authorization Act for Fiscal Year 2021*
 9 *(Public Law 116–283; 37 U.S.C. 416 note) is amended by*
 10 *striking “September 30, 2023” and inserting “September*
 11 *30, 2025”.*

12 **SEC. 610. REVIEW OF RATES OF MILITARY BASIC PAY.**

13 (a) *IN GENERAL.*—*The Secretary of Defense shall con-*
 14 *duct a review of the rates of monthly basic pay authorized*
 15 *for members of the uniformed services to determine if the*
 16 *current basic pay table adequately compensates junior en-*
 17 *listed personnel in pay grades E–1 through E–4.*

18 (b) *FACTORS FOR REVIEW.*—*In conducting the review*
 19 *required by subsection (a), the Secretary shall conduct the*
 20 *following:*

21 (1) *An assessment of the adequacy of the rates of*
 22 *monthly basic pay for members of the uniformed serv-*
 23 *ices in light of current and predicted recruiting dif-*
 24 *ficulties.*

1 (2) *An analysis of how such basic pay, when*
 2 *combined with other elements of regular compensation*
 3 *for members of the uniformed services, compares with*
 4 *private sector wages for potential recruits to the uni-*
 5 *formed services.*

6 (3) *An assessment of how sustained periods of*
 7 *cost inflation affect pay for the uniformed services*
 8 *and comparable private sector wages.*

9 (4) *An historical analysis of how percentage dif-*
 10 *ferences between junior enlisted basic pay, senior en-*
 11 *listed basic pay, junior officer basic pay, and senior*
 12 *officer basic pay, have changed since the rates of basic*
 13 *pay for members of the uniformed services were au-*
 14 *thorized by section 601 of the John Warner National*
 15 *Defense Authorization Act for Fiscal Year 2007 (Pub-*
 16 *lic Law 109–364; 37 U.S.C. 1009 note).*

17 (c) *REPORT AND LEGISLATIVE PROPOSAL RE-*
 18 *QUIRED.*—*Not later than March 1, 2024, the Secretary of*
 19 *Defense shall submit to the Committees on Armed Services*
 20 *of the Senate and the House of Representatives—*

21 (1) *a report on the results of the review required*
 22 *by subsection (a); and*

23 (2) *a comprehensive legislative proposal for the*
 24 *rates of basic pay for members of the uniformed serv-*
 25 *ices.*

1 **SEC. 611. GOVERNMENT ACCOUNTABILITY OFFICE STUDY**
 2 **ON PROCESS FOR DETERMINING COST-OF-**
 3 **LIVING ALLOWANCES FOR MEMBERS OF THE**
 4 **UNIFORMED SERVICES ASSIGNED TO THE**
 5 **CONTINENTAL UNITED STATES, HAWAII,**
 6 **ALASKA, AND OVERSEAS LOCATIONS.**

7 (a) *IN GENERAL.*—*The Comptroller General of the*
 8 *United States shall conduct a study on the process for deter-*
 9 *mining cost-of-living allowances for members of the uni-*
 10 *formed services stationed in the continental United States,*
 11 *Hawaii, Alaska, and at overseas locations.*

12 (b) *ELEMENTS.*—*In conducting the study required by*
 13 *subsection (a), the Comptroller General shall assess—*

14 (1) *the fairness and equity of the process for de-*
 15 *termining cost-of-living allowances described in sub-*
 16 *section (a) and methods for improving that process;*

17 (2) *the advantages and disadvantages of aver-*
 18 *aging the results of continental United States Living*
 19 *Pattern Surveys and Retail Price Schedules without*
 20 *regard to the geographic concentration of members of*
 21 *the uniformed services within the continental United*
 22 *States when determining the baseline cost of living for*
 23 *the continental United States;*

24 (3) *if additional out-of-pocket expenses, includ-*
 25 *ing the costs for a member of the uniformed services*
 26 *to travel to and from the home of record of the mem-*

1 *ber from the assigned duty station of the member,*
 2 *should be included in the calculations of the Depart-*
 3 *ment of Defense for determining overseas cost-of-living*
 4 *allowances to better equalize the true costs of living*
 5 *for members stationed outside the continental United*
 6 *States with such costs for members stationed inside*
 7 *the continental United States; and*

8 *(4) the process by which the Department of De-*
 9 *fense conducts Living Pattern Surveys and develops*
 10 *Retail Price Schedules.*

11 *(c) REPORT REQUIRED.—Not later than one year after*
 12 *the date of the enactment of this Act, the Comptroller Gen-*
 13 *eral shall submit to the Committees on Armed Services of*
 14 *the Senate and the House of Representatives a report—*

15 *(1) setting forth the results of the study required*
 16 *by subsection (a); and*

17 *(2) making any recommendations the Comp-*
 18 *troller General considers appropriate based on those*
 19 *results, including any recommendations for changes*
 20 *to section 403b or 405 of title 37, United States Code.*

1 ***Subtitle B—Bonus and Incentive***
 2 ***Pays***

3 ***SEC. 621. MODIFICATION OF SPECIAL AND INCENTIVE PAY***

4 ***AUTHORITIES FOR MEMBERS OF RESERVE***
 5 ***COMPONENTS.***

6 (a) *IN GENERAL.*—Section 357 of title 37, United
 7 States Code, is amended—

8 (1) by striking “incentive pay” and inserting
 9 “special or incentive pay”; and

10 (2) by striking the period at the end and insert-
 11 ing the following: “if the Secretary concerned is pay-
 12 ing the member of the reserve component the special
 13 or incentive pay for the purpose of—

14 “(1) maintaining a skill certification or pro-
 15 ficiency identical to a skill certification or proficiency
 16 required of the member in the regular component; or

17 “(2) compensating the member of the reserve
 18 component for exposure to hazards or risks identical
 19 to hazards or risks to which the member in the reg-
 20 ular component was exposed.”.

21 (b) *CONFORMING AND CLERICAL AMENDMENTS.*—

22 (1) *CONFORMING AMENDMENT.*—The section
 23 heading for section 357 of title 37, United States
 24 Code, is amended by striking “***Incentive***” and in-
 25 serting “***Special and incentive***”.

1 (2) *CLERICAL AMENDMENT.*—*The table of sec-*
 2 *tions for chapter 5 of such title is amended by strik-*
 3 *ing the item relating to section 357 and inserting the*
 4 *following new item:*

*“357. Special and incentive pay authorities for members of the reserve components
 of the armed forces.”.*

5 (c) *MODIFICATION OF IMPLEMENTATION DETERMINA-*
 6 *TION.*—*Section 602(d) of the National Defense Authoriza-*
 7 *tion Act for Fiscal Year 2022 (Public Law 117–81; 37*
 8 *U.S.C. 357 note) is amended—*

9 (1) *by redesignating paragraphs (1) and (2) as*
 10 *subparagraphs (A) and (B), respectively, and by mov-*
 11 *ing such subparagraphs, as so redesignated, two ems*
 12 *to the right;*

13 (2) *by striking “The Secretary may” and insert-*
 14 *ing the following:*

15 *“(1) IN GENERAL.—The Secretary shall”;*

16 (3) *in subparagraph (A), as redesignated by*
 17 *paragraph (1), by striking “subsection (b)” and in-*
 18 *serting “subsection (c)”;* and

19 (4) *by adding at the end the following new para-*
 20 *graph:*

21 “(2) *EVALUATION OF TYPES OF SPECIAL AND IN-*
 22 *CENTIVE PAY.*—*In making the determination and cer-*
 23 *tification described in paragraph (1)(B), the Sec-*
 24 *retary shall evaluate each type or category of special*

1 *and incentive pay separately and may make the de-*
 2 *termination and certification based on the effect on*
 3 *an Armed Force concerned of a particular type or*
 4 *category of special or incentive pay.”.*

5 **SEC. 622. EXPANSION OF CONTINUATION PAY ELIGIBILITY.**

6 *(a) CONTINUATION PAY: FULL TSP MEMBERS WITH*
 7 8 *TO 12 YEARS OF SERVICE.—Section 356 of title 37,*
 8 *United States Code, is amended—*

9 *(1) in the section heading, by striking “8” and*
 10 *inserting “7”; and*

11 *(2) in subsections (a)(1) and (d), by striking “8”*
 12 *and inserting “7”.*

13 *(b) CLERICAL AMENDMENT.—The table of sections at*
 14 *the beginning of chapter 5 of such title is amended by strik-*
 15 *ing the item relating to section 356 and inserting the fol-*
 16 *lowing new item:*

“356. Continuation pay: full TSP members with 7 to 12 years of service.”.

17 **SEC. 623. ONE-YEAR EXTENSION OF CERTAIN EXPIRING**
 18 **BONUS AND SPECIAL PAY AUTHORITIES.**

19 *(a) AUTHORITIES RELATING TO RESERVE FORCES.—*
 20 *Section 910(g) of title 37, United States Code, relating to*
 21 *income replacement payments for reserve component mem-*
 22 *bers experiencing extended and frequent mobilization for ac-*
 23 *tive duty service, is amended by striking “December 31,*
 24 *2023” and inserting “December 31, 2024”.*

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 *2023” and inserting “December 31, 2024”:*

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, 2023” and inserting*
 13 *“December 31, 2024”.*

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, 2023”*
 18 *and inserting “December 31, 2024”:*

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 (4) *Section 335(k), relating to special bonus and*
 2 *incentive pay authorities for officers in health profes-*
 3 *sions.*

4 (5) *Section 336(g), relating to contracting bonus*
 5 *for cadets and midshipmen enrolled in the Senior Re-*
 6 *serve Officers' Training Corps.*

7 (6) *Section 351(h), relating to hazardous duty*
 8 *pay.*

9 (7) *Section 352(g), relating to assignment pay or*
 10 *special duty pay.*

11 (8) *Section 353(i), relating to skill incentive pay*
 12 *or proficiency bonus.*

13 (9) *Section 355(h), relating to retention incen-*
 14 *tives for members qualified in critical military skills*
 15 *or assigned to high priority units.*

16 (e) *AUTHORITIES TO PROVIDE TEMPORARY INCREASE*
 17 *IN RATES OF BASIC ALLOWANCE FOR HOUSING.—Section*
 18 *403(b) of title 37, United States Code, is amended—*

19 (1) *in paragraph (7)(E), relating to temporary*
 20 *increases in rates of basic allowance for areas covered*
 21 *by a major disaster declaration or containing an in-*
 22 *stallation experiencing a sudden influx of military*
 23 *personnel, by striking “December 31, 2023” and in-*
 24 *serting “December 31, 2024”; and*

1 (2) *in paragraph (8)(C), relating to temporary*
 2 *adjustments in rates of basic allowance for housing*
 3 *for localities where actual housing costs differ from*
 4 *current rates of basic allowance for housing by more*
 5 *than 20 percent, by striking “September 30, 2023”*
 6 *and inserting “December 31, 2024”.*

7 **SEC. 624. REQUIREMENT TO ESTABLISH REMOTE AND AUS-**
 8 **TERE CONDITION ASSIGNMENT INCENTIVE**
 9 **PAY PROGRAM FOR AIR FORCE.**

10 *The Secretary of the Air Force shall—*

11 (1) *evaluate the Remote and Austere Condition*
 12 *Assignment Incentive Pay program of the Army; and*

13 (2) *not later than October 1, 2025, establish a*
 14 *similar program for the Air Force, unless the Sec-*
 15 *retary can certify to Congress that there are no criti-*
 16 *cally manned units at any Air Force installation in*
 17 *Alaska.*

18 **SEC. 625. EXTENSION OF TRAVEL ALLOWANCE FOR MEM-**
 19 **BERS OF THE ARMED FORCES ASSIGNED TO**
 20 **ALASKA.**

21 *Section 603(b)(5)(B) of the James M. Inhofe National*
 22 *Defense Authorization Act for Fiscal Year 2023 (Public*
 23 *Law 117–263; 136 Stat. 2621) is amended by striking “De-*
 24 *cember 31, 2023” and inserting “June 30, 2024”.*

Subtitle C—Other Matters

SEC. 631. MODIFICATION OF REQUIREMENTS FOR APPROVAL OF FOREIGN EMPLOYMENT BY RETIRED AND RESERVE MEMBERS OF UNIFORMED SERVICES.

Section 908 of title 37, United States Code, is amended—

(1) in subsection (b)—

(A) by striking “A person” and inserting “(1) A person”;

(B) by inserting “after determining that such approval is not contrary to the national interests of the United States” after “approve the employment”; and

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

“(2) The Secretary of a military department may delegate the determination of the Secretary required by paragraph (1) only to an official of the military department at or above the level of an Assistant Secretary or, in the event of a vacancy in the position of such an official, a civilian official performing the duties of that position.”;
and

(2) in subsection (d)—

(A) in paragraph (2)—

1 (i) in the matter preceding subpara-
2 graph (A), by striking “an officer” and in-
3 serting “a person”; and

4 (ii) by striking subparagraphs (B) and
5 (C) and inserting the following new sub-
6 paragraphs:

7 “(B) A description of the duties, if any, the per-
8 son is to perform and the compensation the person is
9 to receive for such duties, as reflected in the person’s
10 application for approval of the employment or com-
11 pensation or payment or award.

12 “(C) The position the person held or holds in the
13 armed forces, including the rank of the person and the
14 armed force in which the person served.

15 “(D) Any other information the Secretaries of
16 the military departments consider relevant, except
17 that such information may not include the person’s
18 date of birth, Social Security number, home address,
19 phone number, or any other personal identifier other
20 than the name and rank of the person and the armed
21 force in which the person served.”; and

22 (B) by adding at the end the following new
23 paragraph:

24 “(3) Not later than 60 days after the date on which
25 a report required by paragraph (1) is submitted, the Secre-

1 *taries of the military departments shall make the report,*
 2 *and all contents of the report, available on a publicly acces-*
 3 *sible internet website.”.*

4 **SEC. 632. RESTRICTIONS ON RETIRED AND RESERVE MEM-**
 5 **BERS OF THE ARMED FORCES RECEIVING EM-**
 6 **PLOYMENT AND COMPENSATION INDIRECTLY**
 7 **FROM FOREIGN GOVERNMENTS THROUGH**
 8 **PRIVATE ENTITIES.**

9 *Section 908(a) of title 37, United States Code, is*
 10 *amended—*

11 *(1) by redesignating paragraphs (1), (2), and (3)*
 12 *as subparagraphs (A), (B), and (C), respectively, and*
 13 *by moving such subparagraphs, as so redesignated, 2*
 14 *ems to the right;*

15 *(2) by striking “Subject to” and inserting the*
 16 *following:*

17 *“(1) IN GENERAL.—Subject to”;*

18 *(3) in subparagraph (C), as redesignated, by*
 19 *striking “Commissioned Reserve Corps” and inserting*
 20 *“Ready Reserve Corps”; and*

21 *(4) by adding at the end the following new para-*
 22 *graph:*

23 *“(2) APPLICATION TO PRIVATE ENTITIES.—*

24 *“(A) IN GENERAL.—The acceptance by a*
 25 *person described in subparagraph (B) of employ-*

1 *ment (and compensation related to that employ-*
2 *ment) or payments or awards for work per-*
3 *formed for a foreign government through a pri-*
4 *vate entity shall be subject to the provisions of*
5 *this section to the same extent and in the same*
6 *manner as such provisions apply to employment*
7 *(and compensation related to that employment)*
8 *and payments and awards described in para-*
9 *graph (1).*

10 “(B) *PERSONS DESCRIBED.*—A person de-
11 *scribed in this subparagraph is—*

12 “(i) *a retired member of the Army,*
13 *Navy, Air Force, Marine Corps, or Space*
14 *Force; or*

15 “(ii) *a member of a reserve component*
16 *of an armed force specified in clause (i), ex-*
17 *cept a member serving on active duty under*
18 *a call or order to active duty for a period*
19 *in excess of 30 days.”.*

1 **TITLE VII—HEALTH CARE**
 2 **PROVISIONS**
 3 **Subtitle A—TRICARE and Other**
 4 **Health Care Benefits**

5 **SEC. 701. EXTENSION OF PERIOD OF ELIGIBILITY FOR**
 6 **HEALTH BENEFITS UNDER TRICARE RESERVE**
 7 **SELECT FOR SURVIVORS OF A MEMBER OF**
 8 **THE SELECTED RESERVE.**

9 (a) *IN GENERAL.*— Section 1076d(c) of title 10,
 10 *United States Code*, is amended by striking “six months”
 11 and inserting “three years”.

12 (b) *EFFECTIVE DATE.*—The amendment made by sub-
 13 section (a) shall take effect on October 1, 2025.

14 **SEC. 702. AUTHORITY TO PROVIDE DENTAL CARE FOR DE-**
 15 **PENDENTS LOCATED AT CERTAIN REMOTE**
 16 **OR ISOLATED LOCATIONS.**

17 Section 1077(c) of title 10, *United States Code*, is
 18 amended—

19 (1) in paragraph (1), by striking “paragraph
 20 (2)” and inserting “paragraphs (2) and (3)”; and

21 (2) by adding at the end the following new para-
 22 graph:

23 “(3)(A) *Dependents who reside within a specified geo-*
 24 *graphic area and are covered by a dental plan established*
 25 *under section 1076a may receive dental care in a dental*

1 *treatment facility of the uniformed services on a space*
 2 *available basis if the Secretary of Defense determines that—*

3 “(i) *civilian dental care within the specified geo-*
 4 *graphic area is inadequate or is not sufficiently*
 5 *available; and*

6 “(ii) *adequate resources exist to provide space*
 7 *available dental care to the dependents at the facility.*

8 “(B) *Care under subparagraph (A) shall be provided*
 9 *on a reimbursable basis.”.*

10 **SEC. 703. INCLUSION OF ASSISTED REPRODUCTIVE TECH-**
 11 **NOLOGY AND ARTIFICIAL INSEMINATION AS**
 12 **REQUIRED PRIMARY AND PREVENTIVE**
 13 **HEALTH CARE SERVICES FOR MEMBERS OF**
 14 **THE UNIFORMED SERVICES AND DEPEND-**
 15 **ENTS.**

16 (a) *MEMBERS OF THE UNIFORMED SERVICES.—Sec-*
 17 *tion 1074d of title 10, United States Code, is amended—*

18 (1) *in subsection (a)(2)—*

19 (A) *by striking “entitled to preventive” and*
 20 *inserting “entitled to—*

21 *“(A) preventive”;*

22 (B) *in subparagraph (A), as designated by*
 23 *subparagraph (A) of this paragraph, by striking*
 24 *the period at the end and inserting “; and”; and*

1 (C) by adding at the end the following new
2 subparagraph:

3 “(B) for male members of the uniformed services
4 (excluding former members of the uniformed services),
5 services relating to infertility described in subsection
6 (b)(4).”; and

7 (2) by adding at the end the following new sub-
8 section:

9 “(c) *INFERTILITY SERVICES INCLUDED FOR MEMBERS*
10 *OF THE UNIFORMED SERVICES.*—Services relating to infer-
11 tility required to be provided under subsections (a)(2)(B)
12 and (b)(4) for members of the uniformed services (excluding
13 former members of the uniformed services) shall include the
14 following:

15 “(1) Treatments or procedures using assisted re-
16 productive technology (as defined in section 8 of the
17 Fertility Clinic Success Rate and Certification Act of
18 1992 (42 U.S.C. 263a–7(1)), excluding in vitro fer-
19 tilization).

20 “(2) The provision of artificial insemination, in-
21 cluding intrauterine insemination, without regard to
22 coital conception.”.

23 (b) *DEPENDENTS.*—Section 1077(a) of such title is
24 amended by adding at the end the following new paragraph:

1 “(19) *Services relating to infertility, including*
 2 *the services specified in section 1074d(c) of this title,*
 3 *except that the services specified in such section may*
 4 *be provided only to a dependent of a member of the*
 5 *uniformed services (excluding any dependent of a*
 6 *former member of the uniformed services).’’.*

7 (c) *EXCLUSION FROM CONTRACTS FOR FORMER MEM-*
 8 *BERS AND THEIR DEPENDENTS.*—*Section 1086 of such title*
 9 *is amended—*

10 (1) *in subsection (c), in the matter preceding*
 11 *paragraph (1), by striking “subsection (d)” and in-*
 12 *serting “subsections (d) and (j)”;* and

13 (2) *by adding at the end the following new sub-*
 14 *section:*

15 “(j) *A plan contracted for under subsection (a) may*
 16 *not include coverage for services under section 1077(a)(19)*
 17 *of this title for former members of the uniformed services*
 18 *or dependents of former members of the uniformed serv-*
 19 *ices.’’.*

20 (d) *APPLICATION.*—*The amendments made by this sec-*
 21 *tion shall apply to services provided on or after January*
 22 *1, 2025.*

23 (e) *RULE OF CONSTRUCTION.*—*Nothing in this section*
 24 *or the amendments made by this section shall be construed*
 25 *provide new benefits to or alter existing benefits for former*

1 *members of the uniformed services or the dependents of*
 2 *former members of the uniformed services.*

3 **SEC. 704. PROGRAM ON TREATMENT OF MEMBERS OF THE**
 4 **ARMED FORCES FOR POST-TRAUMATIC**
 5 **STRESS DISORDER, TRAUMATIC BRAIN INJU-**
 6 **RIES, AND CO-OCCURRING DISORDERS RE-**
 7 **LATED TO MILITARY SEXUAL TRAUMA.**

8 *(a) ESTABLISHMENT OF PROGRAM.—*

9 *(1) IN GENERAL.—Chapter 55 of title 10, United*
 10 *States Code, is amended by inserting after section*
 11 *1074o the following new section:*

12 **“§ 1074p. Program on treatment of members of the**
 13 **armed forces for post-traumatic stress dis-**
 14 **order, traumatic brain injuries, and co-**
 15 **occurring disorders related to military**
 16 **sexual trauma**

17 *“(a) IN GENERAL.—The Secretary of Defense shall*
 18 *carry out a program to provide intensive outpatient pro-*
 19 *grams to treat members of the Armed Forces suffering from*
 20 *post-traumatic stress disorder, traumatic brain injuries,*
 21 *and co-occurring disorders related to military sexual trau-*
 22 *ma, including treatment for substance abuse, depression,*
 23 *and other issues related to such conditions.*

24 *“(b) DISCHARGE THROUGH PARTNERSHIPS.—The*
 25 *Secretary shall carry out the program under subsection (a)*

1 *through partnerships with public, private, and non-profit*
2 *health care organizations, universities, and institutions*
3 *that—*

4 “(1) *provide health care to members of the armed*
5 *forces;*

6 “(2) *provide evidence-based treatment for psycho-*
7 *logical and neurological conditions that are common*
8 *among members of the armed forces, including post-*
9 *traumatic stress disorder, traumatic brain injury,*
10 *substance abuse, and depression;*

11 “(3) *provide health care, support, and other ben-*
12 *efits to family members of members of the armed*
13 *forces; and*

14 “(4) *provide health care under the TRICARE*
15 *program.*

16 “(c) *PROGRAM ACTIVITIES.—Each organization, uni-*
17 *versity, or institution that participates in a partnership*
18 *under the program under subsection (a) shall—*

19 “(1) *carry out intensive outpatient programs of*
20 *short duration to treat members of the armed forces*
21 *suffering from post-traumatic stress disorder, trau-*
22 *matic brain injuries, and co-occurring disorders re-*
23 *lated to military sexual trauma, including treatment*
24 *for substance abuse, depression, and other issues re-*
25 *lated to such conditions;*

1 “(2) use evidence-based and evidence-informed
2 treatment strategies in carrying out such programs;

3 “(3) share clinical and outreach best practices
4 with other organizations, universities, and institu-
5 tions participating in the program under subsection
6 (a); and

7 “(4) annually assess outcomes for members of the
8 armed forces individually and among the organiza-
9 tions, universities, and institutions participating in
10 the program under subsection (a) with respect to the
11 treatment of conditions described in paragraph (1).”.

12 (2) *CLERICAL AMENDMENT.*—The table of sec-
13 tions at the beginning of such chapter is amended by
14 inserting after the item relating to section 1074o the
15 following new item:

“1074p. Program on treatment of members of the armed forces for post-traumatic stress disorder, traumatic brain injuries, and co-occurring disorders related to military sexual trauma.”.

16 (b) *REPORTS.*—

17 (1) *INITIAL REPORT.*—Not later than 180 days
18 after the date of the enactment of this Act, the Sec-
19 retary of Defense shall submit to the Committees on
20 Armed Services of the Senate and the House of Rep-
21 resentatives a report on the program under section
22 1074p of title 10, United States Code, as added by
23 subsection (a), which shall include a description of the

1 *program and such other matters on the program as*
 2 *the Secretary considers appropriate.*

3 (2) *ADDITIONAL REPORT.*—*Not later than two*
 4 *years after commencement of implementation of the*
 5 *program under section 1074p of title 10, United*
 6 *States Code, as added by subsection (a), the Secretary*
 7 *shall submit to the Committees on Armed Services of*
 8 *the Senate and the House of Representatives a report*
 9 *on the program, which shall include the following:*

10 (A) *A description of the program, including*
 11 *the partnerships under the program as described*
 12 *in subsection (b) of such section, as so added.*

13 (B) *An assessment of the effectiveness of the*
 14 *program and the activities under the program.*

15 (C) *Such recommendations for legislative or*
 16 *administrative action as the Secretary considers*
 17 *appropriate in light of the program.*

18 (c) *CONFORMING REPEAL.*—

19 (1) *IN GENERAL.*—*Section 702 of the John S.*
 20 *McCain National Defense Authorization Act for Fis-*
 21 *cal Year 2019 (Public Law 115–232; 10 U.S.C. 1092*
 22 *note) is repealed.*

23 (2) *CLERICAL AMENDMENT.*—*The table of con-*
 24 *tents at the beginning of the John S. McCain Na-*
 25 *tional Defense Authorization Act for Fiscal Year 2019*

1 (Public Law 115–232) is amended by striking the
2 item relating to section 702.

3 **SEC. 705. WAIVER OF COST-SHARING FOR THREE MENTAL**
4 **HEALTH OUTPATIENT VISITS FOR CERTAIN**
5 **BENEFICIARIES UNDER THE TRICARE PRO-**
6 **GRAM.**

7 (a) *TRICARE SELECT*.—Section 1075(c) of title 10,
8 United States Code, is amended by adding at the end the
9 following new paragraph:

10 “(4)(A) Consistent with other provisions of this
11 chapter and subject to requirements to be prescribed
12 by the Secretary, the Secretary may waive cost-shar-
13 ing requirements for the first three outpatient mental
14 health visits each year of any of the following bene-
15 ficiaries:

16 “(i) Beneficiaries in the active-duty family
17 member category.

18 “(ii) Beneficiaries covered by section 1110b
19 of this title.

20 “(B) This paragraph shall terminate on the date
21 that is five years after the date of the enactment of
22 the National Defense Authorization Act for Fiscal
23 Year 2024.”.

1 (b) *TRICARE PRIME*.—Section 1075a(a) of such title
 2 is amended by adding at the end the following new para-
 3 graph:

4 “(4)(A) Consistent with other provisions of this
 5 chapter and subject to requirements to be prescribed
 6 by the Secretary, the Secretary may waive cost-shar-
 7 ing requirements for the first three outpatient mental
 8 health visits each year of a beneficiary in the active-
 9 duty family member category (as described in section
 10 1075(b)(1)(A) of this title).

11 “(B) This paragraph shall terminate on the date
 12 that is five years after the date of the enactment of
 13 the National Defense Authorization Act for Fiscal
 14 Year 2024.”.

15 **SEC. 706. EXPANSION OF DOULA CARE FURNISHED BY DE-**
 16 **PARTMENT OF DEFENSE.**

17 (a) *EXPANSION OF EXTRAMEDICAL MATERNAL*
 18 *HEALTH PROVIDERS DEMONSTRATION PROJECT*.—Section
 19 746 of the William M. (Mac) Thornberry National Defense
 20 Authorization Act for Fiscal Year 2021 (Public Law 116–
 21 283; 10 U.S.C. 1073 note) is amended—

22 (1) by redesignating subsections (e) through (h)
 23 as subsections (f) through (i), respectively; and

24 (2) by inserting after subsection (d) the following
 25 new subsection (e):

1 “(e) *COVERAGE OF DOULA CARE.*—Not later than 90
 2 days after the date of the enactment of the National Defense
 3 Authorization Act for Fiscal Year 2024, the Secretary shall
 4 ensure that the demonstration project includes coverage of
 5 labor doula care, or reimbursement for such care, for all
 6 beneficiaries under the TRICARE program, including ac-
 7 cess—

8 “(1) by members of the Armed Forces on active
 9 duty;

10 “(2) by beneficiaries outside the continental
 11 United States; and

12 “(3) at military medical treatment facilities.”.

13 (b) *HIRING OF DOULAS.*—The hiring authority for
 14 each military medical treatment facility may hire a team
 15 of doulas to work in coordination with lactation support
 16 personnel or labor and delivery units at such facility.

17 **SEC. 707. SENSE OF CONGRESS ON ACCESS TO MENTAL**
 18 **HEALTH SERVICES THROUGH TRICARE.**

19 *It is the sense of Congress that the Secretary of Defense*
 20 *should take all necessary steps to ensure members of the Na-*
 21 *tional Guard and the members of their families who are*
 22 *enrolled in TRICARE have timely access to mental and be-*
 23 *havioral health care services through the TRICARE pro-*
 24 *gram.*

***Subtitle B—Health Care
Administration***

***SEC. 711. INCREASE IN STIPEND FOR PARTICIPANTS IN
HEALTH PROFESSIONS SCHOLARSHIP AND FI-
NANCIAL ASSISTANCE PROGRAMS.***

Section 2121(d) of title 10, United States Code, is amended, in the matter preceding paragraph (1), by striking “\$30,000” and inserting “\$50,000”.

***SEC. 712. FINANCIAL RELIEF FOR CIVILIANS TREATED IN
MILITARY MEDICAL TREATMENT FACILITIES.***

(a) INTERIM FINAL RULE REQUIRED.—The Secretary of Defense shall issue an interim final rule to implement as soon as possible after the date of the enactment of this Act section 1079b of title 10, United States Code.

(b) TREATMENT OF CLAIMS.—

(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary shall hold in abeyance any claims under section 1079b of title 10, United States Code, until the interim final rule required under subsection (a) is in effect.

(2) EXCEPTION.—Paragraph (1) does not apply to—

(A) claims to third-party payers; or

(B) administrative support provided to the Secretary by another Federal agency to assist the

1 *Secretary in the administration of section 1079b*
 2 *of title 10, United States Code.*

3 **SEC. 713. DEPARTMENT OF DEFENSE OVERDOSE DATA ACT**
 4 **OF 2023.**

5 (a) *SHORT TITLE.*—*This section may be cited as the*
 6 *“Department of Defense Overdose Data Act of 2023”.*

7 (b) *ANNUAL REPORT ON MILITARY OVERDOSES.*—

8 (1) *IN GENERAL.*—*Not later than 1 year after*
 9 *the date of the enactment of this Act, and annually*
 10 *thereafter, the Secretary of Defense shall submit to the*
 11 *appropriate congressional committees a report on the*
 12 *number of annual overdoses among servicemembers.*

13 (2) *CONTENTS.*—*The report required by para-*
 14 *graph (1) shall include the following:*

15 (A) *The total number of servicemembers who*
 16 *suffered a fatal or nonfatal overdose during the*
 17 *previous calendar year, including—*

18 (i) *demographic information, includ-*
 19 *ing gender, race, age, military department,*
 20 *military rank, pay grade, and station;*

21 (ii) *the location of the fatal overdose,*
 22 *including whether the overdose was on a*
 23 *military base; and*

24 (iii) *a list of the substances involved in*
 25 *the fatal overdose.*

1 *(B) Of the servicemembers identified in sub-*
2 *paragraph (A)—*

3 *(i) the number of servicemembers who*
4 *received mental health or substance use dis-*
5 *order services prior to a fatal or nonfatal*
6 *overdose, including a description of whether*
7 *such services were received from a private*
8 *sector provider;*

9 *(ii) the number of servicemembers with*
10 *comorbid mental health diagnoses;*

11 *(iii) the number of servicemembers who*
12 *had been prescribed opioids,*
13 *benzodiazepines, or stimulants;*

14 *(iv) the number of servicemembers who*
15 *had been categorized as high-risk and pre-*
16 *scribed or provided naloxone prior to a*
17 *fatal or nonfatal overdose;*

18 *(v) the number of servicemembers who*
19 *had a positive drug test prior to the fatal*
20 *overdose, including any substance identified*
21 *in such test;*

22 *(vi) the number of servicemembers re-*
23 *ferred to, including by self-referral, or en-*
24 *gaged in medical treatment, including*

1 *medication treatment for opioid use dis-*
2 *order;*

3 *(vii) with respect to each servicemem-*
4 *ber identified in clause (vi), whether the*
5 *servicemember was referred after a positive*
6 *drug test and the source of such referral;*
7 *and*

8 *(viii) the number of fatal overdoses and*
9 *intentional overdoses.*

10 *(C) An analysis of discernable patterns in*
11 *fatal and nonfatal overdoses of servicemembers.*

12 *(D) A description of existing or anticipated*
13 *response efforts to fatal and nonfatal overdoses at*
14 *military bases that have rates of fatal overdoses*
15 *that exceed the average rate of fatal overdoses in*
16 *the United States.*

17 *(E) An assessment of the availability of sub-*
18 *stance use disorder treatment for servicemembers.*

19 *(F) The number of medical facilities of, or*
20 *affiliated with, the Department of Defense that*
21 *have opioid treatment programs.*

22 *(G) A description of punitive measures*
23 *taken by the Secretary of Defense in response to*
24 *substance misuse, substance use disorder, or over-*
25 *dose by servicemembers.*

1 (3) *PRIVACY.*—

2 (A) *IN GENERAL.*—*Nothing in this sub-*
3 *section shall be construed to authorize the disclo-*
4 *sure by the Secretary of Defense of personally*
5 *identifiable information of servicemembers or*
6 *military family members, including anonymized*
7 *personal information that could be used to re-*
8 *identify servicemembers or military family mem-*
9 *bers.*

10 (B) *APPLICATION OF HIPAA.*—*In carrying*
11 *out this subsection, the Secretary of Defense shall*
12 *take steps to protect the privacy of*
13 *servicemembers and military family members*
14 *pursuant to regulations promulgated under sec-*
15 *tion 264(c) of the Health Insurance Portability*
16 *and Accountability Act of 1996 (42 U.S.C.*
17 *1320d–2 note; Public Law 104–191).*

18 (c) *STANDARDS FOR THE USE OF MATERIALS TO PRE-*
19 *VENT OVERDOSE AND SUBSTANCE USE DISORDER.*—*Not*
20 *later than 1 year after the date of the enactment of this*
21 *Act, the Secretary of Defense shall establish standards for*
22 *the distribution of, and training for the use of, naloxone*
23 *or other medication for overdose reversal, opioid disposal*
24 *materials, fentanyl test strips, and other materials to pre-*

1 *vent or reverse overdoses, substance use disorder, or impacts*
2 *related to substance misuse.*

3 *(d) SUNSET.—This section shall terminate on the date*
4 *that is 5 years after the date of the enactment of this Act.*

5 *(e) DEFINITIONS.—In this section:*

6 *(1) APPROPRIATE CONGRESSIONAL COMMIT-*
7 *TEES.—The term “appropriate congressional commit-*
8 *tees” means—*

9 *(A) the Committee on Armed Services of the*
10 *Senate; and*

11 *(B) the Committee on Armed Services of the*
12 *House of Representatives.*

13 *(2) MILITARY FAMILY MEMBER.—The term*
14 *“military family member” means a family member of*
15 *a servicemember, including the spouse, parent, de-*
16 *pendent, or child of a servicemember, or anyone who*
17 *has legal responsibility for the child of a servicemem-*
18 *ber.*

19 *(3) SERVICEMEMBER.—The term “servicemem-*
20 *ber” means—*

21 *(A) a member of the Armed Forces; or*

22 *(B) a member of the National Guard.*

1 **SEC. 714. MODIFICATION OF ADMINISTRATION OF MEDICAL**
 2 **MALPRACTICE CLAIMS BY MEMBERS OF THE**
 3 **UNIFORMED SERVICES.**

4 (a) *IN GENERAL.*—Section 2733a of title 10, United
 5 States Code, is amended—

6 (1) in subsection (a), by striking “subsection (f)”
 7 and inserting “subsection (j)”;

8 (2) in subsection (b)(6), by striking “subsection
 9 (f)” and inserting “subsection (j)”;

10 (3) in subsection (d)(1), by striking “subsection
 11 (f)” and inserting “subsection (j)”;

12 (4) by redesignating subsections (f) through (i)
 13 as subsections (j) through (m), respectively; and

14 (5) by inserting after subsection (e) the following
 15 new subsections:

16 “(f) *EXPERT MEDICAL OPINIONS.*—(1) *The Secretary*
 17 *of Defense may not use an expert medical opinion from an*
 18 *individual in determining whether to allow, settle, and pay*
 19 *a claim under this section unless the individual is a board-*
 20 *certified physician.*

21 “(2) *No claim under this section may be denied on*
 22 *medical grounds until the Secretary obtains an expert med-*
 23 *ical opinion on the medical malpractice alleged under such*
 24 *claim from an individual who—*

1 “(A) is not a member of the uniformed services
2 or a civilian employee of the Department of Defense;
3 and

4 “(B) does not have a business, medical, or per-
5 sonal relationship with the claimant.

6 “(3) If a claim under this section is denied, the Sec-
7 retary shall provide to the claimant information regarding
8 the identity and qualifications of any individual who pro-
9 vided an expert medical opinion upon which such denial
10 is based.

11 “(g) *JUSTIFICATION OF DENIAL.*—If a claim under
12 this section is denied, the Secretary of Defense shall provide
13 the claimant with detailed reasoning justifying the denial
14 of the claim, including—

15 “(1) copies of any written reports prepared by
16 any expert upon which the denial is based; and

17 “(2) all records and documents relied upon in
18 preparing such written reports.

19 “(h) *APPEALS.*—(1) Any appeal from the denial of a
20 claim under this section shall be considered by a third-
21 party review board jointly established by the Chief Judge
22 of the United States Court of Appeals for the Armed Forces
23 and the Secretary of Defense.

24 “(2) The third-party review board established under
25 paragraph (1) shall consist of not more than five members,

1 *all of whom who possess sufficient legal or medical back-*
 2 *ground, or both.*

3 “(3) *A claimant under this section that seeks an ap-*
 4 *peal under paragraph (1) may submit the appeal directly*
 5 *to the third-party review board established under such*
 6 *paragraph.*

7 “(4) *In considering an appeal from the denial of a*
 8 *claim under this section, the third-party review board es-*
 9 *tablished under paragraph (1) shall, at the request of the*
 10 *claimant, allow for a hearing on the merits of the appeal*
 11 *in an adversarial nature.*

12 “(5) *The Secretary of Defense shall provide to a claim-*
 13 *ant seeking an appeal under paragraph (1) a copy of any*
 14 *response to the appeal that is submitted on behalf of the*
 15 *Department of Defense.*

16 “(6) *The third-party review board established under*
 17 *paragraph (1) shall not consist of any member of the uni-*
 18 *formed services or civilian employee of the Department of*
 19 *Defense.*

20 “(i) *TREATMENT OF NON-ECONOMIC DAMAGES.—(1)*
 21 *Any non-economic damages provided to a member of the*
 22 *uniformed services under this section may not be offset by*
 23 *compensation provided or expected to be provided by the*
 24 *Department of Defense or the Department of Veterans Af-*
 25 *airs.*

1 “(2)(A) *The Secretary of Defense shall establish a cap*
 2 *on non-economic damages to be provided with respect to*
 3 *a claim under this section.*

4 “(B)(i) *The cap established under subparagraph (A)*
 5 *shall be determined by calculating the average of non-econ-*
 6 *omic damage caps for medical malpractice claims appli-*
 7 *cable in California, Texas, North Carolina, and Virginia.*

8 “(ii) *If a State specified in clause (i) provides a dif-*
 9 *ferent cap for cases involving death and cases not involving*
 10 *death, the cap for cases not involving death shall be used.*

11 “(C) *The cap established under paragraph (1) shall be*
 12 *recalculated not less frequently than once every three*
 13 *years.”.*

14 (b) *APPOINTMENT OF MEMBERS.*—*Not later than 180*
 15 *days after the date of the enactment of this Act, the Chief*
 16 *Judge of the United States Court of Appeals for the Armed*
 17 *Forces and the Secretary of Defense shall jointly appoint*
 18 *members to the board established under subsection (h)(1)*
 19 *of section 2733a of title 10, United States Code, as added*
 20 *by subsection (a)(5).*

21 (c) *REPORT.*—*Not later than 180 days after the estab-*
 22 *lishment of the board required under subsection (h)(1) of*
 23 *section 2733a of title 10, United States Code, as added by*
 24 *subsection (a)(5), the Secretary of Defense shall submit to*

1 *the Committees on Armed Services of the Senate and the*
 2 *House of Representatives a report indicating—*

3 *(1) the membership of the board;*

4 *(2) the qualifying background of each member of*
 5 *the board; and*

6 *(3) a statement indicating the independence of*
 7 *each member of the board from the Department of De-*
 8 *fense.*

9 ***Subtitle C—Reports and Other***
 10 ***Matters***

11 ***SEC. 721. MODIFICATION OF PARTNERSHIP PROGRAM BE-***
 12 ***TWEEN UNITED STATES AND UKRAINE FOR***
 13 ***MILITARY TRAUMA CARE AND RESEARCH.***

14 *Section 736 of the James M. Inhofe National Defense*
 15 *Authorization Act for Fiscal Year 2023 (Public Law 117–*
 16 *263) is amended—*

17 *(1) by redesignating paragraphs (7) through (9)*
 18 *as paragraphs (8) through (10), respectively; and*

19 *(2) by inserting after paragraph (6) the fol-*
 20 *lowing new paragraph (7):*

21 *“(7) The provision of training and support to*
 22 *Ukraine for the treatment of individuals with extrem-*
 23 *ity trauma, amputations, post-traumatic stress dis-*
 24 *order, traumatic brain injuries, and any other mental*
 25 *health conditions associated with post-traumatic*

1 *stress disorder or traumatic brain injuries, includ-*
 2 *ing—*

3 “(A) *the exchange of subject matter exper-*
 4 *tise;*

5 “(B) *training and support relating to ad-*
 6 *vanced clinical skills development; and*

7 “(C) *training and support relating to clin-*
 8 *ical case management support.”.*

9 **SEC. 722. REQUIREMENT THAT DEPARTMENT OF DEFENSE**
 10 **DISCLOSE EXPERT REPORTS WITH RESPECT**
 11 **TO MEDICAL MALPRACTICE CLAIMS BY MEM-**
 12 **BERS OF THE UNIFORMED SERVICES.**

13 *Section 2733a of title 10, United States Code, as*
 14 *amended by section 714, is further amended—*

15 (1) *by redesignating subsections (l) and (m) as*
 16 *subsections (m) and (n), respectively; and*

17 (2) *by inserting after subsection (k) the following*
 18 *new subsection (l):*

19 “(l) **DISCLOSURE BY DEPARTMENT OF DEFENSE.**—(1)
 20 *The Secretary of Defense shall disclose to a claimant under*
 21 *this section a copy of all written reports, other than medical*
 22 *quality assurance records (as defined in section 1102(j) of*
 23 *this title), prepared by a medical expert of the Department*
 24 *of Defense or any medical expert consulted by the Depart-*
 25 *ment with respect to the claim.*

1 “(2) *Any disclosure under paragraph (1) with respect*
2 *to an expert described in such paragraph shall include the*
3 *following:*

4 “(A) *The records and documents considered by*
5 *the expert.*

6 “(B) *A description of the bases and reasons for*
7 *the opinion of the expert.*

8 “(C) *The opinion or opinions of the expert re-*
9 *garding standard of care.*

10 “(D) *The opinion or opinions of the expert re-*
11 *garding causation.*

12 “(E) *A description of any disagreement by the*
13 *expert with any opinion or opinions of the expert of*
14 *the claimant.*

15 “(3) *Any disclosure under paragraph (1) with respect*
16 *to an expert described in such paragraph shall not include*
17 *an identification of the expert.*

18 “(4) *If an expert described in paragraph (1) does not*
19 *prepare a written report, the Secretary shall disclose the*
20 *information required under this section to the claimant in*
21 *writing.”.*

1 **SEC. 723. COMPTROLLER GENERAL STUDY ON IMPACT OF**
2 **PERINATAL MENTAL HEALTH CONDITIONS OF**
3 **MEMBERS OF THE ARMED FORCES AND**
4 **THEIR DEPENDENTS ON MILITARY READI-**
5 **NESS AND RETENTION.**

6 (a) *STUDY.*—

7 (1) *IN GENERAL.*—*The Comptroller General of*
8 *the United States shall conduct a study on perinatal*
9 *mental health conditions among members of the*
10 *Armed Forces and dependents of such members dur-*
11 *ing the five-year period preceding the date of the en-*
12 *actment of this Act.*

13 (2) *ELEMENTS.*—*The study required under para-*
14 *graph (1) shall include the following:*

15 (A) *An assessment of beneficiaries under the*
16 *TRICARE program, including members of the*
17 *Armed Forces and dependents of such members,*
18 *who attempted suicide or died by suicide or sub-*
19 *stance use overdose during the perinatal period.*

20 (B) *An assessment of members of the Armed*
21 *Forces discharged from active duty due to a*
22 *mental health condition within two years after*
23 *the perinatal period.*

24 (C) *An assessment of beneficiaries under the*
25 *TRICARE program, including members of the*
26 *Armed Forces and dependents of such members,*

1 *diagnosed with a perinatal mental health condi-*
2 *tion who were relocated during the perinatal pe-*
3 *riod.*

4 *(D) An assessment of the effects of retention*
5 *and promotion policies of the Department of De-*
6 *fense relating to perinatal mental health condi-*
7 *tions on members of the Armed Forces seeking*
8 *and accessing screening, referral, and treatment.*

9 *(E) The number of members of the Armed*
10 *Forces who were separated from the Armed*
11 *Forces or did not receive a promotion due to a*
12 *diagnosed perinatal mental health condition.*

13 *(F) An assessment of whether policies of the*
14 *Department can be modified to provide clear*
15 *standards for retention and pathways for pro-*
16 *motion of members of the Armed Forces diag-*
17 *nosed with a perinatal mental health condition.*

18 *(G) An assessment of resources needed to in-*
19 *tegrate behavioral health specialists into all ob-*
20 *stetric care practices, pediatric practices, and*
21 *women's clinics.*

22 *(H) A disaggregated demographic assess-*
23 *ment of the population included in the study*
24 *with respect to race, ethnicity, sex, age, family*
25 *status (including dual service and single parent*

1 *families), military occupation, military service,*
 2 *and rank, as applicable.*

3 **(b) REPORT.**—*Not later than one year after the date*
 4 *of the enactment of this Act, the Comptroller General shall*
 5 *submit to the Committees on Armed Services of the Senate*
 6 *and the House of Representatives a report on the findings*
 7 *of the study conducted under subsection (a), including—*

8 (1) *recommendations for actions to be taken by*
 9 *the Secretary of Defense to improve mental health*
 10 *among members of the Armed Forces and dependents*
 11 *of such members during the perinatal period;*

12 (2) *recommendations for legislative or adminis-*
 13 *trative action to mitigate the effects of retention and*
 14 *promotion policies of the Department of Defense on*
 15 *members of the Armed Forces seeking and accessing*
 16 *mental health care during the perinatal period; and*

17 (3) *such other recommendations as the Comp-*
 18 *troller General determines appropriate.*

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

20 (1) **DEPENDENT; TRICARE PROGRAM.**—*The terms*
 21 *“dependent” and “TRICARE program” have the*
 22 *meanings given those terms in section 1072 of title*
 23 *10, United States Code.*

24 (2) **PERINATAL MENTAL HEALTH CONDITION.**—
 25 *The term “perinatal mental health condition” means*

1 *a mental health disorder that onsets during the*
 2 *perinatal period.*

3 (3) *PERINATAL PERIOD.*—*The term “perinatal*
 4 *period” means the period during pregnancy and the*
 5 *one-year period following childbirth, still birth, or*
 6 *miscarriage.*

7 **SEC. 724. REPORT ON MENTAL AND BEHAVIORAL HEALTH**
 8 **SERVICES PROVIDED BY DEPARTMENT OF DE-**
 9 **FENSE.**

10 *Not later than 90 days after the date of the enactment*
 11 *of this Act, the Director of the Defense Health Agency shall*
 12 *submit to the Committees on Armed Services of the Senate*
 13 *and the House of Representatives a report that contains the*
 14 *following:*

15 (1) *The current wait times for members of the*
 16 *Armed Forces, including members of the Selected Re-*
 17 *serve of the Ready Reserve of a reserve component of*
 18 *the Armed Forces who are enrolled in TRICARE Re-*
 19 *serve Select under section 1076d of title 10, United*
 20 *States Code, to receive mental and behavioral health*
 21 *services, disaggregated by State.*

22 (2) *An assessment of the number of additional*
 23 *mental and behavioral health care providers needed*
 24 *for the Department of Defense to meet established*

1 *metrics associated with access to mental and behav-*
 2 *ioral health services.*

3 (3) *An explanation of the credentialing stand-*
 4 *ards for mental and behavioral health care providers*
 5 *of the Department, including a comparison of those*
 6 *standards to the standards for other Federal and pri-*
 7 *vate sector health care providers.*

8 **SEC. 725. REPORT ON ACTIVITIES OF DEPARTMENT OF DE-**
 9 **FENSE TO PREVENT, INTERVENE, AND TREAT**
 10 **PERINATAL MENTAL HEALTH CONDITIONS OF**
 11 **MEMBERS OF THE ARMED FORCES AND**
 12 **THEIR DEPENDENTS.**

13 (a) *IN GENERAL.*—Not later than 90 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 the House of Representatives a report on the*
 17 *activities of the Department of Defense to address the men-*
 18 *tal health of pregnant and postpartum members of the*
 19 *Armed Forces and dependents of such members.*

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

22 (1) *An identification of the military medical*
 23 *treatment facilities at which the Secretary offers*
 24 *members of the Armed Forces and their dependents*
 25 *evidence-based programs during the perinatal period*

1 *that are proven to prevent perinatal mental health*
2 *conditions.*

3 *(2) An assessment of such programs offered at*
4 *such facilities, including an assessment of—*

5 *(A) the types of programs;*

6 *(B) the number and location of programs;*

7 *(C) the number of members of the Armed*
8 *Forces and their dependents who have partici-*
9 *pated in such programs, disaggregated by Armed*
10 *Force, military occupation, sex, age, race, and*
11 *ethnicity, when applicable; and*

12 *(D) whether such programs are delivered in-*
13 *person or virtually and the frequency of the*
14 *availability of such programs;*

15 *(3) The number of behavioral health specialists*
16 *for pregnant and postpartum members of the Armed*
17 *Forces and dependents integrated into obstetric care*
18 *practices, pediatrics, and women’s clinics at military*
19 *medical treatment facilities.*

20 *(4) An assessment of the implementation of, or*
21 *plans to implement, a pilot program to provide a re-*
22 *productive behavioral health consultation service by*
23 *the Secretary as outlined in the White House Blue-*
24 *print for Addressing the Maternal Health Crisis,*
25 *dated June 2022, including—*

1 (A) the number of providers the pilot pro-
 2 gram has served or plans to serve, disaggregated
 3 by provider type, specialty, and location;

4 (B) the number and type of trainings pro-
 5 viders received or will receive through the con-
 6 sultation line on evidence-based practices to pre-
 7 vent, screen, refer, and treat perinatal mental
 8 health conditions;

9 (C) the locations that have had or will have
 10 access to the pilot program;

11 (D) the types of expertise services that the
 12 consultation line provides or will provide; and

13 (E) methods currently used or that will be
 14 used to promote the availability of the consulta-
 15 tion line to providers.

16 (5) Any recommendations for legislative or ad-
 17 ministrative action to improve prevention, interven-
 18 tion, and treatment of perinatal mental health condi-
 19 tions for members of the Armed Forces and their de-
 20 pendents.

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

22 (1) *DEPENDENT.*—The term “dependent” has the
 23 meaning given that term in section 1072(2) of title
 24 10, United States Code.

1 (2) *PERINATAL MENTAL HEALTH CONDITION*.—
 2 *The term “perinatal mental health condition” means*
 3 *a mental health disorder that occurs during preg-*
 4 *nancy or within one year following childbirth, still-*
 5 *birth, or miscarriage.*

6 **SEC. 726. STUDY ON FAMILY PLANNING AND**
 7 **CRYOPRESERVATION OF GAMETES TO IM-**
 8 **PROVE RETENTION OF MEMBERS OF THE**
 9 **ARMED FORCES.**

10 (a) *IN GENERAL*.—*The Secretary of Defense shall con-*
 11 *duct a study on—*

12 (1) *the number of members of the Armed Forces*
 13 *who elect to leave the Armed Forces for family plan-*
 14 *ning reasons, disaggregated by gender, age, and mili-*
 15 *tary occupational specialty;*

16 (2) *whether the option of cryopreservation of*
 17 *gametes would lead to greater retention of members of*
 18 *the Armed Forces;*

19 (3) *methods for the Department of Defense to*
 20 *offer cryopreservation of gametes for the purposes of*
 21 *retention of members of the Armed Forces;*

22 (4) *the cost to the Department of offering*
 23 *cryopreservation of gametes to active duty members of*
 24 *the Armed Forces; and*

1 (5) *such other matters relating to family plan-*
 2 *ning and cryopreservation of gametes for members of*
 3 *the Armed Forces as the Secretary considers relevant.*

4 (b) *BRIEFING.*—*Not later than April 1, 2024, the Sec-*
 5 *retary shall brief the Committees on Armed Services of the*
 6 *Senate and the House of Representatives on the results of*
 7 *the study conducted under subsection (a).*

8 ***TITLE VIII—ACQUISITION POL-***
 9 ***ICY, ACQUISITION MANAGE-***
 10 ***MENT, AND RELATED MAT-***
 11 ***TERS***

12 ***Subtitle A—Acquisition Policy and***
 13 ***Management***

14 ***SEC. 801. AMENDMENTS TO MULTIYEAR PROCUREMENT AU-***
 15 ***THORITY.***

16 *Section 3501 of title 10, United States Code, is amend-*
 17 *ed—*

18 (1) *in subsection (a)(1)—*

19 (A) *by striking “will result in significant*
 20 *savings” and inserting the following: “will result*
 21 *in—*

22 *“(A) significant savings”; and*

23 (B) *by striking “annual contracts.” and in-*
 24 *serting the following: “annual contracts; or*

1 “(B) necessary industrial base stability not
 2 otherwise achievable through annual contracts.”;
 3 and
 4 (2) by striking “\$500,000,000” each place it ap-
 5 pears and inserting “\$1,000,000,000”.

6 **SEC. 802. MODERNIZING THE DEPARTMENT OF DEFENSE**
 7 **REQUIREMENTS PROCESS.**

8 (a) *MODERNIZING THE DEPARTMENT OF DEFENSE*
 9 *REQUIREMENTS PROCESS.*—Not later than October 1, 2025,
 10 the Secretary of Defense, acting through the Vice Chairman
 11 of the Joint Chiefs of Staff, in cooperation with the Secre-
 12 taries of the military departments and the commanders of
 13 the combatant commands, and in coordination with the
 14 Under Secretary of Defense for Acquisition and
 15 Sustainment, shall develop and implement a streamlined
 16 Department of Defense requirements process, to include
 17 modernizing the Joint Capabilities Integration and Devel-
 18 opment System, in order to improve alignment between
 19 modern warfare concepts, technologies, and system develop-
 20 ment and reduce the time to delivery of needed capabilities
 21 to Department users.

22 (b) *REFORM ELEMENTS.*—The modernization activi-
 23 ties conducted under subsection (a) shall include the fol-
 24 lowing elements:

1 (1) *Streamlining requirements documents, re-*
2 *views, and approval processes, especially for programs*
3 *below the major defense acquisition program threshold*
4 *described in section 4201 of title 10, United States*
5 *Code.*

6 (2) *Revisiting requirements management prac-*
7 *tices from a first principles perspective based on mis-*
8 *sion outcomes and assessed threats, enabling a more*
9 *iterative and collaborative approach with the services*
10 *to shape requirements and technology driven opportu-*
11 *nities.*

12 (3) *Developing a capability needs and require-*
13 *ments framework and pathways that are aligned to*
14 *the Department's Adaptive Acquisition Framework*
15 *pathways, and better aligned and integrated with the*
16 *Department's science and technology processes.*

17 (4) *Enabling the military departments to de-*
18 *velop an enduring set of requirements according to a*
19 *set of capability portfolios to provide a structure*
20 *across acquisition programs and research, which shall*
21 *be articulated in a concise model and document with*
22 *a set of mission impact measures that capability de-*
23 *liveries will seek to continuously improve.*

24 (5) *Establishing a process to rapidly validate the*
25 *military utility of commercial solutions to meet capa-*

1 *bility needs or opportunities in lieu of the traditional*
 2 *program-centric requirements definition.*

3 (6) *Retiring and replacing the Department of*
 4 *Defense Architecture Framework with a new structure*
 5 *focused on enabling interoperability through applica-*
 6 *tion program interfaces, enterprise architectures and*
 7 *platforms, and government and commercial stand-*
 8 *ards.*

9 (7) *Ensuring that requirements processes for*
 10 *software, artificial intelligence, data, and related ca-*
 11 *pability areas enable a rapid, dynamic, and iterative*
 12 *approach than traditional hardware systems.*

13 (c) *ELEMENTS.—The implementation of streamlined*
 14 *requirements shall include the following elements:*

15 (1) *Collaboration with industry, traditional and*
 16 *non-traditional defense companies, and the science*
 17 *and technology community to capture their inputs*
 18 *and feedback on shaping the Department’s require-*
 19 *ments processes to ensure it effectively harnesses the*
 20 *innovation ecosystem.*

21 (2) *Development of a formal career path, train-*
 22 *ing, and structure for requirements management pro-*
 23 *fessionals and chief architects.*

24 (3) *Publication of new policies, guidance, and*
 25 *templates for the operational, requirements, and ac-*

1 quisition workforce in online digital formats instead
2 of large policy documents.

3 (d) *INTERIM REPORT*.—Not later than October 1,
4 2024, the Secretary of Defense shall submit to the congres-
5 sional defense committees an interim report on the mod-
6 ernization conducted by the Secretary under subsection (a),
7 including—

8 (1) a description of the modernization efforts;

9 (2) the Department of Defense’s plans to imple-
10 ment, communicate, and continuously improve the
11 modernization of the Department’s requirements proc-
12 esses and structure; and

13 (3) any additional recommendations for legisla-
14 tion that the Secretary determines appropriate.

15 (e) *FINAL REPORT*.—Not later than October 1, 2025,
16 the Secretary of Defense shall submit to the Secretary of
17 Defense and the congressional defense committees a final re-
18 port describing activities carried out pursuant to sub-
19 sections (b) and (c).

20 **SEC. 803. HEAD OF CONTRACTING AUTHORITY FOR STRA-**
21 **TEGIC CAPABILITIES OFFICE.**

22 (a) *AUTHORITY*.—The Director of the Strategic Capa-
23 bilities Office shall have the authority to conduct acquisi-
24 tion activities within the Strategic Capabilities Office.

25 (b) *ACQUISITION EXECUTIVE*.—

1 (1) *IN GENERAL.*—*The staff of the Director shall*
2 *include an acquisition executive, who shall be respon-*
3 *sible for the overall supervision of acquisition matters*
4 *for the Strategic Capabilities Office. The acquisition*
5 *executive shall have the authority—*

6 *(A) to negotiate memoranda of agreement*
7 *with the military departments and Department*
8 *of Defense components to carry out the acquisi-*
9 *tion of equipment, capabilities, and services on*
10 *behalf of the Office;*

11 *(B) to supervise the acquisition of equip-*
12 *ment, capabilities, and services on behalf of the*
13 *Office;*

14 *(C) to represent the Office in discussions*
15 *with the military departments regarding acqui-*
16 *sition programs for which the Office is a cus-*
17 *tomers; and*

18 *(D) to work with the military departments*
19 *to ensure that the Office is appropriately rep-*
20 *resented in any joint working group or inte-*
21 *grated product team regarding acquisition pro-*
22 *grams for which the Office is a customer.*

23 (2) *DELIVERY OF ACQUISITION SOLUTIONS.*—*The*
24 *acquisition executive of the Strategic Capabilities Of-*
25 *fice shall be—*

1 (A) responsible to the Director for rapidly
2 delivering acquisition solutions to meet validated
3 cyber operations-peculiar requirements;

4 (B) subordinate to the defense acquisition
5 executive in matters of acquisition;

6 (C) subject to the same oversight as the serv-
7 ice acquisition executives; and

8 (D) included on the distribution list for ac-
9 quisition directives and instructions of the De-
10 partment of Defense.

11 (c) *IMPLEMENTATION PLAN REQUIRED.*—The author-
12 ity granted in subsection (a) shall become effective 30 days
13 after the date on which the Secretary of Defense provides
14 to the congressional defense committees a plan for imple-
15 mentation of those authorities under subsection (a). The
16 plan shall include the following:

17 (1) Summaries of the components to be nego-
18 tiated in the memoranda of agreement with the mili-
19 tary departments and other Department of Defense
20 components to carry out the development, acquisition,
21 and sustainment of equipment, capabilities, and serv-
22 ices described in subsection (b)(1).

23 (2) Negotiation and approval timelines for
24 memorandum of agreement.

1 (3) *A plan for oversight of the acquisition execu-*
 2 *tive established under subsection (b).*

3 (4) *An assessment of the acquisition workforce*
 4 *needs of the Strategic Capabilities Office to support*
 5 *the authority provided under subsection (a) until*
 6 *2028.*

7 (5) *Other matters as appropriate.*

8 (d) *ANNUAL END-OF-YEAR ASSESSMENT.—Each year,*
 9 *the Under Secretary of Defense for Acquisition and*
 10 *Sustainment shall review and assess the acquisition activi-*
 11 *ties of the Strategic Capabilities Office, including con-*
 12 *tracting and acquisition documentation, for the previous*
 13 *fiscal year and provide any recommendations or feedback*
 14 *to the acquisition executive of the Strategic Capabilities Of-*
 15 *fice.*

16 (e) *SUNSET.—*

17 (1) *IN GENERAL.—The authority provided under*
 18 *this section shall terminate on September 30, 2028.*

19 (2) *LIMITATION ON DURATION OF ACQUI-*
 20 *TIONS.—The authority under this section does not in-*
 21 *clude major defense acquisition programs, major*
 22 *automated information system programs, or acquisi-*
 23 *tions of foundational infrastructure or software archi-*
 24 *tectures the duration of which is expected to last more*
 25 *than five years.*

1 **SEC. 804. PILOT PROGRAM FOR THE USE OF INNOVATIVE**
2 **INTELLECTUAL PROPERTY STRATEGIES.**

3 (a) *IN GENERAL.*—As soon as practicable, the Sec-
4 retary of each military department shall designate one ac-
5 quisition program within their service and the Under Sec-
6 retary of Defense for Acquisition and Sustainment shall
7 designate one acquisition program within the Department
8 of Defense Agencies and Field Activities for the use of inno-
9 vative intellectual property strategies in order to acquire
10 the necessary technical data rights required for the oper-
11 ations and maintenance of that system.

12 (b) *BRIEFING REQUIREMENT.*—Not later than 180
13 days after the date of the enactment of this Act, the Under
14 Secretary of Defense for Acquisition and Sustainment, in
15 coordination with the Secretaries of the military depart-
16 ments, shall provide a briefing to the Committees on Armed
17 Services of the Senate and the House of Representatives
18 with a detailed plan to implement the requirements of this
19 section.

20 (c) *ANNUAL REPORT.*—Upon selection of the programs
21 to be covered by this section and until the termination of
22 this authority, the Under Secretary of Defense for Acquisi-
23 tion and Sustainment, in coordination with the Secretaries
24 of the military departments, shall provide an annual report
25 to the Committees on Armed Services of the Senate and the
26 House of Representatives on the effectiveness of the pilot

1 *program in acquiring the data necessary to support timely,*
 2 *cost-effective maintenance and sustainment of the system*
 3 *and any recommendations for the applicability of lessons*
 4 *learned from this pilot program to future acquisition pro-*
 5 *grams.*

6 (d) *DEFINITIONS.—In this section:*

7 (1) *DEPARTMENT OF DEFENSE AGENCIES AND*
 8 *FIELD ACTIVITIES.—The terms “Department of De-*
 9 *fense Agency” and “Department of Defense Field Ac-*
 10 *tivity” have the meanings given those terms in section*
 11 *101 of title 10, United States Code.*

12 (2) *INNOVATIVE INTELLECTUAL PROPERTY*
 13 *STRATEGIES.—The term “innovative intellectual*
 14 *property strategies” includes the following:*

15 (A) *The use of an escrow account to verify*
 16 *and hold intellectual property data.*

17 (B) *The use of royalties or licenses.*

18 (C) *Other innovative strategies to acquire*
 19 *the necessary level of intellectual property and*
 20 *data rights to support the operations, mainte-*
 21 *nance, installation, and training (OMIT) of the*
 22 *selected program.*

23 (e) *SUNSET.—The authority to initiate a program*
 24 *under this section shall terminate on December 31, 2028.*

1 **SEC. 805. FOCUSED COMMERCIAL SOLUTIONS OPENINGS**
2 **OPPORTUNITIES.**

3 (a) *REQUIREMENT.*—*The Secretary of Defense, in co-*
4 *ordination with the service acquisition executives of each*
5 *military department, shall create not less than three new*
6 *commercial solutions opening (CSO) opportunities pursu-*
7 *ant to section 3458 of title 10, United States Code, each*
8 *fiscal year. Each such CSO opportunities shall be dedicated*
9 *to addressing the mission needs and integrated priority lists*
10 *of a single geographic combatant command.*

11 (b) *EXECUTION.*—*In creating the CSO opportunities*
12 *required under subsection (a), the Secretary of Defense*
13 *shall—*

14 (1) *assign the responsibility for issuing a CSO*
15 *to a single military department, with a program ex-*
16 *ecutive officer from that military department assigned*
17 *as lead; and*

18 (2) *ensure that any program executive office*
19 *(PEO) assignment should be made to align the needs*
20 *of the CSO with a PEO that has similar existing re-*
21 *quirements and funding for transitioning technologies*
22 *within the focus area.*

23 (c) *SUNSET.*—*The requirement in subsection (a) shall*
24 *expire on September 30, 2027.*

1 **SEC. 806. STUDY ON REDUCING BARRIERS TO ACQUISITION**
2 **OF COMMERCIAL PRODUCTS AND SERVICES.**

3 (a) *IN GENERAL.*—*The Secretary of Defense, acting*
4 *through the Under Secretary of Defense for Acquisition and*
5 *Sustainment, shall conduct a study on the feasibility and*
6 *advisability of—*

7 (1) *establishing a default determination that*
8 *products and services acquired by the Department of*
9 *Defense are commercial and do not require commer-*
10 *cial determination as provided under section 3456 of*
11 *title 10, United States Code;*

12 (2) *establishing a requirement for non-commer-*
13 *cial determinations to be made for acquisitions to use*
14 *procedures other than part 12 of the Federal Acquisi-*
15 *tion Regulation; and*

16 (3) *mandating use of commercial procedures*
17 *under part 12 of the Federal Acquisition Regulation*
18 *unless a justification of non-commerciality is deter-*
19 *mined.*

20 (b) *REPORT.*—*Not later than 180 days after the date*
21 *of the enactment of this Act, the Secretary of Defense shall*
22 *submit to the congressional defense committees a report on*
23 *the findings of the study conducted under subsection (a).*
24 *The report shall include specific findings with relevant data*
25 *and proposed recommendations, including for any nec-*
26 *essary and desirable modifications to applicable statute for*

1 *any changes the Department seeks to make regarding para-*
 2 *graphs (1) through (3) of subsection (a).*

3 **SEC. 807. SENSE OF THE SENATE ON INDEPENDENT COST**
 4 **ASSESSMENT.**

5 *It is the sense of the Senate that—*

6 *(1) to implement the National Defense Strategy,*
 7 *the Department of Defense requires thoughtful and*
 8 *thorough analysis to ensure efficient and effective use*
 9 *of each taxpayer dollar to inform tradeoff analysis*
 10 *that delivers the optimum portfolio of military capa-*
 11 *bilities;*

12 *(2) the Secretary of Defense requires timely, in-*
 13 *sightful, and unbiased analysis on cost estimation for*
 14 *major defense acquisition programs; and*

15 *(3) the Office of the Director of Cost Assessment*
 16 *and Program Evaluation supports implementation of*
 17 *the National Defense Strategy by—*

18 *(A) providing insight into the costs of major*
 19 *defense acquisition programs and other tech-*
 20 *nology development initiatives that enables re-*
 21 *sponsible budgeting and proactive management*
 22 *decisions so that the Department can control*
 23 *cost, drive efficiency, and achieve savings;*

24 *(B) ensuring that the cost estimation work-*
 25 *force of the Department of Defense is using the*

1 *most modern and realistic cost estimation meth-*
 2 *odologies, tools, and tradecraft, including the col-*
 3 *lection and distribution of data through the Cost*
 4 *Assessment Data Enterprise; and*

5 *(C) providing timely review and oversight*
 6 *of cost estimates performed by the defense agen-*
 7 *cies and military departments.*

8 **SEC. 808. EMERGENCY ACQUISITION AUTHORITY FOR PUR-**
 9 **POSES OF REPLENISHING UNITED STATES**
 10 **STOCKPILES.**

11 *Section 3601(a)(1) of title 10, United States Code, is*
 12 *amended—*

13 *(1) in subparagraph (A)(iv), by striking “; or”*
 14 *and inserting a semicolon;*

15 *(2) in subparagraph (B), by striking the period*
 16 *at the end and inserting “; or”; and*

17 *(3) by adding at the end the following new sub-*
 18 *paragraph:*

19 *“(C) for purposes of—*

20 *“(i) replenishing United States stock-*
 21 *piles with like defense articles when those*
 22 *stockpiles are diminished as a result of the*
 23 *United States providing defense articles in*
 24 *response to an armed attack by a country*
 25 *of concern (as that term is defined in sec-*

tion 1(m) of the State Department Basic
Authorities Act of 1956 (22 U.S.C.
2651a(m)) against—

“(I) a United States ally (as that
term is defined in section 201(d) of the
Act of December 2, 1942, entitled, ‘To
provide benefits for the injury, dis-
ability, death, or enemy detention of
employees of contractors with the
United States, and for other purposes’
(56 Stat. 1028, chapter 668; 42 U.S.C.
1711(d))); or

“(II) a United States partner; or

“(ii) contracting for the movement or
delivery of defense articles transferred to
such ally or partner through the President’s
drawdown authorities in connection with
such response,

provided that the United States is not a party
to the hostilities.”.

1 ***Subtitle B—Amendments to General***
 2 ***Contracting Authorities, Proce-***
 3 ***dures, and Limitations***

4 ***SEC. 811. COMMANDER INITIATED RAPID CONTRACTING AC-***
 5 ***TIONS.***

6 (a) *IN GENERAL.*—The commander of a combatant
 7 command, upon providing a written determination to a
 8 supporting head (or heads) of contracting activity (HCA),
 9 may request emergency, rapid contracting response using
 10 special authorities described in subsection (b)—

11 (1) *in support of a contingency operation (as de-*
 12 *finied in section 101(a) of title 10, United States*
 13 *Code);*

14 (2) *to facilitate the defense against or recovery*
 15 *from cyber, nuclear, biological, chemical, or radio-*
 16 *logical attack against the United States;*

17 (3) *in support of a humanitarian or peace-*
 18 *keeping operation (as the term is defined in section*
 19 *3015(2) of title 10, United States Code); and*

20 (4) *for purposes of protecting the national secu-*
 21 *rity interests of the United States during directed op-*
 22 *erations that fall below the level of armed conflict.*

23 (b) *APPLICABILITY.*—In carrying out subsection (a),
 24 the HCA may utilize the following authorities to rapidly

1 *respond to time-sensitive or unplanned emergency situa-*
2 *tions:*

3 (1) *For actions taken under subsection (a) in the*
4 *case of a contract to be awarded and performed, or*
5 *purchase to be made, in the United States, simplified*
6 *procedures for a single contracting action may be*
7 *used up to \$15,000.*

8 (2) *For actions taken under subsection (a) in the*
9 *case of a contract to be awarded and performed, or*
10 *purchase to be made, outside the United States, sim-*
11 *plified procedures for a single contracting action may*
12 *be used up to \$25,000.*

13 (3) *For purposes of section 3205(a)(2) of title 10,*
14 *United States Code, the applicable threshold is*
15 *deemed to be \$10,000,000.*

16 (4) *The property or service being procured may*
17 *be treated as a commercial product or a commercial*
18 *service for the purpose of carrying out the procure-*
19 *ment.*

20 (c) *DETERMINATION.*—*A written determination re-*
21 *quired under subsection (a) may be used to cover more than*
22 *one requested action, and may be directed to more than one*
23 *HCA, and shall include:*

1 (1) *The rationale for initiating the request in ac-*
2 *cordance with paragraphs (1) through (4) of such sub-*
3 *section.*

4 (2) *A description of the actions being requested*
5 *of the HCA.*

6 (3) *A declaration that funds are available for*
7 *such requested contracting support.*

8 (d) *SUNSET.—The authority under subsection (a) shall*
9 *terminate on September 30, 2028.*

10 (e) *ANNUAL REPORT.—Not later than January 15,*
11 *2025, and annually thereafter for four years, the Chairman*
12 *of the Joint Chiefs of Staff, in coordination with the Under*
13 *Secretary of Defense for Acquisition and Sustainment, shall*
14 *provide a report to the congressional defense committees on*
15 *the use of the authority under this section for the previous*
16 *fiscal year. The report shall include a summary of each in-*
17 *stance of the authority being used, including—*

18 (1) *the combatant command initiating the action*
19 *or actions;*

20 (2) *the supporting HCA or HCAs; and*

21 (3) *the specific actions requested, including the*
22 *contract performer and value of contracting action.*

1 **SEC. 812. EXTENSION AND REVISIONS TO NEVER CON-**
 2 **TRACT WITH THE ENEMY.**

3 (a) *IN GENERAL.*—Section 841 of the Carl Levin and
 4 Howard P. “Buck” McKeon National Defense Authoriza-
 5 tion Act for Fiscal Year 2015 (Public Law 113–291; 10
 6 U.S.C. 4871 note prec.) is amended—

7 (1) by striking the section heading and inserting
 8 **“THREAT MITIGATION IN COMMERCIAL SUP-**
 9 **PORT TO OPERATIONS”**;

10 (2) in subsection (a)—

11 (A) by striking the subsection heading and
 12 inserting **“PROGRAM ESTABLISHED”**;

13 (B) by striking “and in consultation with
 14 the Secretary of State” and all that follows
 15 through the period at the end and inserting “and
 16 the Secretary of State, establish a program to en-
 17 able combatant commanders to identify and
 18 manage risks introduced by covered persons and
 19 entities providing commercial support to mili-
 20 tary operations. The Secretary of Defense shall
 21 publish policy establishing this program with re-
 22 sponsibilities for program execution and over-
 23 sight and procedures for use of available intel-
 24 ligence, security, and law enforcement informa-
 25 tion to identify threats and employment of a
 26 range of strategies, including the covered pro-

1 *curement actions described in this section, to*
 2 *manage risks posed by covered persons and enti-*
 3 *ties that are engaged in covered activities.”;*

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

6 “(b) *AUTHORITY.*—

7 “(1) *IDENTIFICATION.*—*The combatant com-*
 8 *mander shall identify covered persons or entities en-*
 9 *gaged in covered activities through the program estab-*
 10 *lished under subsection (a). Upon identification of a*
 11 *covered person or entity, combatant commanders, or*
 12 *their designated deputies, shall notify and provide ra-*
 13 *tionale for such an identification to the Under Sec-*
 14 *retary of Defense for Acquisition and Sustainment,*
 15 *the Under Secretary of Defense for Intelligence and*
 16 *Security, and the Under Secretary of Defense for Pol-*
 17 *icy.*

18 “(2) *COVERED PROCUREMENT ACTIONS.*—

19 “(A) *IN GENERAL.*—*The head of a con-*
 20 *tracting activity may exercise a covered procure-*
 21 *ment action on a covered persons or entity.*

22 “(B) *LIMITATION ON COVERED PROCURE-*
 23 *MENT ACTIONS.*—*The head of a contracting ac-*
 24 *tivity may exercise a covered procurement action*
 25 *only after receiving a notification and rec-*

1 *ommendation from the Under Secretary of De-*
 2 *fense for Acquisition and Sustainment, based on*
 3 *a risk assessment by the identifying combatant*
 4 *commander, that states that—*

5 “(i) the person or entity identified by
 6 the combatant commander meets the criteria
 7 for a covered person or entity and was or
 8 is actively engaged in one or more covered
 9 activities; and

10 “(ii) less intrusive measures are not
 11 reasonably available to manage the risk.”;

12 (4) *by amending subsection (c) to read as fol-*
 13 *lows:*

14 “(c) *NOTIFICATION TO COVERED PERSON OR ENTI-*
 15 *TY.—*

16 “(1) *ADVANCE NOTICE.—Contracting activities*
 17 *shall notify covered persons and entities through cov-*
 18 *ered solicitations and contracts, grants, or cooperative*
 19 *agreements of the following matters:*

20 “(A) *The program established under sub-*
 21 *section (a).*

22 “(B) *The authorities established under sub-*
 23 *section (b).*

1 “(C) *The responsibilities of covered persons*
2 *or entities to exercise due diligence to mitigate*
3 *their engagement in covered activities.*

4 “(2) *NOTICE OF COVERED PROCUREMENT AC-*
5 *TIONS.—*

6 “(A) *IN GENERAL.—Upon exercising a cov-*
7 *ered procurement action, the head of a con-*
8 *tracting activity shall notify the covered person*
9 *or entity of the action. The covered person or en-*
10 *tity shall be permitted the opportunity to chal-*
11 *lenge the covered procurement action by request-*
12 *ing an administrative review of the action under*
13 *the procedures of the Department of Defense not*
14 *later than 30 days after receipt of notice of the*
15 *action.*

16 “(B) *LIMITATION ON DISCLOSURE OF IN-*
17 *FORMATION.—Full disclosure of information to a*
18 *covered person or entity justifying an identifica-*
19 *tion made under subsection (b)(1) or a covered*
20 *procurement action need not be provided when*
21 *such a disclosure would compromise national se-*
22 *curity or would pose an unacceptable threat to*
23 *personnel of the United States or partners and*
24 *allies.*

1 “(C) *PROTECTION OF CLASSIFIED INFORMA-*
 2 *TION.—Classified information relied upon to ex-*
 3 *ercise a covered procurement action may not be*
 4 *disclosed to a covered person or entity, or to*
 5 *their representatives, unless a protective order*
 6 *issued by a court of competent jurisdiction estab-*
 7 *lished under article I or article III of the Con-*
 8 *stitution of the United States specifically ad-*
 9 *resses the conditions under which such classified*
 10 *information may be disclosed.”;*

11 (5) *by amending subsection (d) to read as fol-*
 12 *lows:*

13 “(d) *COVERED PROCUREMENT ACTION REPORTING.—*
 14 *All covered procurement actions shall be reported to the*
 15 *Under Secretary of Defense for Acquisition and*
 16 *Sustainment and reported in the Federal Awardee Perform-*
 17 *ance and Integrity Information System (FAPIIS) or other*
 18 *formal systems or record. Exclusions shall also be reported*
 19 *in the System for Award Management (SAM).”;*

20 (6) *by amending subsection (e) to read as fol-*
 21 *lows:*

22 “(e) *ANNUAL REVIEW.—The Secretary of Defense, in*
 23 *coordination with the Director of National Intelligence and*
 24 *the Secretary of State, shall, on an annual basis, review*
 25 *the lists of persons and entities having been subject to a*

1 covered procurement action under subsection (b)(2) to deter-
 2 mine whether or not such persons and entities continue to
 3 warrant use of the covered procurement action.”;

4 (7) by amending subsection (f) to read as follows:

5 “(f) *WAIVER.*—The Secretary of Defense, in conjunc-
 6 tion with the Secretary of State, may grant a waiver for
 7 actions taken under subsection (b) if it is in the best interest
 8 of national security.”;

9 (8) by amending subsection (g) to read as fol-
 10 lows:

11 “(g) *DELEGATION OF AUTHORITY.*—The authority
 12 provided by subsection (b) to make a determination to use
 13 a covered procurement action, in whole or in part, may
 14 not be delegated below the level of head of contracting activ-
 15 ity, or equivalent official for purposes of grants or coopera-
 16 tive agreements.”;

17 (9) by amending subsection (h) to read as fol-
 18 lows:

19 “(h) *UPDATING REGULATIONS.*—The Federal Acquisi-
 20 tion Regulation and the Defense Federal Acquisition Regu-
 21 lation Supplement shall be revised to implement the provi-
 22 sions of this subtitle.”;

23 (10) in subsection (i)—

24 (A) in paragraph (1)—

1 (i) by striking “Director of the Office
2 of Management and Budget” and inserting
3 “Secretary of Defense”;

4 (ii) by striking “appropriate commit-
5 tees of Congress” and inserting “congres-
6 sional defense committees”;

7 (iii) in subparagraph (A)—

8 (I) by striking “an executive
9 agency exercised the authority to ter-
10 minate, void, or restrict a contract,
11 grant, and cooperative agreement pur-
12 suant to subsection (c), based on a no-
13 tification under subsection (b)” and
14 inserting “a head of contracting activ-
15 ity exercised a covered procurement ac-
16 tion”;

17 (II) in clause (i) by striking “ex-
18 ecutive agency” and inserting “head of
19 contracting activity”;

20 (III) in clause (ii), by striking
21 “the action taken” and inserting “exer-
22 cising the covered procurement action”;

23 (IV) in clause (iii), by striking
24 “voided or terminated” and inserting

1 “subject to the covered procurement ac-
2 tion”; and

3 (V) in clause (iv)—

4 (aa) by striking “executive
5 agency in force” and inserting
6 “Department of Defense has” and

7 (bb) by striking “concerned
8 at the time the contract, grant, or
9 cooperative agreement was termi-
10 nated or voided” and replacing
11 with “at the time of exercise of the
12 covered procurement action”; and

13 (iv) in subparagraph (B)—

14 (I) by striking “an executive
15 agency did not exercise the authority to
16 terminate, void, or restrict a contract,
17 grant, and cooperative agreement pur-
18 suant to subsection (c), based on a no-
19 tification under subsection (b)” and
20 inserting “a head of contracting activ-
21 ity did not exercise a covered procure-
22 ment action following an identification
23 from a combatant commander”;

1 (II) in clause (i), by striking “ex-
2 ecutive agency” and inserting “head of
3 contracting activity”; and

4 (III) in clause (ii), by inserting
5 “covered procurement” before “action”;
6 and

7 (B) in paragraph (2), by striking “Direc-
8 tor” and inserting “Secretary of Defense”;

9 (11) by striking subsection (j) and (m) and re-
10 designating subsections (k), (l), and (n) as subsections
11 (j), (k), and (l), respectively;

12 (12) in subsection (k), as redesignated by para-
13 graph (11), by striking “Except as provided in sub-
14 section (l), the” and inserting “The”; and

15 (13) in subsection (l), as so redesignated, by
16 striking “December 31, 2025” and inserting “Decem-
17 ber 31, 2033”.

18 (b) *ACCESS TO RECORDS*.—Section 842 of the Carl
19 Levin and Howard P. “Buck” McKeon National Defense
20 Authorization Act for Fiscal Year 2015 is amended by strik-
21 ing subsections (a) through (c) and inserting the following:

22 “(a) *ADDITIONAL ACCESS TO RECORDS*.—The Sec-
23 retary of Defense may examine any records of persons or
24 entities that have existing contracts with, or are active re-
25 cipients of a grant or cooperative agreement from, the De-

1 *partment of Defense, including any subcontractors or sub-*
 2 *grantees, to the extent necessary to support the program es-*
 3 *tablished under section 841 of this Act.*

4 “(b) *LIMITATION.*—*The examination authorized under*
 5 *subsection (a) may only take place after a written deter-*
 6 *mination is made by the contracting officer, informed by*
 7 *a finding from the combatant commander, stating that this*
 8 *examination will support the program established under*
 9 *such section 841, and less intrusive measures are not rea-*
 10 *sonably available to manage the risk.”.*

11 “(c) *DEFINITIONS.*—*Section 843 of the Carl Levin and*
 12 *Howard P. “Buck” McKeon National Defense Authoriza-*
 13 *tion Act for Fiscal Year 2015 is amended—*

14 *(1) by striking paragraphs (1), (2), (3), (4), (7),*
 15 *and (9) and redesignating paragraphs (5), (6), and*
 16 *(8) as paragraphs (2), (3), and (6);*

17 *(2) by inserting before paragraph (2), as redesign-*
 18 *ated by paragraph (1) of this section, the following*
 19 *new paragraph:*

20 “(1) *COVERED ACTIVITIES.*—*The term ‘covered*
 21 *activities’ means activities where a covered person or*
 22 *entity is—*

23 *“(A) engaging in acts of violence against*
 24 *personnel of the United States or partners and*
 25 *allies;*

1 “(B) providing financing, logistics, train-
 2 ing, or intelligence to a person described in sub-
 3 paragraph (A);

4 “(C) engaging in foreign intelligence activi-
 5 ties against the United States or partners and
 6 allies;

7 “(D) engaging in transnational organized
 8 crime or criminal activities; or

9 “(E) engaging in other activities that
 10 present a direct or indirect risk to United States
 11 or partner and allied missions and forces.”;

12 (3) in paragraph (2), as so redesignated, by
 13 striking “with an estimated value in excess of \$50,000
 14 that is performed outside the United States, including
 15 its territories and possessions, in support” and all
 16 that follows through the period at the end and insert-
 17 ing “that is performed outside the United States, in-
 18 cluding its territories and possessions.”;

19 (4) by amending paragraph (3), as so redesign-
 20 ated, to read as follows:

21 “(3) COVERED PERSON OR ENTITY.—The term
 22 ‘covered person or entity’ means any person, corpora-
 23 tion, company, limited liability company, limited
 24 partnership, business trust, business association, or
 25 other similar entity outside of the United States or

1 *any foreign reporting company in accordance with*
 2 *section 5336(a)(11)(A)(ii) of title 31, United States*
 3 *Code, that is responding to a covered solicitation or*
 4 *performing work on a covered contract, grant, or co-*
 5 *operative agreement.”; and*

6 *(5) by inserting after paragraph (3), as so redes-*
 7 *ignated, the following new paragraphs:*

8 *“(4) COVERED PROCUREMENT ACTION.—The*
 9 *term ‘covered procurement action’ means an action*
 10 *taken by a head of contracting activity to—*

11 *“(A) exclude a person or commercial entity*
 12 *from award with or without an existing con-*
 13 *tract, grant, or cooperative agreement;*

14 *“(B) terminate an existing contract, grant,*
 15 *or cooperative agreement for default; or*

16 *“(C) void in whole or in part an existing*
 17 *contract, grant, or cooperative agreement.*

18 *“(5) COVERED SOLICITATION.—The term ‘covered*
 19 *solicitation’ means any Department of Defense solici-*
 20 *tation for work for which the place of performance is*
 21 *outside of the United States.”.*

22 *(d) EFFECTIVE DATE.—The amendments made by this*
 23 *section shall take effect not later than 180 days after the*
 24 *enactment of this Act, and shall apply to covered solici-*
 25 *tations issued and covered contracts, grants, or cooperative*

1 *agreements (as that term is defined in section 843 of the*
 2 *Carl Levin and Howard P. “Buck” McKeon National De-*
 3 *fense Authorization Act for Fiscal Year 2015, as amended*
 4 *by subsection (c)) awarded on or after such date, and to*
 5 *task and delivery orders that have been issued on or after*
 6 *such date pursuant to covered contracts, grants, or coopera-*
 7 *tive agreements that are awarded before, on, or after such*
 8 *date.*

9 **SEC. 813. ENHANCEMENT OF DEPARTMENT OF DEFENSE**
 10 **CAPABILITIES TO PREVENT CONTRACTOR**
 11 **FRAUD.**

12 (a) *WITHHOLDING OF CONTRACTUAL PAYMENTS.—*
 13 *Subsection (a) of section 4651 of title 10, United States*
 14 *Code, is amended—*

15 (1) *in paragraph (1), by striking “; and” and*
 16 *inserting a semicolon;*

17 (2) *in paragraph (2)—*

18 (A) *by striking “clause (1)” and inserting*
 19 *“paragraph (1)”;* and

20 (B) *by striking “at least three, but not more*
 21 *than 10, as determined by the Secretary or his*
 22 *designee, times the cost incurred by the con-*
 23 *tractor in giving gratuities to the officer, official,*
 24 *or employee concerned.” and inserting “of up to*
 25 *10 percent of the total contract award amount;”;*

1 (3) by inserting after paragraph (2) the fol-
 2 lowing new paragraphs:

3 “(3) with respect to a contract that could have
 4 been terminated under paragraph (1) but for the com-
 5 pletion of performance of the contract, the United
 6 States is entitled to exemplary damages as set forth
 7 in paragraph (2); and

8 “(4) the Secretary of Defense or the Secretary of
 9 a military department may, after providing notice to
 10 the contractor and pending the determination con-
 11 cerning exemplary damages referred to in paragraph
 12 (2), withhold from payments otherwise due to the con-
 13 tractor under any contract between the contractor and
 14 the United States an amount not to exceed 10 percent
 15 of the total contract award amount.”; and

16 (4) in the matter following paragraph (4), as
 17 added by paragraph (3) of this subsection, by striking
 18 “clause (1)” and inserting “paragraph (1)”.

19 (b) *BURDEN OF PROOF*.—Paragraph (1) of section
 20 4651(a) of title 10, United States Code, as amended by sub-
 21 section (a) of this section, is further amended by inserting
 22 “and by a preponderance of the evidence” after “after notice
 23 and hearing”.

1 **SEC. 814. MODIFICATION OF APPROVAL AUTHORITY FOR**
 2 **HIGH DOLLAR OTHER TRANSACTION AGREE-**
 3 **MENTS FOR PROTOTYPES.**

4 (a) *AMENDMENTS RELATING TO AUTHORITY.*—Section
 5 4022(a)(2)(C)(i)(I) of title 10, United States Code, is
 6 amended by inserting after “subsection (d)” the following:
 7 “were met for the prior transaction for the prototype project
 8 that provided for the award of the follow-on production con-
 9 tract or transaction, and the requirements of subsection
 10 (f)”.

11 (b) *AMENDMENT RELATING TO APPROPRIATE USE OF*
 12 *AUTHORITY.*—Section 4022(d) of such title is amended by
 13 adding at the end the following new paragraph:

14 “(3) The requirements of this subsection do not apply
 15 to follow-on production contracts or transactions under sub-
 16 section (f).”.

17 **SEC. 815. MODIFICATIONS TO EARNED VALUE MANAGE-**
 18 **MENT SYSTEM REQUIREMENTS.**

19 (a) *IN GENERAL.*—Not later than 180 days after the
 20 date of the enactment of this Act, the Under Secretary for
 21 Acquisition and Sustainment shall update appropriate
 22 policies related to Earned Value Management (EVM) as fol-
 23 lows:

24 (1) Update subpart 234.2 of the Defense Federal
 25 Acquisition Regulation Supplement (DFARS) to ex-

1 *empt all software contracts and subcontracts from*
 2 *EVM requirements.*

3 (2) *Update sections 234.201, 234.203, 252.234–*
 4 *7001, and 252.242–7002 of the DFARS—*

5 (A) *to increase contract value thresholds as-*
 6 *sociated with requiring EVM on cost or incentive*
 7 *contracts from \$20,000,000 to \$50,000,000; and*

8 (B) *to increase the contract value threshold*
 9 *for the contractor to use an EVM System from*
 10 *\$50,000,000 to \$100,000,000.*

11 (b) *IMPLEMENTATION.—If the Under Secretary of De-*
 12 *fense for Acquisition and Sustainment is unable to update*
 13 *the regulations specified in subsection (a) before the dead-*
 14 *line specified in such subsection, the Under Secretary of De-*
 15 *fense for Acquisition and Sustainment shall providing to*
 16 *the Committee on Armed Services of the Senate and the*
 17 *Committee on Armed Services of the House of Representa-*
 18 *tives a briefing explaining the timeline for implementation.*

19 **SEC. 816. INVENTORY OF INFLATION AND ESCALATION IN-**
 20 **DICES.**

21 (a) *INVENTORY REQUIRED.—*

22 (1) *IN GENERAL.—Not later than September 30,*
 23 *2024, the Under Secretary of Defense for Acquisition*
 24 *and Sustainment, in coordination with the Service*
 25 *Acquisition Executives, shall conduct an inventory of*

1 *inflation and escalation indices currently used for*
2 *contracting and pricing purposes across the Depart-*
3 *ment and make the inventory available as a resource*
4 *for all government and industry contracting and*
5 *pricing professionals.*

6 (2) *ELEMENTS.—The inventory required under*
7 *paragraph (1)—*

8 (A) *shall include indices used for products*
9 *and indices used for services, including accessi-*
10 *bility instructions;*

11 (B) *may include relevant indices derived*
12 *from or leveraged by commercial, academic, or*
13 *nongovernmental sources; and*

14 (C) *shall separately identify indices for*
15 *which the Department of Defense purchases ac-*
16 *cess.*

17 (b) *ASSESSMENT.—As part of the inventory required*
18 *under subsection (a), the Under Secretary of Defense for Ac-*
19 *quisition and Sustainment shall also conduct an assessment*
20 *of the available inflation and escalation indices in order*
21 *to determine—*

22 (1) *gaps in any available indices where identi-*
23 *fication or development of new indices may be nec-*
24 *essary; and*

1 (2) *in instances where there are multiple indices*
 2 *being used—*

3 (A) *whether consolidation on a single index*
 4 *or smaller subset of indices is possible or advis-*
 5 *able; and*

6 (B) *whether commercial, academic, or non-*
 7 *governmental indices have any comparative ben-*
 8 *efit or advantage over governmental sources.*

9 (c) *PERIODIC UPDATES.—The Under Secretary of De-*
 10 *fense for Acquisition and Sustainment shall periodically,*
 11 *and not less than once every 5 years, review and update*
 12 *the inventory required under subsection (a).*

13 (d) *GUIDANCE.—Not later than March 30, 2025, the*
 14 *Under Secretary of Defense for Acquisition and*
 15 *Sustainment, in coordination with the Service Acquisition*
 16 *Executives, shall issue guidance providing for the consistent*
 17 *application and maintenance of data included in the inven-*
 18 *tory required under subsection (a) for use by government*
 19 *contracting and pricing personnel.*

20 **SEC. 817. PILOT PROGRAM TO INCENTIVIZE PROGRESS PAY-**
 21 **MENTS.**

22 (a) *PILOT PROGRAM.—The Under Secretary of Defense*
 23 *for Acquisition and Sustainment shall establish and imple-*
 24 *ment a pilot program to incentivize large business concerns*
 25 *awarded Department of Defense contracts to qualify for*

1 progress payments up to 10 percentage points higher than
2 the standard progress payment rate.

3 (b) *INCENTIVES.*—The Under Secretary for Acquisi-
4 tion and Sustainment shall establish clear and measurable
5 criteria to provide for the payment to contractors of higher
6 progress payments as described in subsection (a), including
7 meeting one or more of the following criteria:

8 (1) Adherence to delivery dates for contract end
9 items and contract data requirement lists or compli-
10 ance with the performance milestone schedule during
11 the preceding fiscal year.

12 (2) The lack of any open level III or IV correc-
13 tive action requests.

14 (3) Acceptability of the contractor's business sys-
15 tems without significant deficiencies.

16 (4) Meeting small business subcontracting goals
17 during the preceding fiscal year.

18 (c) *REPORT.*—The Under Secretary for Acquisition
19 and Sustainment shall submit to the Committees on Armed
20 Services of the Senate and House of Representatives an an-
21 nual report on the implementation of the pilot program es-
22 tablished under subsection (a), including a comprehensive
23 list of contractors and the contracts that received the in-
24 creased progress payments.

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

1 (1) *STANDARD PROGRESS PAYMENT RATE.*—The
 2 term “standard progress payment rate” refers to the
 3 rate of progress payments provided for under section
 4 3804 of title 10, United States Code, and payable in
 5 accordance with the applicable provisions of the Fed-
 6 eral Acquisition Regulation and the Defense Federal
 7 Acquisition Regulation Supplement.

8 (2) *LARGE BUSINESS CONCERNS.*—The term
 9 “large business concerns” means a business concern
 10 that exceeds the small business size code standards es-
 11 tablished by the Small Business Administration as set
 12 forth in part 121 of title 13, Code of Federal Regula-
 13 tions.

14 (e) *SUNSET.*—The authority to carry out the pilot pro-
 15 gram established under subsection (a) shall terminate on
 16 January 1, 2026.

17 **SEC. 818. EXTENSION OF PILOT PROGRAM TO ACCELERATE**
 18 **CONTRACTING AND PRICING PROCESSES.**

19 Section 890 of the John S. McCain National Defense
 20 Authorization Act for Fiscal Year 2019 (Public Law 115–
 21 232), as most recently amended by section 818 of the James
 22 M. Inhofe National Defense Authorization Act for Fiscal
 23 Year 2023, is further amended in subsection (c) by striking
 24 “January 2, 2024” and inserting “January 2, 2028”.

1 **SEC. 819. PREVENTING CONFLICTS OF INTEREST FOR DE-**
2 **PARTMENT OF DEFENSE CONSULTANTS.**

3 (a) *IN GENERAL.*—Not later than 180 days after the
4 date of enactment of this Act, the Secretary of Defense shall
5 amend the Defense Federal Acquisition Regulation—

6 (1) *to require any entity that provides the serv-*
7 *ices described in North American Industry Classifica-*
8 *tion System (NAICS) code 5416, prior to entering*
9 *into the Department of Defense contract, to certify*
10 *that—*

11 (A) *neither the entity nor any of its subsidi-*
12 *aries or affiliates hold a contract with one or*
13 *more covered foreign entities; or*

14 (B) *the entity maintains a Conflict of In-*
15 *terest Mitigation Surveillance Plan described*
16 *under subsection (b) that is auditable by contract*
17 *oversight entities; and*

18 (2) *to restrict Department of Defense contracts*
19 *from being awarded to an entity that provides the*
20 *services described under the NAICS code 5416, if the*
21 *entity or any of its subsidiaries or affiliates are deter-*
22 *mined, based on the self-certification required under*
23 *paragraph (1) or other information, to be a con-*
24 *tractor of, or otherwise providing services to, a cov-*
25 *ered foreign entity unless such contractor maintains*

1 *an enforceable Conflict of Interest Mitigation Surveil-*
2 *lance Plan.*

3 (b) *CONFLICT OF INTEREST MITIGATION SURVEIL-*
4 *LANCE PLAN.*—Contractors that are unable to certify under
5 subsection (a)(1)(A) that neither they nor any of their sub-
6 sidiaries or affiliates hold a contract with one or more cov-
7 ered foreign entities shall maintain a Conflict of Interest
8 Mitigation Surveillance Plan that is updated annually and
9 shall be provided to applicable contract oversight entities
10 upon request. The plan shall include—

11 (1) *identification of the contracts with the cov-*
12 *ered foreign entity (or entities) including the specific*
13 *entity, the dollar value of the contract, and the spe-*
14 *cific personnel working on the contract;*

15 (2) *mitigation measures being taken to prevent*
16 *conflicts of interest (corporately as well as for indi-*
17 *viduals working on the contract) that might arise by*
18 *also supporting Department of Defense contracts; and*

19 (3) *notification procedures to the contract over-*
20 *sight entities within 15 days of determining an un-*
21 *mitigated conflict of interest has arisen.*

22 (c) *WAIVER.*—The Secretary of Defense, or designee,
23 shall have the authority to waive conflicts of interest restric-
24 tions under subsection (a) on a case-by-case basis as may
25 be necessary to continue contracting for certain national

1 *security requirements. The Secretary of Defense may not*
2 *delegate such authority to an official below the level of a*
3 *Presidentially appointed, Senate-confirmed official.*

4 (d) *WAIVER NOTIFICATION.—Not later than 30 days*
5 *after issuing a waiver under subsection (c) of this section,*
6 *the Secretary of Defense shall provide a written notification*
7 *to the Committee on Armed Services of the Senate and the*
8 *Committee on Armed Services of the House of Representa-*
9 *tives regarding the use of such waiver authority. The notifi-*
10 *cation shall include—*

11 (1) *the specific justification for providing the*
12 *waiver;*

13 (2) *the covered foreign entity with which the*
14 *waiver recipient is working which gives rise to the*
15 *conflict of interest;*

16 (3) *the number of bidders on a contract on which*
17 *the waiver was required;*

18 (4) *the number of bidders on a contract for*
19 *which a waiver would not have been required to have*
20 *been issued; and*

21 (5) *the total dollar value of the contract.*

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

23 (1) *COVERED FOREIGN ENTITY.—The term “cov-*
24 *ered foreign entity” means any of the following:*

1 (A) *The Government of the People’s Repub-*
2 *lic of China, any Chinese state-owned entity, or*
3 *other entity under the ownership, or control, di-*
4 *rectly or indirectly, of the Government of the*
5 *People’s Republic of China or the Chinese Com-*
6 *munist Party that is engaged in one or more na-*
7 *tional security industries.*

8 (B) *The Government of the Russian Federa-*
9 *tion, any Russian state-owned entity, or any en-*
10 *tity sanctioned by the Secretary of the Treasury*
11 *under Executive Order 13662 titled “Blocking*
12 *Property of Additional Persons Contributing to*
13 *the Situation in Ukraine” (79 Fed. Reg. 16169).*

14 (C) *The government or any state-owned en-*
15 *tity of any country if the Secretary of State de-*
16 *termines that such government has repeatedly*
17 *provided support for acts of international ter-*
18 *rorism pursuant to—*

19 (i) *section 1754(c)(1)(A) of the Export*
20 *Control Reform Act of 2018 (50 U.S.C.*
21 *4318(c)(1)(A));*

22 (ii) *section 620A of the Foreign Assist-*
23 *ance Act of 1961 (22 U.S.C. 2371);*

24 (iii) *section 40 of the Arms Export*
25 *Control Act (22 U.S.C. 2780); or*

1 (iv) any other provision of law.

2 (D) Any entity included on any of the fol-
3 lowing lists maintained by the Department of
4 Commerce:

5 (i) The Entity List set forth in Supple-
6 ment No. 4 to part 744 of the Export Ad-
7 ministration Regulations.

8 (ii) The Denied Persons List as de-
9 scribed in section 764.3(a)(2) of the Export
10 Administration Regulations.

11 (iii) The Unverified List set forth in
12 Supplement No. 6 to part 744 of the Export
13 Administration Regulations.

14 (iv) The Military End User List set
15 forth in Supplement No. 7 to part 744 of
16 the Export Administration Regulations.

17 (2) CONTRACT OVERSIGHT ENTITIES.—The term
18 “contract oversight entities” means any of the fol-
19 lowing:

20 (A) The contracting officer.

21 (B) The contracting officer representative.

22 (C) The Defense Contract Management
23 Agency.

24 (D) The Defense Contract Audit Agency.

1 (E) *The Office of Inspector General (OIG)*
 2 *of the Department of Defense or any subcompo-*
 3 *nent of OIG.*

4 (F) *The Government Accountability Office.*

5 **SEC. 820. PROHIBITION ON REQUIRING DEFENSE CONTRAC-**
 6 **TORS TO PROVIDE INFORMATION RELATING**
 7 **TO GREENHOUSE GAS EMISSIONS.**

8 (a) *DEFINITIONS.—In this section:*

9 (1) *GREENHOUSE GAS.—The term “greenhouse*
 10 *gas” means—*

11 (A) *carbon dioxide;*

12 (B) *methane;*

13 (C) *nitrous oxide;*

14 (D) *nitrogen trifluoride;*

15 (E) *hydrofluorocarbons;*

16 (F) *perfluorocarbons; or*

17 (G) *sulfur hexafluoride.*

18 (2) *GREENHOUSE GAS INVENTORY.—The term*
 19 *“greenhouse gas inventory” means a quantified list of*
 20 *an entity’s annual greenhouse gas emissions.*

21 (3) *NONTRADITIONAL DEFENSE CONTRACTOR.—*
 22 *The term “nontraditional defense contractor” has the*
 23 *meaning given the term in section 3014 of title 10,*
 24 *United States Code.*

25 (b) *PROHIBITION ON DISCLOSURE REQUIREMENTS.—*

1 (1) *NONTRADITIONAL DEFENSE CONTRACTORS.*—

2 *The Secretary of Defense may not require any non-*
 3 *traditional defense contractor recipient of a defense*
 4 *contract to provide a greenhouse gas inventory or to*
 5 *provide any other report on greenhouse gas emissions.*

6 (2) *OTHER THAN NONTRADITIONAL DEFENSE*

7 *CONTRACTORS.*—*During the two-year period begin-*
 8 *ning on the date of the enactment of this Act, the Sec-*
 9 *retary of Defense may not require any other than*
 10 *nontraditional defense contractor recipient of a de-*
 11 *fense contract to provide a greenhouse gas inventory*
 12 *or to provide any other report on greenhouse gas*
 13 *emissions.*

14 **SEC. 821. PROHIBITION ON CONTRACTS FOR THE PROVI-**
 15 **SION OF ONLINE TUTORING SERVICES BY EN-**
 16 **TITIES OWNED BY THE PEOPLE’S REPUBLIC**
 17 **OF CHINA.**

18 (a) *IN GENERAL.*—*The Secretary of Defense may not,*
 19 *on or after the date of the enactment of this Act, enter into*
 20 *or renew a contract for the provision of online tutoring serv-*
 21 *ices by an entity owned or controlled by the Government*
 22 *of the People’s Republic of China.*

23 (b) *WAIVER.*—

24 (1) *IN GENERAL.*—*The Secretary may waive the*
 25 *prohibition under subsection (a).*

1 (2) *NONDELEGATION.*—*The Secretary may not*
 2 *delegate the authority to issue a waiver under para-*
 3 *graph (1).*

4 **SEC. 822. MODIFICATION OF TRUTHFUL COST OR PRICING**
 5 **DATA SUBMISSIONS AND REPORT.**

6 *Section 3705(b)(2)(B) of title 10, United States Code,*
 7 *is amended by striking “should-cost analysis.” and all that*
 8 *follows through “past performance.” and inserting “should-*
 9 *cost analysis and shall identify such offerors that incur a*
 10 *delay greater than 200 days in submitting such cost or pric-*
 11 *ing data. The Secretary of Defense shall include a public*
 12 *notation on such offerors.”.*

13 **SEC. 823. REPEAL OF BONAFIDE OFFICE RULE FOR 8(A)**
 14 **CONTRACTS WITH THE DEPARTMENT OF DE-**
 15 **FENSE.**

16 *Section 8(a)(11) of the Small Business Act (15 U.S.C.*
 17 *637(a)(11)) is amended—*

18 (1) *by inserting “(A)” before “To the max-*
 19 *imum”;* and

20 (2) *by adding at the end the following:*

21 *“(B) Subparagraph (A) shall not apply with re-*
 22 *spect to a contract entered into under this subsection*
 23 *with the Department of Defense.”.*

1 ***Subtitle C—Industrial Base Matters***

2 ***SEC. 831. DEFENSE INDUSTRIAL BASE ADVANCED CAPA-***
3 ***BILITIES PILOT PROGRAM.***

4 (a) *ESTABLISHMENT.*—

5 (1) *IN GENERAL.*—*The Under Secretary of De-*
6 *fense for Acquisition and Sustainment shall carry out*
7 *a pilot program through a public-private partnership*
8 *to accelerate the scaling, production, and acquisition*
9 *of advanced defense capabilities determined by the*
10 *Under Secretary to be critical to the national security*
11 *by creating incentives for investment in domestic*
12 *small businesses or nontraditional businesses to create*
13 *a robust and resilient defense industrial base.*

14 (2) *GOALS.*—*The goals of the public-private*
15 *partnership pilot program are as follows:*

16 (A) *To bolster the defense industrial base*
17 *through acquisition and deployment of advanced*
18 *capabilities necessary to field Department of De-*
19 *fense modernization programs and priorities.*

20 (B) *To strengthen domestic defense supply*
21 *chain resilience and capacity by investing in in-*
22 *novative defense companies.*

23 (C) *To leverage private equity capital to ac-*
24 *celerate domestic defense scaling, production, and*
25 *manufacturing.*

1 **(b) PUBLIC-PRIVATE PARTNERSHIPS.—**

2 **(1) IN GENERAL.—***In carrying out subsection*
3 *(a), the Under Secretary shall enter into one or more*
4 *public-private partnerships, consistent with the*
5 *phased implementation provided for in subsection (e),*
6 *with for-profit persons using the criteria set forth in*
7 *paragraph (2).*

8 **(2) CRITERIA.—***The Under Secretary shall estab-*
9 *lish criteria for entering into one or more public-pri-*
10 *ate partnerships and shall submit to the congress-*
11 *sional defense committees such criteria, which shall*
12 *not take effect for the purposes of entering into any*
13 *agreement until 30 days after submission.*

14 **(3) OPERATING AGREEMENT.—***The Under Sec-*
15 *retary and a person or persons with whom the Under*
16 *Secretary enters a partnership under paragraph (1)*
17 *shall enter into an operating agreement that sets forth*
18 *the roles, responsibilities, authorities, reporting re-*
19 *quirements, term, and governance framework for the*
20 *partnership and its operations. Such operating agree-*
21 *ments may not take effect until 30 days after they*
22 *have been submitted to the congressional defense com-*
23 *mittees.*

24 **(c) INVESTMENT OF EQUITY.—**

1 (1) *IN GENERAL.*—Pursuant to public-private
 2 partnerships entered into under subsection (b), a per-
 3 son or persons with whom the Under Secretary has
 4 entered into a partnership may invest equity in do-
 5 mestic small businesses or nontraditional businesses
 6 consistent with subsection (a), with investments se-
 7 lected based on technical merit, economic value, and
 8 the Department’s modernization priorities. The part-
 9 nership shall require investment in not less than 10
 10 businesses, with no business representing greater than
 11 20 percent of total investment and no capability area
 12 exceeding 40 percent of total investment

13 (2) *AUTHORITIES.*—A person or persons de-
 14 scribed in paragraph (1) shall have sole authority to
 15 operate, manage, and invest.

16 (d) *LOAN GUARANTEE.*—

17 (1) *IN GENERAL.*—Pursuant to the authority es-
 18 tablished under **【section ____】** the Under Secretary
 19 shall provide an up to 80 percent loan guarantee,
 20 pursuant to the public-private partnerships entered
 21 into under subsection (b), with investment of equity
 22 that qualifies under subsection (c) and consistent with
 23 the goals set forth under subsection (a)(2).

24 (2) *PILOT PROGRAM AUTHORITY.*—The tem-
 25 porary loan guarantee authority described under

1 *paragraph (1) is exclusively for the public-private*
2 *partnerships authorized under this section and may*
3 *not be utilized for other programs or purposes.*

4 (3) *SUBJECT TO OPERATING AGREEMENT.—The*
5 *loan guarantee under paragraph (1) shall be subject*
6 *to the operating agreement entered into under sub-*
7 *section (b)(3).*

8 (4) *USE OF FUNDS.—Obligations incurred by the*
9 *Under Secretary under this paragraph shall be sub-*
10 *ject to the availability of funds provided in advance*
11 *specifically for the purpose of such loan guarantees.*

12 (e) *PHASED IMPLEMENTATION SCHEDULE AND RE-*
13 *QUIRED REPORTS AND BRIEFINGS.—The program estab-*
14 *lished under subsection (a) shall be carried out in two*
15 *phases as follows:*

16 (1) *PHASE 1.—*

17 (A) *IN GENERAL.—Phase 1 shall consist of*
18 *an initial pilot program with one public-private*
19 *partnership, consistent with subsection (b), to as-*
20 *sess the feasibility and advisability of expanding*
21 *the scope of the program. The Under Secretary*
22 *shall begin implementation of phase 1 not later*
23 *than 180 days after the date of the enactment of*
24 *this Act.*

1 (B) *IMPLEMENTATION SCHEDULE AND*
2 *FRAMEWORK.*—*Not later than 90 days after the*
3 *date of the enactment of this Act, the Secretary*
4 *shall submit an implementation plan to the con-*
5 *gressional defense committees on the design of*
6 *phase 1. The plan shall include—*

7 (i) *an overview of, and the activities*
8 *undertaken, to execute the public-private*
9 *partnership;*

10 (ii) *a description of the advanced ca-*
11 *pabilities and defense industrial base areas*
12 *under consideration for investment;*

13 (iii) *an overview of the operating*
14 *agreement described in subsection (b)(3);*
15 *and*

16 (iv) *implementation milestones and*
17 *metrics.*

18 (C) *REPORT AND BRIEFING REQUIRED.*—
19 *Not later than 27 months after the date of the*
20 *enactment of this Act, the Secretary shall provide*
21 *to the congressional defense committees a report*
22 *and briefing on the implementation of this sec-*
23 *tion and the feasibility and advisability of ex-*
24 *panding the scope of the pilot program. The re-*
25 *port and briefing shall include, at minimum—*

1 (i) an overview of program perform-
 2 ance, and implementation and execution
 3 milestones and outcomes;

4 (ii) an overview of progress in—

5 (I) achieving new products in
 6 production aligned with Department of
 7 Defense needs;

8 (II) scaling businesses aligned to
 9 targeted industrial base and capability
 10 areas;

11 (III) generating defense industrial
 12 base job growth;

13 (IV) increasing supply chain re-
 14 silience and capacity; and

15 (V) enhancing competition on ad-
 16 vanced capability programs;

17 (iii) an accounting of activities under-
 18 taken and outline of the opportunities and
 19 benefits of expanding the scope of the pilot
 20 program; and

21 (iv) a recommendation by the Sec-
 22 retary regarding the feasibility and desir-
 23 ability of expanding the pilot program.

24 (2) PHASE 2.—

1 (A) *IN GENERAL.*—Not later than 30
 2 months after the date of the enactment of this
 3 Act, the Secretary may expand the scope of the
 4 phase 1 pilot program with the ability to in-
 5 crease to not more than three public-private
 6 partnerships, consistent with subsection (b).

7 (B) *REPORT AND BRIEFING REQUIRED.*—
 8 Not later than five years after the date of the en-
 9 actment of this Act, the Secretary shall provide
 10 to the congressional defense committees a report
 11 and briefing on the outcomes of the pilot pro-
 12 gram under subsection (a), including the ele-
 13 ments described in paragraph (1)(C), and the
 14 feasibility and advisability of making the pro-
 15 gram permanent.

16 (f) *TERMINATION.*—The authority to enter into an
 17 agreement to carry out the pilot program under subsection
 18 (a) shall terminate on the date that is five years after the
 19 date of the enactment of this Act.

20 (g) *DEFINITIONS.*—In this section:

21 (1) *DOMESTIC BUSINESS.*—The term “domestic
 22 business” has the meaning given the term “U.S. busi-
 23 ness” in section 800.252 of title 31, Code of Federal
 24 Regulations, or successor regulation.

1 (2) *DOMESTIC SMALL BUSINESSES OR NONTRADI-*
 2 *TIONAL BUSINESSES.*—*The term “domestic small*
 3 *businesses or nontraditional businesses” means—*

4 (A) *a small business that is a domestic*
 5 *business; or*

6 (B) *a nontraditional business that is a do-*
 7 *mestic business.*

8 (3) *NONTRADITIONAL BUSINESS.*—*The term*
 9 *“nontraditional business” has the meaning given the*
 10 *term “nontraditional defense contractor” in section*
 11 *3014 of title 10, United States Code.*

12 (4) *SMALL BUSINESS.*—*The term “small busi-*
 13 *ness” has the meaning given the term “small business*
 14 *concern” in section 3 of the Small Business Act (15*
 15 *U.S.C. 632).*

16 **SEC. 832. DEPARTMENT OF DEFENSE NOTIFICATION OF**
 17 **CERTAIN TRANSACTIONS.**

18 (a) *IN GENERAL.*—*The parties to a covered trans-*
 19 *action required to file the notification and provide supple-*
 20 *mentary information to the Department of Justice or the*
 21 *Federal Trade Commission under section 7A of the Clayton*
 22 *Act (15 U.S.C. 18a) shall concurrently provide such infor-*
 23 *mation to the Department of Defense during the waiting*
 24 *period under section 7A of the Clayton Act (15 U.S.C. 18a).*

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

1 (1) *COVERED TRANSACTION.*—*The term “covered*
2 *transaction” means an actual or proposed merger, ac-*
3 *quisition, joint venture, strategic alliance, or invest-*
4 *ment—*

5 *(A) for which the parties are required to file*
6 *a notification under section 7A of the Clayton*
7 *Act (15 U.S.C. 18a); and*

8 *(B) any party to which is, owns, or controls*
9 *a major defense supplier.*

10 (2) *MAJOR DEFENSE SUPPLIER.*—*The term*
11 *“major defense supplier” means—*

12 *(A) a current prime contractor of a major*
13 *defense acquisition program as defined in chap-*
14 *ter 201 of title 10, United States Code;*

15 *(B) a current prime contractor of a middle*
16 *tier acquisition as defined pursuant to section*
17 *804 of the National Defense Authorization Act*
18 *for Fiscal Year 2016 (Public Law 114–92; 129*
19 *Stat. 882);*

20 *(C) a current prime contractor of a software*
21 *acquisition program described under section 800*
22 *of the National Defense Authorization Act for*
23 *Fiscal Year 2020 (Public Law 116–92; 133 Stat.*
24 *1478);*

1 (D) a current prime contractor of a defense
 2 business system as defined in section 2222 of
 3 title 10, United States Code; or

4 (E) a current prime contractor of a service
 5 contract with the Department of Defense, as de-
 6 fined in part 237 of the Defense Federal Acquisi-
 7 tion Regulation Supplement, above the sim-
 8 plified acquisition threshold.

9 **SEC. 833. ANALYSES OF CERTAIN ACTIVITIES FOR ACTION**
 10 **TO ADDRESS SOURCING AND INDUSTRIAL CA-**
 11 **PACITY.**

12 (a) *ANALYSIS REQUIRED.*—

13 (1) *IN GENERAL.*—The Secretary of Defense, act-
 14 ing through the Under Secretary of Defense for Acqui-
 15 sition and Sustainment and other appropriate offi-
 16 cials, shall review the items under subsection (c) to
 17 determine and develop appropriate actions, consistent
 18 with the policies, programs, and activities required
 19 under subpart I of part V of subtitle A of title 10,
 20 United States Code, chapter 83 of title 41, United
 21 States Code, and the Defense Production Act of 1950
 22 (50 U.S.C. 4501 et seq.), including—

23 (A) restricting procurement, with appro-
 24 priate waivers for cost, emergency requirements,

1 *and non-availability of suppliers, including re-*
 2 *stricting procurement to—*

3 *(i) suppliers in the United States;*

4 *(ii) suppliers in the national tech-*
 5 *nology and industrial base (as defined in*
 6 *section 4801 of title 10, United States*
 7 *Code);*

8 *(iii) suppliers in other allied nations;*

9 *or*

10 *(iv) other suppliers;*

11 *(B) increasing investment through use of re-*
 12 *search and development or procurement activi-*
 13 *ties and acquisition authorities to—*

14 *(i) expand production capacity;*

15 *(ii) diversify sources of supply; or*

16 *(iii) promote alternative approaches*
 17 *for addressing military requirements;*

18 *(C) prohibiting procurement from selected*
 19 *sources or nations;*

20 *(D) taking a combination of actions de-*
 21 *scribed under subparagraphs (A), (B), and (C);*

22 *or*

23 *(E) taking no action.*

24 (2) *CONSIDERATIONS.—The analyses conducted*
 25 *pursuant to paragraph (1) shall consider national se-*

1 *curity, economic, and treaty implications, as well as*
2 *impacts on current and potential suppliers of goods*
3 *and services.*

4 *(b) REPORTING ON ANALYSES, RECOMMENDATIONS,*
5 *AND ACTIONS.—*

6 *(1) BRIEFING REQUIRED.—Not later than Janu-*
7 *ary 15, 2025, the Secretary of Defense shall submit to*
8 *the congressional defense committees, in writing—*

9 *(A) a summary of the findings of the anal-*
10 *yses undertaken for each item pursuant to sub-*
11 *section (a);*

12 *(B) relevant recommendations resulting*
13 *from the analyses; and*

14 *(C) descriptions of specific activities under-*
15 *taken as a result of the analyses, including*
16 *schedule and resources allocated for any planned*
17 *actions.*

18 *(2) REPORTING.—The Secretary of Defense shall*
19 *include the analyses conducted under subsection (a),*
20 *and any relevant recommendations and descriptions*
21 *of activities resulting from such analyses, as appro-*
22 *priate, in each of the following during the 2025 cal-*
23 *endar year:*

1 (A) *The annual report or quarterly brief-*
2 *ings to Congress required under section 4814 of*
3 *title 10, United States Code.*

4 (B) *The annual report on unfunded prior-*
5 *ities of the national technology and industrial*
6 *base required under section 4815 of such title.*

7 (C) *Department of Defense technology and*
8 *industrial base policy guidance prescribed under*
9 *section 4811(c) of such title.*

10 (D) *Activities to modernize acquisition*
11 *processes to ensure the integrity of the industrial*
12 *base pursuant to section 4819 of such title.*

13 (E) *Defense memoranda of understanding*
14 *and related agreements considered in accordance*
15 *with section 4851 of such title.*

16 (F) *Industrial base or acquisition policy*
17 *changes.*

18 (G) *Legislative proposals for changes to rel-*
19 *evant statutes which the Department shall con-*
20 *sider, develop, and submit to the Committees on*
21 *Armed Services of the Senate and the House of*
22 *Representatives not less frequently than once per*
23 *fiscal year.*

24 (H) *Other actions as the Secretary of De-*
25 *fense determines appropriate.*

1 (c) *LIST OF GOODS AND SERVICES FOR ANALYSES,*
 2 *RECOMMENDATIONS, AND ACTIONS.—The items described*
 3 *in this subsection are the following:*

4 (1) *Traveling Wave Tubes and Traveling Wave*
 5 *Tube Amplifiers.*

6 **SEC. 834. PILOT PROGRAM ON CAPITAL ASSISTANCE TO**
 7 **SUPPORT DEFENSE INVESTMENT IN THE IN-**
 8 **DUSTRIAL BASE.**

9 (a) *IN GENERAL.—The Secretary of Defense may*
 10 *carry out a pilot program under this section to use capital*
 11 *assistance to support the duties and elements of sections 901*
 12 *and 907.*

13 (b) *ELIGIBILITY AND APPLICATION PROCESS.—*

14 (1) *IN GENERAL.—An eligible entity seeking cap-*
 15 *ital assistance for an eligible investment under this*
 16 *section shall submit to the Secretary of Defense an*
 17 *application at such time, in such manner, and con-*
 18 *taining such information as the Secretary may re-*
 19 *quire.*

20 (2) *SELECTION OF INVESTMENTS.—The Sec-*
 21 *retary shall establish criteria for selecting among eli-*
 22 *gible investments for which applications are sub-*
 23 *mitted under subsection (c)(2). The criteria shall in-*
 24 *clude—*

1 (A) *the extent to which an investment sup-*
 2 *ports the national security of the United States;*

3 (B) *the likelihood that capital assistance*
 4 *provided for an investment would enable the in-*
 5 *vestment to proceed sooner than the investment*
 6 *would otherwise be able to proceed; and*

7 (C) *the creditworthiness of an investment.*

8 (c) *CAPITAL ASSISTANCE.*—

9 (1) *LOANS AND LOAN GUARANTEES.*—

10 (A) *IN GENERAL.*—*The Secretary may pro-*
 11 *vide loans or loan guarantees to finance or refi-*
 12 *nance the costs of an eligible investment selected*
 13 *pursuant to subsection (b)(2).*

14 (B) *ADMINISTRATION OF LOANS.*—

15 (i) *INTEREST RATE.*—

16 (I) *IN GENERAL.*—*Except as pro-*
 17 *vided under subclause (II), the interest*
 18 *rate on a loan provided under sub-*
 19 *paragraph (A) shall be not less than*
 20 *the yield on marketable United States*
 21 *Treasury securities of a similar matu-*
 22 *rity to the maturity of the loan on the*
 23 *date of execution of the loan agreement.*

24 (II) *EXCEPTION.*—*The Secretary*
 25 *may waive the requirement under sub-*

1 *clause (I) with respect to an invest-*
2 *ment if the investment is determined*
3 *by the Secretary of Defense to be vital*
4 *to the national security of the United*
5 *States.*

6 (III) *CRITERIA.—The Secretary*
7 *shall establish separate and distinct*
8 *criteria for interest rates for loan guar-*
9 *antees with private sector lending in-*
10 *stitutions.*

11 (ii) *FINAL MATURITY DATE.—The final*
12 *maturity date of a loan provided under sub-*
13 *paragraph (A) shall be not later than 50*
14 *years after the date of substantial comple-*
15 *tion of the investment for which the loan*
16 *was provided.*

17 (iii) *PREPAYMENT.—A loan provided*
18 *under subparagraph (A) may be paid ear-*
19 *lier than is provided for under the loan*
20 *agreement without a penalty.*

21 (iv) *NONSUBORDINATION.—*

22 (I) *IN GENERAL.—A loan pro-*
23 *vided under subparagraph (A) shall*
24 *not be subordinated to the claims of*
25 *any holder of investment obligations in*

1 *the event of bankruptcy, insolvency, or*
 2 *liquidation of the obligor.*

3 (II) *EXCEPTION.*—*The Secretary*
 4 *may waive the requirement under sub-*
 5 *clause (I) with respect to the invest-*
 6 *ment in order to mitigate risks to loan*
 7 *repayment.*

8 (v) *SALE OF LOANS.*—*The Secretary*
 9 *may sell to another entity or reoffer into the*
 10 *capital markets a loan provided under sub-*
 11 *paragraph (A) if the Secretary determines*
 12 *that the sale or reoffering can be made on*
 13 *favorable terms.*

14 (vi) *LOAN GUARANTEES.*—*Any loan*
 15 *guarantee provided under subparagraph (A)*
 16 *shall specify the percentage of the principal*
 17 *amount guaranteed. If the Secretary deter-*
 18 *mines that the holder of a loan guaranteed*
 19 *by the Department of Defense defaults on*
 20 *the loan, the Secretary shall pay the holder*
 21 *as specified in the loan guarantee agree-*
 22 *ment.*

23 (vii) *INVESTMENT-GRADE RATING.*—
 24 *The Secretary shall establish a credit rating*
 25 *system to ensure a reasonable reassurance of*

1 *repayment. The system may include use of*
 2 *existing credit rating agencies where appro-*
 3 *priate.*

4 *(viii) TERMS AND CONDITIONS.—Loans*
 5 *and loan guarantees provided under sub-*
 6 *paragraph (A) shall be subject to such other*
 7 *terms and conditions and contain such*
 8 *other covenants, representations, warranties,*
 9 *and requirements (including requirements*
 10 *for audits) as the Secretary determines ap-*
 11 *propriate.*

12 *(ix) APPLICABILITY OF FEDERAL*
 13 *CREDIT REFORM ACT OF 1990.—Loans and*
 14 *loan guarantees provided under subpara-*
 15 *graph (A) shall be subject to the require-*
 16 *ments of the Federal Credit Reform Act of*
 17 *1990 (2 U.S.C. 661 et seq.).*

18 *(2) EQUITY INVESTMENTS.—*

19 *(A) IN GENERAL.—The Secretary may, as a*
 20 *minority investor, support an eligible investment*
 21 *selected pursuant to subsection (b)(2) with funds*
 22 *or use other mechanisms for the purpose of pur-*
 23 *chasing, and may make and fund commitments*
 24 *to purchase, invest in, make pledges in respect of,*
 25 *or otherwise acquire, equity or quasi-equity secu-*

1 *rities (such as warrants), or shares or financial*
2 *interests of the eligible entity receiving support*
3 *for the eligible investment, including as a limited*
4 *partner or other investor in investment funds,*
5 *upon such terms and conditions as the Secretary*
6 *may determine.*

7 (B) *SALES AND LIQUIDATION OF POSI-*
8 *TION.—The Secretary shall seek to sell and liq-*
9 *uidate any support for an investment provided*
10 *under subparagraph (A) as soon as commercially*
11 *feasible, commensurate with other similar inves-*
12 *tors in the investment and taking into consider-*
13 *ation the national security interests of the*
14 *United States.*

15 (3) *TECHNICAL ASSISTANCE.—Subjection to Ap-*
16 *propriations acts, the Secretary may provide tech-*
17 *nical assistance with respect to developing and fi-*
18 *nancing investments to eligible entities seeking cap-*
19 *ital assistance for eligible investments and eligible en-*
20 *tities receiving capital assistance under this section.*

21 (4) *TERMS AND CONDITIONS.—*

22 (A) *AMOUNT OF CAPITAL ASSISTANCE.—The*
23 *Secretary shall provide to an eligible investment*
24 *selected pursuant to subsection (b)(2) the amount*

1 *of assistance necessary to carry out the invest-*
2 *ment.*

3 *(B) USE OF UNITED STATES DOLLARS.—All*
4 *financial transactions conducted under this sec-*
5 *tion shall be conducted in United States dollars.*

6 *(d) ESTABLISHMENT OF ACCOUNTS.—*

7 *(1) CREDIT PROGRAM ACCOUNT.—*

8 *(A) ESTABLISHMENT.—There is established*
9 *in the Treasury of the United States a Depart-*
10 *ment of Defense Credit Program Account to exe-*
11 *cute loans and loan guarantees in accordance*
12 *with section 502 of the Federal Credit Reform*
13 *Act of 1990 (2 U.S.C. 661a).*

14 *(B) FUNDING.—The Credit Program Ac-*
15 *count shall consist of amounts appropriated pur-*
16 *suant to the authorization of appropriations and*
17 *fees collected pursuant to subparagraph (C).*

18 *(C) FEE AUTHORITY.—The Secretary may*
19 *charge and collect fees for providing capital as-*
20 *sistance in amounts to be determined by the Sec-*
21 *retary. The Secretary shall establish the amount*
22 *of such fees in regulations at an amount suffi-*
23 *cient to cover but not exceed the administrative*
24 *costs to the Office of providing capital assistance.*

25 *(2) EQUITY ACCOUNT.—*

1 (A) *ESTABLISHMENT.*—*There is established*
 2 *in the Treasury of the United States a Depart-*
 3 *ment of Defense Strategic Capital Equity Ac-*
 4 *count.*

5 (B) *FUNDING.*—*The Strategic Capital Eq-*
 6 *uity Account shall consist of all amounts appro-*
 7 *priated pursuant to the authorization of appro-*
 8 *priations.*

9 (3) *USE OF FUNDS.*—*Subject to appropriations*
 10 *Acts, the Secretary is authorized to pay, from the De-*
 11 *partment of Defense Credit Program Account or the*
 12 *Department of Defense Strategic Capital Equity Ac-*
 13 *count—*

14 (A) *the cost, as defined in section 502 of the*
 15 *Federal Credit Reform Act of 1990 (2 U.S.C.*
 16 *661a), of loans and loan guarantees and other*
 17 *capital assistance;*

18 (B) *administrative expenses associated with*
 19 *activities under this section;*

20 (C) *project-specific transaction costs;*

21 (D) *the cost of providing support authorized*
 22 *by this section; and*

23 (E) *the costs of equity investments.*

24 (e) *REGULATIONS.*—*The Secretary of Defense shall*
 25 *prescribe such regulations as are necessary to carry out this*

1 *section. The Secretary may not exercise the authorities*
 2 *available under this section until such time as these regula-*
 3 *tions have been issued and adopted by the Department.*

4 (f) *ANNUAL REPORT.*—*Not later than the first Monday*
 5 *in February of a fiscal year, the Secretary of Defense shall*
 6 *submit to the congressional defense committees an annual*
 7 *report describing activities carried out pursuant to this sec-*
 8 *tion in the preceding fiscal year and the goals of the De-*
 9 *partment of Defense in accordance with this section for the*
 10 *next fiscal year.*

11 (g) *NOTIFICATION REQUIREMENT.*—*The Secretary of*
 12 *Defense shall notify the congressional defense committees*
 13 *not later than 30 days after a use of loans, loan guarantees,*
 14 *equity investments, insurance, or reinsurance under this*
 15 *section.*

16 (h) *SUNSET.*—*The authorities provided under this sec-*
 17 *tion shall expire on October 1, 2028.*

18 (i) *DEFINITIONS.*—*In this section:*

19 (1) *CAPITAL ASSISTANCE.*—*The term “capital*
 20 *assistance” means loans, loan guarantees, equity in-*
 21 *vestments, insurance and reinsurance, or technical as-*
 22 *sistance provided under subsection (c).*

23 (2) *ELIGIBLE ENTITY.*—*The term “eligible enti-*
 24 *ty” means—*

25 (A) *an individual;*

1 (B) a corporation, including a limited li-
2 ability corporation;

3 (C) a partnership, including a public-pri-
4 vate, limited, or general partnership;

5 (D) a joint venture, including a strategic
6 alliance;

7 (E) a trust;

8 (F) a State of the United States, including
9 a political subdivision or any other instrumen-
10 tality of a State;

11 (G) a Tribal government or consortium of
12 Tribal governments;

13 (H) any other governmental entity or pub-
14 lic agency in the United States, including a spe-
15 cial purpose district or public authority, includ-
16 ing a port authority; or

17 (I) a multi-State or multi-jurisdictional
18 group of public entities within the United States.

19 (3) *ELIGIBLE INVESTMENT*.—The term “eligible
20 investment” means an investment that facilitates the
21 efforts of the Office—

22 (A) to identify, accelerate, and sustain the
23 establishment, research, development, construc-
24 tion, procurement, leasing, consolidation, alter-

1 *ation, improvement, or repair of tangible and*
 2 *intangible assets vital to national security; or*

3 *(B) to protect vital tangible and intangible*
 4 *assets from theft, acquisition, and transfer by*
 5 *adversaries of the United States.*

6 *(4) OBLIGOR.—The term “obligor” means a*
 7 *party that is primarily liable for payment of the*
 8 *principal of or interest on a loan.*

9 **SEC. 835. REQUIREMENT TO BUY CERTAIN SATELLITE COM-**
 10 **PONENTS FROM NATIONAL TECHNOLOGY**
 11 **AND INDUSTRIAL BASE.**

12 *(a) IN GENERAL.—Section 4864(a) of title 10, United*
 13 *States Code, is amended by adding at the end the following*
 14 *new paragraph:*

15 *“(6) TRAVELING-WAVE TUBE AND TRAVELING*
 16 *WAVE TUBE AMPLIFIERS.—A traveling-wave tube and*
 17 *traveling wave tube amplifier, that meets established*
 18 *technical and reliability requirements, used in a sat-*
 19 *ellite weighing more than 400 pounds whose principle*
 20 *purpose is to support the national security, defense,*
 21 *or intelligence needs of the United States Govern-*
 22 *ment.”.*

23 *(b) EXCEPTION.—Paragraph (6) of section 4864(a) of*
 24 *title 10, United States Code, as added by subsection (a),*
 25 *shall not apply with respect to programs that received Mile-*

1 *stone A approval (as defined in section 2431a of such title)*
 2 *before October 1, 2022.*

3 (c) *CLARIFICATION OF DELEGATION AUTHORITY.—*
 4 *Subject to subsection (i) of section 4864 of title 10, United*
 5 *States Code, the Secretary of Defense may delegate to a serv-*
 6 *ice acquisition executive the authority to make a waiver*
 7 *under subsection (d) of such section with respect to the limi-*
 8 *tation under subsection (a)(6) of such section, as added by*
 9 *subsection (a) of this section.*

10 **SEC. 836. SENSE OF CONGRESS RELATING TO RUBBER SUP-**
 11 **PLY.**

12 *It is the sense of Congress that—*

13 (1) *the Department of Defense should take all*
 14 *appropriate action to lessen the dependence of the*
 15 *Armed Forces on adversarial nations for the procure-*
 16 *ment of strategic and critical materials, and that one*
 17 *such material in short supply according to the most*
 18 *recent report from Defense Logistics Agency Strategic*
 19 *Material is natural rubber, undermining our national*
 20 *security and jeopardizing the military's ability to*
 21 *rely on a stable source of natural rubber for tire man-*
 22 *ufacturing and production of other goods; and*

23 (2) *the Secretary of Defense should take all ap-*
 24 *propriate action, pursuant with the authority pro-*
 25 *vided by the Strategic and Critical Materials Stock*

1 *Piling Act (50 U.S.C. 98a et seq.) to engage in activi-*
 2 *ties that may include stockpiling, but shall also in-*
 3 *clude research and development aspects for increasing*
 4 *the domestic supply of natural rubber.*

5 ***Subtitle D—Small Business Matters***

6 ***SEC. 841. AMENDMENTS TO DEFENSE RESEARCH AND DE-***
 7 ***VELOPMENT RAPID INNOVATION PROGRAM.***

8 *Section 4061 of title 10, United States Code, is amend-*
 9 *ed—*

10 *(1) in subsection (a)—*

11 *(A) in paragraph (1)—*

12 *(i) by inserting “to enable and assist*
 13 *small businesses” after “merit-based pro-*
 14 *gram”;*

15 *(ii) by striking “fielding of tech-*
 16 *nologies” and inserting “commercialization*
 17 *of various technologies, including critical*
 18 *technologies”; and*

19 *(iii) by inserting “capabilities devel-*
 20 *oped through competitively awarded proto-*
 21 *type agreements” after “defense labora-*
 22 *tories,”; and*

23 *(B) in paragraph (2), by inserting “support*
 24 *full-scale integration,” after “evaluation out-*
 25 *comes,”;*

1 (2) in subsection (b)—

2 (A) in paragraph (1), by inserting “pri-
3 marily major defense acquisition programs, but
4 also other” after “candidate proposals in support
5 of”; and

6 (B) in paragraph (2), by striking “by each
7 military department” and inserting “by each
8 component small business office of each military
9 department”; and

10 (3) in subsection (d)(2), by striking
11 “\$3,000,000” and inserting “\$6,000,000”.

12 **SEC. 842. DEPARTMENT OF DEFENSE MENTOR-PROTÉGÉ**
13 **PROGRAM.**

14 Section 4902(e) of title 10, United States Code, is
15 amended—

16 (1) in paragraph (1), by redesignating subpara-
17 graphs (A) through (D) as clauses (i) through (iv), re-
18 spectively;

19 (2) by redesignating paragraphs (1) and (2) as
20 subparagraphs (A) and (B), respectively;

21 (3) by striking “Before providing assistance”
22 and inserting “(1) Before providing assistance”; and

23 (4) by adding at the end the following new para-
24 graph:

1 “(2) *An agreement under this subsection may be a con-*
 2 *tract, cooperative agreement, or a partnership intermediary*
 3 *agreement.*”.

4 **SEC. 843. CONSIDERATION OF THE PAST PERFORMANCE OF**
 5 **AFFILIATE COMPANIES OF SMALL BUSI-**
 6 **NESSES.**

7 *Not later than July 1, 2024, the Secretary of Defense*
 8 *shall amend section 215.305 of the Defense Federal Acquisi-*
 9 *tion Supplement (or any successor regulation) to require*
 10 *that when small business concerns bid on Department of*
 11 *Defense contracts, the past performance evaluation and*
 12 *source selection processes shall consider, if relevant, the past*
 13 *performance information of affiliate companies of the small*
 14 *business concerns.*

15 **SEC. 844. TIMELY PAYMENTS FOR DEPARTMENT OF DE-**
 16 **FENSE SMALL BUSINESS SUBCONTRACTORS.**

17 *(a) REDUCTION IN TIME FOR CONTRACTOR EXPLA-*
 18 *NATION AND PAST PERFORMANCE CONSIDERATION OF UN-*
 19 *JUSTIFIED WITHHOLDING OF PAYMENTS TO DEPARTMENT*
 20 *OF DEFENSE SMALL BUSINESS SUBCONTRACTORS.—Sec-*
 21 *tion 8(d)(13)(B)(i) of the Small Business Act (15 U.S.C.*
 22 *637(d)(13)(B)(i)) is amended by inserting “, or, for a cov-*
 23 *ered contract awarded by the Department of Defense, more*
 24 *than 30 days past due,” after “90 days past due”.*

1 (b) *CLARIFICATION THAT CONTRACTING OFFICERS OF*
 2 *THE DEPARTMENT OF DEFENSE ARE AUTHORIZED TO*
 3 *ENTER OR MODIFY PAST PERFORMANCE INFORMATION RE-*
 4 *LATED TO UNJUSTIFIED NON-PAYMENT OR REDUCED PAY-*
 5 *MENT BEFORE OR AFTER CONTRACT CLOSE-OUT.*—Section
 6 *8(d)(13)(C) of the Small Business Act (15 U.S.C.*
 7 *637(d)(13)(C)) is amended—*

8 (1) *by striking “A contracting officer” and in-*
 9 *serting the following:*

10 “(i) *IN GENERAL.*—A contracting offi-
 11 *cer*”; and

12 (2) *by adding at the end the following:*

13 “(ii) *PAST PERFORMANCE INFORMA-*
 14 *TION FOR DOD CONTRACTS.*—The con-
 15 *tracting officer for a covered contract*
 16 *awarded by the Department of Defense may*
 17 *enter or modify past performance informa-*
 18 *tion of the prime contractor in connection*
 19 *with the unjustified failure to make a full*
 20 *or timely payment to a subcontractor before*
 21 *or after close-out of the covered contract.”.*

22 (c) *DUTY OF COOPERATION TO CORRECT AND MITI-*
 23 *GATE UNJUSTIFIED FAILURE BY DEPARTMENT OF DE-*
 24 *FENSE PRIME CONTRACTORS TO MAKE FULL OR TIMELY*

1 *PAYMENTS TO SUBCONTRACTORS.—Section 8(d)(13) of the*
2 *Small Business Act (15 U.S.C. 637(d)(13)) is amended—*

3 *(1) by redesignating subparagraph (E) as sub-*
4 *paragraph (F);*

5 *(2) by inserting after subparagraph (D) the fol-*
6 *lowing:*

7 *“(E) COOPERATION ON DOD CONTRACTS.—*

8 *“(i) IN GENERAL.—If a contracting of-*
9 *ficer of the Department of Defense deter-*
10 *mines, with respect to a prime contractor’s*
11 *past performance, that there was an un-*
12 *justified failure by the prime contractor on*
13 *a covered contract awarded by the Depart-*
14 *ment of Defense to make a full or timely*
15 *payment to a subcontractor covered by sub-*
16 *paragraph (B) or (C), such prime con-*
17 *tractor is required to cooperate with the*
18 *contracting officer, who shall consult with*
19 *the Director of Small Business Programs or*
20 *Director of Small and Disadvantaged Busi-*
21 *ness Utilization acting pursuant to section*
22 *15(k)(6) and other representatives of the De-*
23 *partment of Defense, with regards to cor-*
24 *recting and mitigating such unjustified fail-*

ure to make a full or timely payment to the subcontractor.

“(ii) *PERIOD.*—The duty of cooperation under this subparagraph continues until the subcontractor is made whole or the contracting officer’s determination is no longer effective, and regardless of performance or close-out status of the covered contract.”; and

(3) in subparagraph (D), by striking “subparagraph (E)” and inserting “subparagraph (F)”.

(d) *APPLICABILITY.*—The amendments made by this section shall apply to any covered contract (as defined in section 8(d)(13)(A) of the Small Business Act (15 U.S.C. 637(d)(13)(A)) that is entered into or modified by the Department of Defense on or after the date of enactment of this Act.

SEC. 845. EXTENSION OF PILOT PROGRAM FOR STREAMLINED TECHNOLOGY TRANSITION FROM THE SBIR AND STTR PROGRAMS OF THE DEPARTMENT OF DEFENSE.

Section 1710(e) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91) is amended by striking “September 30, 2023” and inserting “September 30, 2028”.

1 **SEC. 846. ANNUAL REPORTS REGARDING THE SBIR PRO-**
 2 **GRAM OF THE DEPARTMENT OF DEFENSE.**

3 *Section 279(a) of the William M. (Mac) Thornberry*
 4 *National Defense Authorization Act for Fiscal Year 2021*
 5 *(Public Law 116–283; 134 Stat. 3507) is amended by strik-*
 6 *ing “each fiscal years 2021, 2022, and 2023” and replacing*
 7 *with “each fiscal year through fiscal year 2028”.*

8 **SEC. 847. MODIFICATIONS TO THE PROCUREMENT TECH-**
 9 **NICAL ASSISTANCE PROGRAM.**

10 *(a) DEFINITIONS.—Section 4951 of title 10, United*
 11 *States Code, is amended—*

12 *(1) in paragraph (1)(C), by striking “private,*
 13 *nonprofit organization” and inserting “nonprofit or-*
 14 *ganization”; and*

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

17 *“(5) The term ‘business entity’ means a corpora-*
 18 *tion, association, partnership, limited liability com-*
 19 *pany, limited liability partnership, consortia, not-for-*
 20 *profit, or other legal entity.”.*

21 *(b) COOPERATIVE AGREEMENTS.—Section 4954 of title*
 22 *10, United States Code, is amended—*

23 *(1) in subsection (b)—*

24 *(A) by redesignating paragraphs (1) and*

25 *(2) as subparagraphs (A) and (B);*

26 *(B) by inserting “(1)” before “Under”; and*

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

3 “(2) *The Secretary shall have the ability to waive or*
4 *modify the percentages specified in paragraph (1), on a*
5 *case-by-case basis, if the Secretary determines that it would*
6 *be in the best interest of the program.*”;

7 (2) *by striking subsection (c) and redesignating*
8 *subsections (d), (e), and (f) as subsections (e), (f), and*
9 *(h); and*

10 (3) *by inserting after subsection (f), as redesign-*
11 *ated by paragraph (2), the following new subsection:*

12 “(g) *WAIVER OF GOVERNMENT COST SHARE RESTRIC-*
13 *TION.—If the Secretary of Defense determines it to be in*
14 *the best interests of the Federal Government, the Secretary*
15 *may waive the restrictions on the percentage of eligible costs*
16 *covered by the program under section (b). The Secretary*
17 *shall submit to the congressional defense committees a writ-*
18 *ten justification for such determination.*”.

19 (c) *AUTHORITY TO PROVIDE CERTAIN TYPES OF*
20 *TECHNICAL ASSISTANCE.—Section 4958(c) of title 10,*
21 *United States Code, is amended—*

22 (1) *in paragraph (1), by striking “; and” and*
23 *inserting a semicolon;*

24 (2) *in paragraph (2), by striking the period at*
25 *the end and inserting “; and”; and*

1 (3) by adding at the end the following new para-
2 graphs:

3 “(3) under clause 252.204–7012 of the Defense
4 Acquisition Regulation Supplement, or any successor
5 regulation, and on compliance with those require-
6 ments (and any successor requirements); and

7 “(4) under section 847 of the National Defense
8 Authorization Act for Fiscal Year 2020 (Public Law
9 116–92; 133 Stat. 1505), and on compliance with
10 those requirements (and any such successor require-
11 ments).”.

12 **SEC. 848. EXTENSION OF PILOT PROGRAM TO INCENTIVIZE**
13 **CONTRACTING WITH EMPLOYEE-OWNED**
14 **BUSINESSES.**

15 Section 874 of the National Defense Authorization Act
16 for Fiscal Year 2022 (Public Law 117–81; 10 U.S.C. 3204
17 note) is amended—

18 (1) in subsection (b)—

19 (A) in paragraph (1), by inserting “and
20 prescribe regulations” after “establish a pilot
21 program”; and

22 (B) in paragraph (3), by striking “A quali-
23 fied” and inserting “Each contract held by a
24 qualified”;

(2) in subsection (c)(2), by striking “expended on subcontracts, subject to such necessary and reasonable waivers” and inserting the following: “expended on subcontracts, except—

“(A) to the extent subcontracted amounts exceeding 50 percent are subcontracted to other qualified businesses wholly-owned through an Employee Stock Ownership Plan;

“(B) in the case of contracts for products, to the extent subcontracted amounts exceeding 50 percent are for materials not available from another qualified business wholly-owned through an Employee Stock Ownership Plan; or

“(C) pursuant to such necessary and reasonable waivers”; and

(3) in subsection (e), by striking “five years after” and inserting “eight years after”.

SEC. 849. ELIMINATING SELF-CERTIFICATION FOR SERVICE-DISABLED VETERAN-OWNED SMALL BUSINESSES.

(a) *DEFINITIONS.*—In this section:

(1) *ADMINISTRATOR.*—The term “Administrator” means the Administrator of the Small Business Administration.

1 (2) *SMALL BUSINESS CONCERN; SMALL BUSINESS*
 2 *CONCERNS OWNED AND CONTROLLED BY SERVICE-DIS-*
 3 *ABLED VETERANS.*—*The terms “small business con-*
 4 *cern” and “small business concerns owned and con-*
 5 *trolled by service-disabled veterans” have the mean-*
 6 *ings given those terms in section 3 of the Small Busi-*
 7 *ness Act (15 U.S.C. 632).*

8 (b) *ELIMINATING SELF-CERTIFICATION IN PRIME CON-*
 9 *TRACTING AND SUBCONTRACTING FOR SDVOSBs.*—

10 (1) *IN GENERAL.*—*Each prime contract award*
 11 *and subcontract award that is counted for the purpose*
 12 *of meeting the goals for participation by small busi-*
 13 *ness concerns owned and controlled by service-disabled*
 14 *veterans in procurement contracts for Federal agen-*
 15 *cies, as established in section 15(g)(2) of the Small*
 16 *Business Act (15 U.S.C. 644(g)(2)), shall be entered*
 17 *into with small business concerns certified by the Ad-*
 18 *ministrator as small business concerns owned and*
 19 *controlled by service-disabled veterans under section*
 20 *36 of such Act (15 U.S.C. 657f).*

21 (2) *EFFECTIVE DATE.*—*Paragraph (1) shall take*
 22 *effect on October 1 of the fiscal year beginning after*
 23 *the Administrator promulgates the regulations re-*
 24 *quired under subsection (d).*

1 (c) *PHASED APPROACH TO ELIMINATING SELF-CER-*
 2 *TIFICATION FOR SDVOSBS.*—*Notwithstanding any other*
 3 *provision of law, any small business concern that self-cer-*
 4 *tified as a small business concern owned and controlled by*
 5 *service-disabled veterans may—*

6 (1) *if the small business concern files a certifi-*
 7 *cation application with the Administrator before the*
 8 *end of the 1-year period beginning on the date of en-*
 9 *actment of this Act, maintain such self-certification*
 10 *until the Administrator makes a determination with*
 11 *respect to such certification; and*

12 (2) *if the small business concern does not file a*
 13 *certification application before the end of the 1-year*
 14 *period beginning on the date of enactment of this Act,*
 15 *lose, at the end of such 1-year period, any self-certifi-*
 16 *cation of the small business concern as a small busi-*
 17 *ness concern owned and controlled by service-disabled*
 18 *veterans.*

19 (d) *RULEMAKING.*—*Not later than 180 days after the*
 20 *date of enactment of this Act, the Administrator shall pro-*
 21 *mulgate regulations to carry out this section.*

22 **SEC. 850. PAYMENT OF SUBCONTRACTORS.**

23 Section 8(d)(13) of the Small Business Act (15 U.S.C.
 24 637(d)(13)) is amended—

1 (1) in subparagraph (B)(i), by striking “90
2 days” and inserting “30 days”;

3 (2) in subparagraph (C)—

4 (A) by striking “contractor shall” and in-
5 serting “contractor—

6 “(i) shall”;

7 (B) in clause (i), as so designated, by strik-
8 ing the period at the end and inserting “; and”;
9 and

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

11 “(i) may enter or modify past perform-
12 ance information of the prime contractor in
13 connection with the unjustified failure to
14 make a full or timely payment to a subcon-
15 tractor subject to this paragraph before or
16 after close-out of the covered contract.”.

17 (3) in subparagraph (D), by striking “subpara-
18 graph (E)” and inserting “subparagraph (F)”;

19 (4) by redesignating subparagraph (E) as sub-
20 paragraph (F); and

21 (5) by inserting after subparagraph (D) the fol-
22 lowing”:

23 “(E) COOPERATION.—

24 “(i) IN GENERAL.—Once a contracting
25 officer determines, with respect to the past

1 *performance of a prime contractor, that*
2 *there was an unjustified failure by the*
3 *prime contractor on a covered contract to*
4 *make a full or timely payment to a subcon-*
5 *tractor covered by subparagraph (B) or (C),*
6 *the prime contractor is required to cooper-*
7 *ate with the contracting officer, who shall*
8 *consult with the Director of Small Business*
9 *Programs or the Director of Small and Dis-*
10 *advantaged Business Utilization acting*
11 *pursuant to section 15(k)(6) and other rep-*
12 *resentatives of the Government, regarding*
13 *correcting and mitigating the unjustified*
14 *failure to make a full or timely payment to*
15 *a subcontractor.*

16 “(ii) *DURATION.*—*The duty of coopera-*
17 *tion under this subparagraph for a prime*
18 *contractor described in clause (i) continues*
19 *until the subcontractor is made whole or the*
20 *determination of the contracting officer de-*
21 *termination is no longer effective, and re-*
22 *gardless of performance or close-out status*
23 *of the covered contract.”.*

1 **SEC. 851. INCREASE IN GOVERNMENTWIDE GOAL FOR PAR-**
 2 **TICIPATION IN FEDERAL CONTRACTS BY**
 3 **SMALL BUSINESS CONCERNS OWNED AND**
 4 **CONTROLLED BY SERVICE-DISABLED VET-**
 5 **ERANS.**

6 *Section 15(g)(1)(A)(ii) of the Small Business Act (15*
 7 *U.S.C. 644(g)(1)(A)(ii)) is amended by striking “3 percent”*
 8 *and inserting “5 percent”.*

9 **SEC. 852. AMENDMENTS TO CONTRACTING AUTHORITY FOR**
 10 **CERTAIN SMALL BUSINESS CONCERNS.**

11 *(a) SOCIALLY AND ECONOMICALLY DISADVANTAGED*
 12 *SMALL BUSINESS CONCERNS.—Section 8(a)(1)(D)(i)(II) of*
 13 *the Small Business Act (15 U.S.C. 637(a)(1)(D)(i)(II)) is*
 14 *amended—*

15 *(1) by inserting “(or \$10,000,000, in the case of*
 16 *a Department of Defense contract, as adjusted for in-*
 17 *flation by the Federal Acquisition Regulatory Council*
 18 *under section 1.109 of the Federal Acquisition Regu-*
 19 *lation)” after “\$7,000,000”; and*

20 *(2) by inserting “(or \$8,000,000, in the case of*
 21 *a Department of Defense contract, as adjusted for in-*
 22 *flation by the Federal Acquisition Regulatory Council*
 23 *under section 1.109 of the Federal Acquisition Regu-*
 24 *lation)” after “\$3,000,000”.*

1 (b) *CERTAIN SMALL BUSINESS CONCERNS OWNED AND*
 2 *CONTROLLED BY WOMEN.*—Section 8(m) of the *Small Busi-*
 3 *ness Act (15 U.S.C.637(m))* is amended—

4 (1) in paragraph (7)(B)—

5 (A) in clause (i), by inserting “(or
 6 \$10,000,000, in the case of a Department of De-
 7 fense contract, as adjusted for inflation by the
 8 Federal Acquisition Regulatory Council under
 9 section 1.109 of the Federal Acquisition Regula-
 10 tion)” after “\$7,000,000”; and

11 (B) in clause (ii), by inserting “(or
 12 \$8,000,000, in the case of a Department of De-
 13 fense contract, as adjusted for inflation by the
 14 Federal Acquisition Regulatory Council under
 15 section 1.109 of the Federal Acquisition Regula-
 16 tion)” after “\$4,000,000”; and

17 (2) in paragraph (8)(B)—

18 (A) in clause (i), by inserting “(or
 19 \$10,000,000, in the case of a Department of De-
 20 fense contract, as adjusted for inflation by the
 21 Federal Acquisition Regulatory Council under
 22 section 1.109 of the Federal Acquisition Regula-
 23 tion)” after “\$7,000,000”; and

24 (B) in clause (ii), by inserting “(or
 25 \$8,000,000, in the case of a Department of De-

1 *fense contract, as adjusted for inflation by the*
 2 *Federal Acquisition Regulatory Council under*
 3 *section 1.109 of the Federal Acquisition Regula-*
 4 *tion)” after “\$4,000,000”.*

5 (c) *QUALIFIED HUBZONE SMALL BUSINESS CON-*
 6 *CERNS.—Section 31(c)(2)(A)(ii) of the Small Business Act*
 7 *(15 U.S.C. 657a(c)(2)(A)(ii)) is amended—*

8 (1) *in subclause (I), by inserting “(or*
 9 *\$10,000,000, in the case of a Department of Defense*
 10 *contract, as adjusted for inflation by the Federal Ac-*
 11 *quisition Regulatory Council under section 1.109 of*
 12 *the Federal Acquisition Regulation)” after*
 13 *“\$7,000,000”; and*

14 (2) *in subclause (II), by inserting “(or*
 15 *\$8,000,000, in the case of a Department of Defense*
 16 *contract, as adjusted for inflation by the Federal Ac-*
 17 *quisition Regulatory Council under section 1.109 of*
 18 *the Federal Acquisition Regulation)” after*
 19 *“\$3,000,000”.*

20 (d) *SMALL BUSINESS CONCERNS OWNED AND CON-*
 21 *TROLLED BY SERVICE-DISABLED VETERANS.—Section*
 22 *36(c)(2) of the Small Business Act (15 U.S.C. 657f(c)(2))*
 23 *is amended—*

24 (1) *in subparagraph (A), by inserting “(or*
 25 *\$10,000,000, in the case of a Department of Defense*

1 *contract, as adjusted for inflation by the Federal Ac-*
 2 *quisition Regulatory Council under section 1.109 of*
 3 *the Federal Acquisition Regulation)” after*
 4 *“\$7,000,000”; and*

5 (2) *in subparagraph (B), by inserting “(or*
 6 *\$8,000,000, in the case of a Department of Defense*
 7 *contract, as adjusted for inflation by the Federal Ac-*
 8 *quisition Regulatory Council under section 1.109 of*
 9 *the Federal Acquisition Regulation)” after*
 10 *“\$3,000,000”.*

11 (e) *CERTAIN VETERAN-OWNED CONCERNS.—Section*
 12 *8127(c) of title 38, United States Code, is amended by strik-*
 13 *ing “\$5,000,000” and inserting “the dollar thresholds under*
 14 *section 36(c)(2) of the Small Business Act (15 U.S.C.*
 15 *657f(c)(2))”.*

16 ***Subtitle E—Other Matters***

17 ***SEC. 861. LIMITATION ON THE AVAILABILITY OF FUNDS*** 18 ***PENDING A PLAN FOR IMPLEMENTING THE*** 19 ***REPLACEMENT FOR THE SELECTED ACQUISI-*** 20 ***TION REPORTING SYSTEM.***

21 *Of the funds authorized to be appropriated by this Act*
 22 *for Operation and Maintenance, Defense-Wide, for travel*
 23 *for the Office of the Under Secretary of Defense for Acquisi-*
 24 *tion and Sustainment, not more than 85 percent may be*
 25 *obligated or expended until the Secretary of Defense submits*

1 *to the congressional defense committees a plan for imple-*
 2 *menting the replacement for the Selected Acquisition Re-*
 3 *porting system as required by section 809 of the James M.*
 4 *Inhofe National Defense Authorization Act for Fiscal Year*
 5 *2023 (Public Law 117–263), including—*

6 (1) *a timeline and process for implementing the*
 7 *requirements of such section 809;*

8 (2) *a timeline and process for implementing*
 9 *quarterly reporting versus annually for the replace-*
 10 *ment system, including identification of policy, proce-*
 11 *dural, or technical challenges to implementing that*
 12 *reporting periodicity;*

13 (3) *a timeline and process for providing access*
 14 *to the replacement reporting system to congressional*
 15 *staff; and*

16 (4) *a timeline and process for providing access*
 17 *to the replacement reporting system to the Govern-*
 18 *ment Accountability Office, the public, and other rel-*
 19 *evant stakeholders.*

20 **SEC. 862. EXTENSION OF PILOT PROGRAM FOR DISTRIBUTION**
 21 **SUPPORT AND SERVICES FOR WEAPONS**
 22 **SYSTEMS CONTRACTORS.**

23 *Section 883 of the National Defense Authorization Act*
 24 *for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C. 4292*
 25 *note prec.) is amended—*

1 (1) in subsection (a), by striking “seven-year
2 pilot program” and inserting “eight-year pilot pro-
3 gram”; and

4 (2) in subsection (g), by striking “seven years”
5 and inserting “eight years”.

6 **SEC. 863. MODIFICATION OF EFFECTIVE DATE FOR EXPAN-**
7 **SION ON THE PROHIBITION ON ACQUIRING**
8 **CERTAIN METAL PRODUCTS.**

9 Section 844(b) of the William M. (Mac) Thornberry
10 National Defense Authorization Act for Fiscal Year 2021
11 (Public Law 116–283; 134 Stat. 3766) is amended by strik-
12 ing “5 years” and inserting “6 years”.

13 **SEC. 864. FOREIGN SOURCES OF SPECIALTY METALS.**

14 Section 4863(d) of title 10, United States Code, is
15 amended—

16 (1) in paragraph (1), by redesignating subpara-
17 graphs (A) and (B) as clauses (i) and (ii), respec-
18 tively;

19 (2) by redesignating paragraphs (1) and (2) as
20 subparagraphs (A) and (B), respectively;

21 (3) by inserting “(1)” before “Subsection (a)(1)”;
22 and

23 (4) by adding at the end the following new para-
24 graph:

1 “(2) *Any specialty metal procured as mill product or*
 2 *incorporated into a component other than an end item pur-*
 3 *suant to this subsection shall be melted or produced—*

4 “(A) *in the United States;*

5 “(B) *in the country from which the mill product*
 6 *or component is procured; or*

7 “(C) *in another country covered under para-*
 8 *graph (1)(A)(ii).”.*

9 **SEC. 865. UNIVERSITY AFFILIATED RESEARCH CENTER FOR**
 10 **CRITICAL MINERALS.**

11 (a) *PLAN TO ESTABLISH A UNIVERSITY AFFILIATED*
 12 *RESEARCH CENTER FOR CRITICAL MINERALS.—*

13 (1) *IN GENERAL.—The Secretary of Defense, in*
 14 *consultation with the Under Secretary of Defense for*
 15 *Research and Engineering, shall develop a plan to es-*
 16 *tablish a new University Affiliated Research Center*
 17 *(UARC), or to expand a current relevant UARC or*
 18 *consortia of universities, for the purposes of contrib-*
 19 *uting to the capacity of the Department to conduct*
 20 *research, development, engineering or workforce ex-*
 21 *pansion related to critical minerals for national secu-*
 22 *rity needs. The plan should focus on institutional ca-*
 23 *capacity at a mining school or schools with expertise in*
 24 *engineering, applied research, commercial and work-*

1 *force development activities related to critical min-*
2 *erals.*

3 (2) *ELEMENTS.*—*The plan required by para-*
4 *graph (1) shall include the following:*

5 (A) *An assessment of the engineering, ap-*
6 *plied research, commercialization, and workforce*
7 *development capabilities relating to critical min-*
8 *erals of mining schools, including an assessment*
9 *of the workforce and physical research infra-*
10 *structure of such schools.*

11 (B) *An assessment of the ability of mining*
12 *schools—*

13 (i) *to participate in defense-related en-*
14 *gineering, applied research, commercializa-*
15 *tion, and workforce development activities*
16 *relating to critical minerals;*

17 (ii) *to effectively compete for defense-*
18 *related engineering, applied research, com-*
19 *mercialization, and workforce development*
20 *contracts and grants; and*

21 (iii) *to support the mission of the*
22 *Under Secretary to extend the capabilities*
23 *of current war fighting systems, develop*
24 *breakthrough capabilities, hedge against an*
25 *uncertain future through a set of scientific*

1 and engineering options, and counter stra-
2 tegic surprise.

3 (C) *An assessment of the activities and in-*
4 *vestments necessary—*

5 (i) *to augment facilities or educational*
6 *programming at mining schools or a con-*
7 *sortium of mining schools—*

8 (I) *to support the mission of the*
9 *Under Secretary;*

10 (II) *to access, secure, and conduct*
11 *research relating to sensitive or classi-*
12 *fied information; and*

13 (III) *to respond quickly to emerg-*
14 *ing engineering, applied research, com-*
15 *mercialization, and workforce needs re-*
16 *lating to critical minerals.*

17 (ii) *to increase the participation of*
18 *mining schools in defense-related engineer-*
19 *ing, applied research, commercialization,*
20 *and workforce development activities; and*

21 (iii) *to increase the ability of mining*
22 *schools to effectively compete for defense-re-*
23 *lated engineering, applied research, com-*
24 *mmercialization, and workforce development*
25 *contracts and grants.*

1 (D) *Recommendations identifying actions*
2 *that may be taken by the Secretary, the Under*
3 *Secretary, Congress, mining schools, and other*
4 *organizations to increase the participation of*
5 *mining schools in defense-related engineering,*
6 *applied research, commercialization, and work-*
7 *force development activities, contracts, and*
8 *grants.*

9 (E) *The specific goals, incentives, and*
10 *metrics developed by the Secretary under sub-*
11 *paragraph (D) to increase and measure the ca-*
12 *capacity of mining schools to address the engineer-*
13 *ing, applied research, commercialization, and*
14 *workforce development needs of the Department*
15 *of Defense.*

16 (3) *CONSULTATIONS.—In developing the plan re-*
17 *quired by paragraph (1), the Secretary and the Under*
18 *Secretary shall consult with such other public and*
19 *private sector organizations as the Secretary and the*
20 *Under Secretary determine appropriate.*

21 (4) *REPORT REQUIRED.—Not later than one*
22 *year after the date of the enactment of this Act, the*
23 *Secretary shall—*

1 (A) submit to the congressional defense com-
2 mittees a report that includes the plan developed
3 under paragraph (1); and

4 (B) make the plan available on a publicly
5 accessible website of the Department of Defense.

6 (b) *ACTIVITIES TO SUPPORT THE ENGINEERING, AP-*
7 *PLIED RESEARCH, COMMERCIALIZATION, AND WORKFORCE*
8 *DEVELOPMENT CAPACITY OF MINING SCHOOLS.—*

9 (1) *IN GENERAL.*—Subject to the availability of
10 appropriations, the Under Secretary may establish a
11 program to award contracts, grants, or other agree-
12 ments on a competitive basis, and to perform other
13 appropriate activities, for the purposes described in
14 paragraph (2).

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

17 (A) *Developing the capability, including*
18 *workforce and research infrastructure, for min-*
19 *ing schools to more effectively compete for Fed-*
20 *eral engineering, applied research, commer-*
21 *cialization, and workforce development funding*
22 *opportunities.*

23 (B) *Improving the capability of mining*
24 *schools to recruit and retain research faculty,*
25 *and to participate in appropriate personnel ex-*

1 *change programs and educational and career de-*
 2 *velopment activities.*

3 *(C) Any other purposes the Under Secretary*
 4 *determines appropriate for enhancing the de-*
 5 *fense-related engineering, applied research, com-*
 6 *mercialization, and development capabilities of*
 7 *mining schools.*

8 *(c) INCREASING PARTNERSHIPS FOR MINING SCHOOLS*
 9 *WITH NATIONAL SECURITY RESEARCH AND ENGINEERING*
 10 *ORGANIZATIONS.—*

11 *(1) IN GENERAL.—Chapter 305 of title 10,*
 12 *United States Code, is amended by adding at the end*
 13 *the following new section:*

14 **“§4145. Research and educational programs and ac-**
 15 **tivities: critical minerals**

16 **“(a) PROGRAM ESTABLISHED.—**

17 **“(1) IN GENERAL.—***The Secretary of Defense,*
 18 *acting through the Under Secretary of Defense for Re-*
 19 *search and Engineering and the Secretary of each*
 20 *military department, shall carry out a program to*
 21 *provide assistance to covered educational institutions*
 22 *to assist the Department of Defense in defense-related*
 23 *critical minerals engineering, applied research, com-*
 24 *mercialization, and workforce development activities.*

1 “(2) *LIMITATION ON DELEGATION.*—*The Sec-*
2 *retary of Defense may not delegate or transfer to an*
3 *individual outside the Office of the Secretary of De-*
4 *fense the authority regarding the programming or*
5 *budgeting of the program established by this section*
6 *that is carried out by the Under Secretary of Defense*
7 *for Research and Engineering.*

8 “(b) *PROGRAM OBJECTIVE.*—*The objective of the pro-*
9 *gram established by subsection (a)(1) is to enhance defense-*
10 *related critical minerals research and education at covered*
11 *educational institutions. Such objective shall be accom-*
12 *plished through initiatives designed to—*

13 “(1) *enhance the critical minerals research and*
14 *educational capabilities of such institutions in areas*
15 *of importance to national defense, as determined by*
16 *the Secretary;*

17 “(2) *encourage the participation of such institu-*
18 *tions in the research, development, testing, and eval-*
19 *uation programs and activities of the Department of*
20 *Defense relating to critical minerals;*

21 “(3) *increase the number of graduates from such*
22 *institutions engaged in critical minerals-related dis-*
23 *ciplines important to the national security functions*
24 *of the Department of Defense, as determined by the*
25 *Secretary; and*

1 “(4) encourage research and educational collabo-
2 rations between such institutions and other institu-
3 tions of higher education, Government defense organi-
4 zations, and the defense industry relating to critical
5 minerals.

6 “(c) ASSISTANCE PROVIDED.—Under the program es-
7 tablished under subsection (a)(1), the Secretary of Defense
8 may provide covered educational institutions with funding
9 or technical assistance, including any of the following:

10 “(1) Support for research, development, testing,
11 evaluation, or educational enhancements in areas im-
12 portant to national defense through the competitive
13 awarding of grants, cooperative agreements, contracts,
14 scholarships, fellowships, or the acquisition of research
15 equipment or instrumentation.

16 “(2) Support to assist in the attraction and re-
17 tention of faculty in scientific disciplines important
18 to the national security functions of the Department
19 of Defense.

20 “(3) Establishing partnerships between such in-
21 stitutions and defense laboratories, Government de-
22 fense organizations, the defense industry, and other
23 institutions of higher education in research, develop-
24 ment, testing, and evaluation in areas important to

1 *the national security functions of the Department of*
 2 *Defense.*

3 “(4) *Other such non-monetary assistance as the*
 4 *Secretary finds appropriate to enhance defense-related*
 5 *research, development, testing, and evaluation activi-*
 6 *ties at such institutions.*

7 “(d) *INCENTIVES.*—

8 “(1) *IN GENERAL.*—*The Secretary of Defense*
 9 *may develop incentives to encourage critical minerals-*
 10 *related research and educational collaborations be-*
 11 *tween covered educational institutions and other in-*
 12 *stitutions of higher education.*

13 “(2) *GOALS.*—*The Secretary of Defense shall es-*
 14 *tablish goals and incentives to encourage Federally*
 15 *funded research and development centers, science and*
 16 *technology reinvention laboratories, and University*
 17 *Affiliated Research Centers funded by the Department*
 18 *of Defense—*

19 “(A) *to assess the capacity of covered edu-*
 20 *cational institutions to address the critical min-*
 21 *erals research and development needs of the De-*
 22 *partment through partnerships and collabora-*
 23 *tions; and*

24 “(B) *if appropriate, to enter into partner-*
 25 *ships and collaborations with such institutions.*

1 “(e) *CRITERIA FOR FUNDING.*—*The Secretary of De-*
 2 *fense may establish procedures under which the Secretary*
 3 *may limit funding under this section to institutions that*
 4 *have not otherwise received a significant amount of funding*
 5 *from the Department of Defense for research, development,*
 6 *testing, and evaluation programs supporting the national*
 7 *security functions of the Department.*

8 “(f) *DEFINITION OF COVERED EDUCATIONAL INSTITU-*
 9 *TION.*—

10 “(1) *IN GENERAL.*—*In this section, the term*
 11 *‘covered educational institution’ means—*

12 “(A) *a mining, metallurgical, geological, or*
 13 *mineral engineering program—*

14 “(i) *accredited by the Accreditation*
 15 *Board for Engineering and Technology,*
 16 *Inc.; and*

17 “(ii) *located at an institution of higher*
 18 *education; or*

19 “(B) *an institution of higher learning or*
 20 *community college with a geology or engineering*
 21 *program or department that has experience in*
 22 *mining research or work with the mining indus-*
 23 *try.*

24 “(2) *INSTITUTION OF HIGHER EDUCATION.*—*For*
 25 *purposes of paragraph (1), the term ‘institution of*

1 *higher education’ has the meaning given that term in*
 2 *section 101 of the Higher Education Act of 1965 (20*
 3 *U.S.C. 1001).”.*

4 (2) *CLERICAL AMENDMENT.—The table of sec-*
 5 *tions at the beginning of chapter 305 of such title is*
 6 *amended by adding at the end the following new item:*

“4145. Research and educational programs and activities: critical minerals.”.

7 (d) *MINING SCHOOL DEFINED.—*

8 (1) *IN GENERAL.—In this section, the term*
 9 *“mining school” means—*

10 (A) *a mining, metallurgical, geological, or*
 11 *mineral engineering program—*

12 (i) *accredited by the Accreditation*
 13 *Board for Engineering and Technology,*
 14 *Inc.; and*

15 (ii) *located at an institution of higher*
 16 *education; or*

17 (B) *an institution of higher learning or*
 18 *community college with a geology or engineering*
 19 *program or department that has experience in*
 20 *mining research or work with the mining indus-*
 21 *try.*

22 (2) *INSTITUTION OF HIGHER EDUCATION.—For*
 23 *purposes of paragraph (1), the term “institution of*
 24 *higher education” has the meaning given that term in*

1 *section 101 of the Higher Education Act of 1965 (20*
2 *U.S.C. 1001).*

3 **SEC. 866. ENHANCED DOMESTIC CONTENT REQUIREMENT**
4 **FOR NAVY SHIPBUILDING PROGRAMS.**

5 *(a) ENHANCED DOMESTIC CONTENT REQUIREMENT.—*

6 *(1) CONTRACTING REQUIREMENTS.—Except as*
7 *provided in paragraph (2), for purposes of chapter 83*
8 *of title 41, United States Code, manufactured articles,*
9 *materials, or supplies procured as part of a Navy*
10 *shipbuilding program are manufactured substantially*
11 *all from articles, materials, or supplies mined, pro-*
12 *duced, or manufactured in the United States if the*
13 *cost of such component articles, materials, or sup-*
14 *plies—*

15 *(A) supplied during the period beginning*
16 *January 1, 2026, and ending December 31,*
17 *2027, exceeds 65 percent of the cost of the manu-*
18 *factured articles, materials, or supplies;*

19 *(B) supplied during the period beginning*
20 *January 1, 2028, and ending December 31,*
21 *2032, exceeds 75 percent of the cost of the manu-*
22 *factured articles, materials, or supplies; and*

23 *(C) supplied on or after January 1, 2033,*
24 *equals 100 percent of the cost of the manufac-*
25 *tured articles, materials, or supplies.*

1 (2) *APPLICABILITY TO RESEARCH, DEVELOP-*
2 *MENT, TEST, AND EVALUATION ACTIVITIES.*—*Con-*
3 *tracts related to shipbuilding programs entered into*
4 *under paragraph (1) to carry out research, develop-*
5 *ment, test, and evaluation activities shall require that*
6 *these activities and the components specified during*
7 *these activities must meet the domestic content re-*
8 *quirements delineated under paragraph (1).*

9 (3) *EXCLUSION FOR CERTAIN MANUFACTURED*
10 *ARTICLES.*—*Paragraph (1) shall not apply to manu-*
11 *factured articles that consist wholly or predominantly*
12 *of iron, steel, or a combination of iron and steel.*

13 (4) *WAIVER.*—*The Secretary of Defense may re-*
14 *quest a waiver from the requirements under para-*
15 *graph (1) in order to expand sourcing to members of*
16 *the national technical industrial base (as that term is*
17 *defined in section 4801 of title 10, United States*
18 *Code). Any such waiver shall be subject to the ap-*
19 *proval of the Director of the Made in America Office*
20 *and may only be requested if it is determined that*
21 *any of the following apply:*

22 (A) *Application of the limitation would in-*
23 *crease the cost of the overall acquisition by more*
24 *than 25 percent or cause unreasonable delays to*
25 *be incurred.*

1 (B) *Satisfactory quality items manufac-*
2 *tured by a domestic entity are not available or*
3 *domestic production of such items cannot be ini-*
4 *tiated without significantly delaying the project*
5 *for which the item is to be acquired.*

6 (C) *It is inconsistent with the public inter-*
7 *est.*

8 (5) *RULEMAKING.—Not later than 180 days*
9 *after the date of the enactment of this Act, the Sec-*
10 *retary of Defense, in concurrence with the Director of*
11 *the Made in America Office, shall issue rules to deter-*
12 *mine the treatment of the lowest price offered for a*
13 *foreign end product for which 55 percent or more of*
14 *the component articles, materials, or supplies of such*
15 *foreign end product are manufactured substantially*
16 *all from articles, materials, or supplies mined, pro-*
17 *duced, or manufactured in the United States if—*

18 (A) *the application of paragraph (1) results*
19 *in an unreasonable cost; or*

20 (B) *no offers are submitted to supply manu-*
21 *factured articles, materials, or supplies manufac-*
22 *tured substantially all from articles, materials,*
23 *or supplies mined, produced, or manufactured in*
24 *the United States.*

1 (6) *APPLICABILITY.*—*The requirements of this*
 2 *subsection shall apply to contracts entered into on or*
 3 *after January 1, 2026.*

4 (b) *REPORTING ON COUNTRY OF ORIGIN MANUFAC-*
 5 *TURING.*—*Not later than one year after the date of the en-*
 6 *actment of this Act, and annually thereafter, the Secretary*
 7 *of Defense shall submit to Congress a report on country of*
 8 *origin tracking and reporting as it relates to manufactured*
 9 *content procured as part of Navy shipbuilding programs,*
 10 *including through primary contracts and subcontracts at*
 11 *the second and third tiers. The report shall describe meas-*
 12 *ures taken to ensure that the country of origin information*
 13 *pertaining to such content is reported accurately in terms*
 14 *of the location of manufacture and not determined by the*
 15 *location of sale.*

16 **SEC. 867. ADDITION OF ADMINISTRATOR OF THE SMALL**
 17 **BUSINESS ADMINISTRATION TO THE FED-**
 18 **ERAL ACQUISITION REGULATORY COUNCIL.**

19 *Section 1302(b)(1) of title 41, United States Code, is*
 20 *amended—*

21 (1) *in subparagraph (C), by striking “; and”*
 22 *and inserting a semicolon;*

23 (2) *in subparagraph (D), by striking the period*
 24 *at the end and inserting “; and”; and*

1 (3) by adding at the end the following new sub-
2 paragraph:

3 “(E) the Administrator of the Small Busi-
4 ness Administration.”.

5 **SEC. 868. MODIFICATIONS TO RIGHTS IN TECHNICAL DATA.**

6 Section 3771(b) of title 10, United States Code, is
7 amended—

8 (1) in paragraph (3)(C), by inserting “for which
9 the United States shall have government purpose
10 rights, unless the Government and the contractor ne-
11 gotiate different license rights” after “component”;
12 and

13 (2) in paragraph (4)(A)—

14 (A) in clause (ii), by striking “; or” and in-
15 serting a semicolon;

16 (B) by redesignating clause (iii) as clause
17 (iv); and

18 (C) by inserting after clause (ii) the fol-
19 lowing new clause (iii):

20 “(iii) is a release, disclosure, or use of
21 detailed manufacturing or process data—

22 “(I) that is necessary for oper-
23 ation, maintenance, installation, or
24 training and shall be used only for op-
25 eration, maintenance, installation, or

1 *training purposes supporting wartime*
 2 *operations or contingency operations;*
 3 *and*

4 “(II) *for which the head of an*
 5 *agency determines that the original*
 6 *supplier of such data will be unable to*
 7 *satisfy military readiness or oper-*
 8 *ational requirements for such oper-*
 9 *ations; or”.*

10 ***TITLE IX—DEPARTMENT OF DE-***
 11 ***FENSE ORGANIZATION AND***
 12 ***MANAGEMENT***

13 ***Subtitle A—Office of the Secretary***
 14 ***of Defense and Related Matters***

15 ***SEC. 901. ESTABLISHMENT OF OFFICE OF STRATEGIC CAP-***
 16 ***ITAL.***

17 *(a) IN GENERAL.—Chapter 4 of title 10, United States*
 18 *Code, is amended by adding at the end the following new*
 19 *section:*

20 ***“§ 148. Office of Strategic Capital***

21 *“(a) ESTABLISHMENT.—There is in the Office of the*
 22 *Secretary of Defense an office to be known as the Office of*
 23 *Strategic Capital (in this section referred to as the ‘Office’).*

24 *“(b) DIRECTOR.—The Office shall be headed by a Di-*
 25 *rector (in this section referred to as the ‘Director’), who*

1 *shall be appointed by the Secretary from among employees*
2 *of the Department of Defense in Senior Executive Service*
3 *positions (as defined in section 3132 of title 5).*

4 “(c) *DUTIES.—The Office shall—*

5 “(1) *develop, integrate, and implement proven*
6 *capital strategies of partners of the Department of*
7 *Defense to shape and scale investment in critical tech-*
8 *nologies and assets;*

9 “(2) *identify and prioritize promising critical*
10 *technologies and assets for the Department in need of*
11 *capital assistance; and*

12 “(3) *fund investments in such technologies and*
13 *assets, including supply chain technologies not always*
14 *supported through direct investment.*

15 “(d) *APPLICATIONS.—An eligible entity seeking cap-*
16 *ital assistance for an eligible investment shall submit to the*
17 *Director an application at such time, in such manner, and*
18 *containing such information as the Director may require.*

19 “(e) *SELECTION OF INVESTMENTS.—*

20 “(1) *IN GENERAL.—The Director shall establish*
21 *criteria for selecting among eligible investments for*
22 *which applications are submitted under subsection*
23 *(d). Such criteria shall include—*

1 “(A) the extent to which an investment is
2 significant to the national security of the United
3 States;

4 “(B) the likelihood that capital assistance
5 provided for an investment would enable the in-
6 vestment to proceed sooner than the investment
7 would otherwise be able to proceed; and

8 “(C) the creditworthiness of an investment.

9 “(2) NOTICE AND WAIT REQUIREMENT.—The cri-
10 teria established under paragraph (1) shall not apply
11 until—

12 “(A) the Secretary of Defense submits the
13 criteria to the congressional defense committees;
14 and

15 “(B) a period of 30 days has elapsed after
16 such submission.

17 “(f) NOTIFICATION.—Not less than 30 days before exer-
18 cising the authority provided by section 834 of the National
19 Defense Authorization Act for Fiscal Year 2024, the Direc-
20 tor, in coordination with the Under Secretary of Defense
21 for Acquisition and Sustainment and the Under Secretary
22 of Defense for Research and Engineering, shall notify the
23 congressional defense committees of the purpose and terms
24 of any capital assistance proposed to be provided under that

1 *section. Such notification may be made in classified form,*
 2 *if necessary.*

3 “(g) *STRATEGIC CAPITAL ADVISORY BOARD.*—*The*
 4 *Secretary of Defense shall establish a Strategic Capital Ad-*
 5 *visory Board to advise the Director with respect to activities*
 6 *carried out under this section.*

7 “(h) *REGULATIONS.*—*The Secretary shall prescribe*
 8 *such regulations as are necessary to carry out this section,*
 9 *including regulations to ensure internal and external co-*
 10 *ordination to avoid duplication of effort, reduce ineffi-*
 11 *ciency, and ensure policy coherence across the Department.*

12 “(i) *EFFECTIVE DATE.*—*The authorities made avail-*
 13 *able under this section may not be exercised until the date*
 14 *that is 30 days after the regulations required by subsection*
 15 *(i) have been—*

16 “(1) *prescribed and adopted by the Department;*
 17 *and*

18 “(2) *submitted to the congressional defense com-*
 19 *mittees.*

20 “(j) *ANNUAL REPORT.*—*Not later than December 31*
 21 *of each ye ar, the Director shall submit to the congressional*
 22 *defense committees a report that—*

23 “(1) *describes the activities of the Office during*
 24 *the most recent fiscal year ending before submission*
 25 *of the report, including—*

1 “(A) an identification of entities that re-
 2 ceived capital assistance from the Office during
 3 that fiscal year;

4 “(B) a description of the status of the finan-
 5 cial obligations of those entities as a result of re-
 6 ceiving such assistance; and

7 “(C) any success stories as a result of such
 8 assistance;

9 “(2) assesses the status of the finances of the Of-
 10 fice as of the end of that fiscal year; and

11 “(3) describes the goals of the Office for the fiscal
 12 year that begins after submission of the report.

13 “(k) *DEFINITIONS.*—In this section:

14 “(1) *CAPITAL ASSISTANCE.*—The term ‘capital
 15 assistance’ means loans, loan guarantees, equity in-
 16 vestments, or technical assistance provided under sec-
 17 tion 834.

18 “(2) *ELIGIBLE ENTITY.*—The term ‘eligible enti-
 19 ty’ means—

20 “(A) an individual;

21 “(B) a corporation;

22 “(C) a partnership, including a public-pri-
 23 vate partnership;

24 “(D) a joint venture;

25 “(E) a trust;

1 “(F) a State, including a political subdivi-
2 sion or any other instrumentality of a State;

3 “(G) a Tribal government or consortium of
4 Tribal governments;

5 “(H) any other governmental entity or pub-
6 lic agency in the United States, including a spe-
7 cial purpose district or public authority, includ-
8 ing a port authority; or

9 “(I) a multi-State or multi-jurisdictional
10 group of public entities.

11 “(3) *ELIGIBLE INVESTMENT*.—The term ‘eligible
12 investment’ means an investment that facilitates the
13 efforts of the Office—

14 “(A) to identify, accelerate, and sustain the
15 establishment, research, development, construc-
16 tion, procurement, leasing, consolidation, alter-
17 ation, improvement, or repair of tangible and
18 intangible assets vital to United States national
19 security; or

20 “(B) to protect tangible and intangible as-
21 sets vital to United States national security from
22 theft, acquisition, and transfer by countries that
23 are adversaries of the United States.”.

1 (b) *CLERICAL AMENDMENT.*—*The table of sections at*
 2 *the beginning of chapter 4 of such title is amended by add-*
 3 *ing at the end the following new item:*

“148. *Office of Strategic Capital.*”.

4 **SEC. 902. REINSTATEMENT OF POSITION OF CHIEF MAN-**
 5 **AGEMENT OFFICER OF DEPARTMENT OF DE-**
 6 **FENSE.**

7 (a) *REINSTATEMENT OF POSITION.*—

8 (1) *IN GENERAL.*—*Chapter 4 of title 10, United*
 9 *States Code, is amended by inserting after the item*
 10 *relating to section 132 the following new item:*

11 **“§ 132a. Chief Management Officer**

12 “(a) *APPOINTMENT AND QUALIFICATIONS.*—(1) *There*
 13 *is a Chief Management Officer of the Department of De-*
 14 *fense, appointed from civilian life by the President, by and*
 15 *with the advice and consent of the Senate.*

16 “(2) *The Chief Management Officer shall be appointed*
 17 *from among persons who have an extensive management or*
 18 *business background and experience with managing large*
 19 *or complex organizations. A person may not be appointed*
 20 *as Chief Management Officer within seven years after relief*
 21 *from active duty as a commissioned officer of a regular*
 22 *component of an armed force.*

23 “(b) *RESPONSIBILITIES.*—*Subject to the authority, di-*
 24 *rection, and control of the Secretary of Defense and the Dep-*
 25 *uty Secretary of Defense, the Chief Management Officer*

1 *shall perform such duties and exercise such powers as the*
2 *Secretary or the Deputy Secretary may prescribe, including*
3 *the following:*

4 “(1) *Serving as the chief management officer of*
5 *the Department of Defense with the mission of man-*
6 *aging enterprise business operations and shared serv-*
7 *ices of the Department of Defense.*

8 “(2) *Serving as the principal advisor to the Sec-*
9 *retary and the Deputy Secretary on establishing poli-*
10 *cies for, and directing, all enterprise business oper-*
11 *ations of the Department, including planning and*
12 *processes, business transformation, and performance*
13 *measurement and management activities and pro-*
14 *grams, including the allocation of resources for enter-*
15 *prise business operations and unifying business man-*
16 *agement efforts across the Department.*

17 “(3) *Exercising authority, direction, and control*
18 *over the Defense Agencies and Department of Defense*
19 *Field Activities providing shared business services for*
20 *the Department.*

21 “(4) *Authority to direct the Secretaries of the*
22 *military departments and the heads of all other ele-*
23 *ments of the Department with regard to matters for*
24 *which the Chief Management Officer has responsi-*
25 *bility under this section.*

1 “(5) *Serving as the official with principal re-*
2 *responsibility in the Department for minimizing the*
3 *duplication of efforts, maximizing efficiency and effec-*
4 *tiveness, and establishing metrics for performance*
5 *among and for all organizations and elements of the*
6 *Department.*

7 “(c) *BUDGET AUTHORITY.—(1)(A) Beginning in fiscal*
8 *year 2025, the Secretary of Defense, acting through the*
9 *Under Secretary of Defense (Comptroller), shall require the*
10 *head of each Defense Agency and Department of Defense*
11 *Field Activity (other than such agencies and activities that*
12 *are under the direction of the Director of National Intel-*
13 *ligence or are elements of the intelligence community) to*
14 *transmit the proposed budget of such Agency or Activity*
15 *for enterprise business operations for a fiscal year, and for*
16 *the period covered by the future-years defense program sub-*
17 *mitted to Congress under section 221 of this title for that*
18 *fiscal year, to the Chief Management Officer for review*
19 *under subparagraph (B) at the same time the proposed*
20 *budget is submitted to the Under Secretary of Defense*
21 *(Comptroller).*

22 “(B) *The Chief Management Officer shall review each*
23 *proposed budget transmitted under subparagraph (A) and,*
24 *not later than January 31 of the year preceding the fiscal*
25 *year for which the budget is proposed, shall submit to the*

1 *Secretary a report containing the comments of the Chief*
2 *Management Officer with respect to all such proposed budg-*
3 *ets, together with the certification of the Chief Management*
4 *Officer regarding whether each such proposed budget*
5 *achieves the required level of efficiency and effectiveness for*
6 *enterprise business operations, consistent with guidance for*
7 *budget review established by the Chief Management Officer.*

8 “(C) *Not later than March 31 each year, the Secretary*
9 *shall submit to Congress a report that includes the fol-*
10 *lowing:*

11 “(i) *Each proposed budget for the enterprise*
12 *business operations of a Defense Agency or Depart-*
13 *ment of Defense Field Activity that was transmitted*
14 *to the Chief Management Officer under subparagraph*
15 *(A).*

16 “(ii) *Identification of each proposed budget con-*
17 *tained in the most recent report submitted under sub-*
18 *paragraph (B) that the Chief Management Officer did*
19 *not certify as achieving the required level of efficiency*
20 *and effectiveness for enterprise business operations.*

21 “(iii) *A discussion of the actions that the Sec-*
22 *retary proposes to take, together with any rec-*
23 *ommended legislation that the Secretary considers ap-*
24 *propriate, to address inadequate levels of efficiency*
25 *and effectiveness for enterprise business operations*

1 *achieved by the proposed budgets identified in the re-*
2 *port.*

3 “(iv) *Any additional comments that the Sec-*
4 *retary considers appropriate regarding inadequate*
5 *levels of efficiency and effectiveness for enterprise*
6 *business operations achieved by the proposed budgets.*

7 “(2) *Nothing in this subsection shall be construed to*
8 *modify or interfere with the budget-related responsibilities*
9 *of the Director of National Intelligence.*

10 “(d) *PRECEDENCE.—The Chief Management Officer*
11 *takes precedence in the Department of Defense after the Sec-*
12 *retary of Defense and the Deputy Secretary of Defense.*

13 “(e) *ENTERPRISE BUSINESS OPERATION DEFINED.—*
14 *In this section, the term ‘enterprise business operations’*
15 *means those activities that constitute the cross-cutting busi-*
16 *ness operations used by multiple components of the Depart-*
17 *ment of Defense, but not those activities that are directly*
18 *tied to a single military department or Department of De-*
19 *fense component. The term includes business-support func-*
20 *tions designated by the Secretary of Defense or the Deputy*
21 *Secretary of Defense for purposes of this section, such as*
22 *aspects of financial management, healthcare, acquisition*
23 *and procurement, supply chain and logistics, certain infor-*
24 *mation technology, real property, and human resources op-*
25 *erations.’.*

1 (2) *CLERICAL AMENDMENT.*—*The table of sec-*
 2 *tions at the beginning of chapter 4 of such title is*
 3 *amended by inserting after the item relating to sec-*
 4 *tion 132 the following new item:*

“132a. *Chief Management Officer.*”.

5 (b) *MANAGEMENT AND OVERSIGHT OF DEFENSE BUSI-*
 6 *NESS SYSTEMS.*—*Section 2222 of such title is amended—*

7 (1) *in subsection (c)(2), by striking “the Chief*
 8 *Information Officer of the Department of Defense”*
 9 *and inserting “the Chief Management Officer of the*
 10 *Department of Defense”;*

11 (2) *in subsection (e)—*

12 (A) *in paragraph (1), by striking “the Chief*
 13 *Information Officer” and inserting “the Chief*
 14 *Management Officer”;* and

15 (B) *in paragraph (6)—*

16 (i) *in subparagraph (A), in the matter*
 17 *preceding clause (i)—*

18 (I) *in the first sentence, by strik-*
 19 *ing “The Chief Information Officer of*
 20 *the Department of Defense, in coordi-*
 21 *nation with the Chief Data and Artifi-*
 22 *cial Intelligence Officer,” and inserting*
 23 *“The Chief Management Officer of the*
 24 *Department of Defense”;* and

1 (II) in the second sentence, by
 2 striking “the Chief Information Officer
 3 shall” and inserting “the Chief Man-
 4 agement Officer shall”;

5 (ii) in subparagraph (B), in the mat-
 6 ter preceding clause (i), by striking “The
 7 Chief Information Officer” and inserting
 8 “The Chief Management Officer”;

9 (3) in subsection (f)(1), in the second sentence,
 10 by inserting “the Chief Management Officer and”
 11 after “chaired by”;

12 (4) in subsection (g)(2), by striking “the Chief
 13 Information Officer of the Department of Defense”
 14 each place it appears and inserting “the Chief Man-
 15 agement Officer of the Department of Defense”; and

16 (5) in subsection (i)(5)(B), by striking “the Chief
 17 Information Officer” and inserting “the Chief Man-
 18 agement Officer”.

19 (c) CONFORMING AMENDMENT.—Section 131(b) of title
 20 10, United States Code, is amended by inserting after para-
 21 graph (1) the following new paragraph (2):

22 “(2) The Chief Management Officer of the De-
 23 partment of Defense.”.

1 (d) *GUIDANCE REQUIRED.*—Not later than 30 days
 2 after the date of the enactment of this Act, the Secretary
 3 of Defense shall—

4 (1) *issue guidance to clearly delineate the au-*
 5 *thorities and responsibilities of the Chief Management*
 6 *Officer of the Department of Defense; and*

7 (2) *provide a charter for the position of the Chief*
 8 *Management Officer to fully vest the authority of the*
 9 *Chief Management Officer within the Department of*
 10 *Defense.*

11 (e) *REPORT ON EFFECT OF LAPSE IN MANAGEMENT*
 12 *OVERSIGHT ON DEFENSE BUSINESS SYSTEMS.*—

13 (1) *IN GENERAL.*—Not later than 180 days after
 14 the date of the enactment of this Act, the Deputy Sec-
 15 retary of Defense shall submit to the congressional de-
 16 fense committees a report on the effect on defense busi-
 17 ness systems of the abolishment of the position of
 18 Chief Management Officer and the failure to reassign
 19 the responsibilities of the Chief Management Officer
 20 with respect to defense business systems for two years.

21 (2) *DEFENSE BUSINESS SYSTEM DEFINED.*—In
 22 this subsection, the term “defense business system”
 23 has the meaning given that term in section 2222(i)
 24 of title 10, United States Code.

1 **SEC. 903. MODIFICATION OF RESPONSIBILITIES OF DIREC-**
 2 **TOR OF COST ASSESSMENT AND PROGRAM**
 3 **EVALUATION.**

4 (a) *IN GENERAL.*—Subsection (d) of section 139a of
 5 title 10, United States Code, is amended—

6 (1) in paragraph (5)—

7 (A) by striking “, ensuring” and inserting
 8 “and ensuring”; and

9 (B) by striking “, and assessing” and all
 10 that follows through “economy”; and

11 (2) in paragraph (8), by inserting after “defense
 12 resources” the following: “, including the standardiza-
 13 tion of analytical methodologies and the establishment
 14 and maintenance of a centralized knowledge reposi-
 15 tory of physical attributes or other data for modeling
 16 and simulation purposes”.

17 (b) *ANNUAL REPORTS.*—Such section is amended by
 18 adding at the end the following new subsection:

19 “(e) *ANNUAL REPORTS.*—

20 “(1) *IN GENERAL.*—Not later than February 1,
 21 2024, and annually thereafter, the Director shall sub-
 22 mit to the congressional defense committees a report
 23 on activities to conduct strategic and operational
 24 analysis under paragraphs (2), (3), (6), (7), and (8)
 25 of subsection (d) that includes—

1 “(A) a review of strategic portfolio reviews
 2 completed in the fiscal year preceding submis-
 3 sion of the report and a description of such re-
 4 views planned for the fiscal year that begins
 5 after submission of the report;

6 “(B) a review of analyses of alternatives
 7 completed in the fiscal year preceding submis-
 8 sion of the report and a description of such anal-
 9 yses planned for the fiscal year that begins after
 10 submission of the report; and

11 “(C) a review of defense program projec-
 12 tions completed in the fiscal year preceding sub-
 13 mission of the report and a description of such
 14 projections planned for the fiscal year that be-
 15 gins after submission of the report.

16 “(2) *FORM*.—Each report required by paragraph
 17 (1) shall be submitted in classified form, but shall in-
 18 clude an unclassified summary.

19 “(3) *BRIEFINGS*.—Not later than 15 days after
 20 submission of each report required by paragraph (1),
 21 the Director shall brief the congressional defense com-
 22 mittees on the contents of the report.”.

23 (c) *PROGRAM EVALUATION COMPETITIVE ANALYSIS*
 24 *CELL*.—Such section is further amended by adding after

1 subsection (e), as added by subsection (b), the following new
2 subsection:

3 “(f) *PROGRAM EVALUATION COMPETITIVE ANALYSIS*
4 *CELL*.—

5 “(1) *IN GENERAL*.—Not later than June 1, 2024,
6 the Secretary of Defense shall—

7 “(A) establish a team, to be known as the
8 ‘Program Evaluation Competitive Analysis Cell’,
9 to critically assess the analytical methodologies,
10 assumptions, and data used in key strategic and
11 operational analyses conducted by the Director;
12 and

13 “(B) ensure that the team has a sufficient
14 number of personnel to carry out the duties of
15 the team.

16 “(2) *INDEPENDENCE*.—The Program Evaluation
17 Competitive Analysis Cell shall be independent of the
18 Director and shall report only to the Secretary of De-
19 fense.”.

20 (d) *PILOT PROGRAM ON ALTERNATIVE ANALYSIS*.—

21 (1) *IN GENERAL*.—The Director of Cost Assess-
22 ment and Program Evaluation shall establish a pilot
23 program on alternative analysis.

24 (2) *STRUCTURE*.—The Director shall establish,
25 under the pilot program established under paragraph

1 (1), three analytical groups, focused on programmatic
2 analysis in the following:

3 (A) Year 1 of the future-years defense pro-
4 gram under section 221 of title 10, United States
5 Code.

6 (B) Years 2 through 5 of the future-years
7 defense program.

8 (C) Years outside the future-years defense
9 program.

10 (3) *REQUIREMENTS.*—The pilot program estab-
11 lished under paragraph (1) shall run at least one
12 strategic portfolio review or equivalent analytical ef-
13 fort per year.

14 (e) *ESTABLISHMENT OF ANALYSIS WORKING*
15 *GROUP.*—

16 (1) *IN GENERAL.*—Not later than May 1, 2024,
17 the Secretary of Defense shall—

18 (A) establish the Analysis Working Group
19 in the Department of Defense; and

20 (B) ensure that the Analysis Working
21 Group possesses sufficient full-time equivalent
22 support personnel to carry out the duties of the
23 Group.

(2) *MEMBERSHIP.*—*The Analysis Working Group shall be composed of representatives of the following components of the Department of Defense:*

(A) *The Office of the Director of Cost Assessment and Program Evaluation.*

(B) *The Directorate for Joint Force Development (J7) of the Joint Staff.*

(C) *The Directorate for Force Structure, Resources, and Assessment (J8) of the Joint Staff.*

(D) *The Office of the Secretary of Defense for Policy.*

(E) *The Chief Data and Artificial Intelligence Office.*

(F) *The Office of the Chief Information Officer.*

(G) *The United States Indo-Pacific Command.*

(H) *The United States European Command.*

(3) *DUTIES.*—*The Analysis Working Group shall—*

(A) *establish clear priorities and standards to focus analysts on decision support;*

(B) *improve transparency of methodologies, tools, and tradecraft across the analytic commu-*

1 nity, including testing and validation for new or
2 emerging methodologies, tools, and tradecraft;

3 (C) improve quality of and expand access to
4 data, including evaluation of new data sets, or
5 application of existing data sets in new or novel
6 ways;

7 (D) evolve the methodologies, tools, and
8 tradecraft methods and tools used in strategic
9 analysis;

10 (E) resolve classified access and infrastruc-
11 ture challenges;

12 (F) foster a workforce and organizations
13 that are innovative, creative, and provide high-
14 quality strategic decision support; and

15 (G) conduct such other tasks as the Sec-
16 retary of Defense considers appropriate.

17 (f) *RULE OF CONSTRUCTION.*—Nothing in this section
18 shall be construed to interfere with the requirements of the
19 Chiefs of Staff of the Armed Forces to establish military
20 requirements, performance requirements, and joint perform-
21 ance requirements, or the requirement of the Joint Require-
22 ments Oversight Council to validate such requirements
23 under section 181 of title 10, United States Code.

1 **SEC. 904. ROLES AND RESPONSIBILITIES FOR COMPO-**
 2 **NENTS OF OFFICE OF SECRETARY OF DE-**
 3 **FENSE FOR JOINT ALL-DOMAIN COMMAND**
 4 **AND CONTROL IN SUPPORT OF INTEGRATED**
 5 **JOINT WARFIGHTING.**

6 (a) *IN GENERAL.*—*The Secretary of Defense shall es-*
 7 *tablish the roles and responsibilities of components of the*
 8 *Office of the Secretary of Defense for development and deliv-*
 9 *ery to combatant commands of capabilities that are essen-*
 10 *tial to integrated joint warfighting capabilities, as follows:*

11 (1) *The Deputy Chief Technology Officer for Mis-*
 12 *sion Capabilities of the Office of the Under Secretary*
 13 *of Defense for Research and Engineering shall be re-*
 14 *sponsible for—*

15 (A) *identifying new technology and oper-*
 16 *ational concepts for experimentation and proto-*
 17 *typing for delivery to the Joint Force to address*
 18 *key operational challenges;*

19 (B) *providing technical support for the*
 20 *Joint Force in exploring and analyzing new ca-*
 21 *pabilities, operational concepts, and systems-of-*
 22 *systems composition, including through advanced*
 23 *modeling and simulation; and*

24 (C) *executing associated experimentation,*
 25 *through the Rapid Defense Experimentation Re-*
 26 *serve (RDER) or another mechanism.*

1 (2) *The Executive Director for Acquisition, Inte-*
2 *gration, and Interoperability of the Office of the*
3 *Under Secretary of Defense for Acquisition and*
4 *Sustainment shall be responsible for—*

5 (A) *enabling the acquisition of cross-do-*
6 *main, joint, and cross-system kill chains and*
7 *mission capabilities, including resourcing of*
8 *modifications necessary for integration and*
9 *interoperability among kill chain and mission*
10 *components; and*

11 (B) *ensuring the effectiveness of cross-do-*
12 *main, joint, and cross-system kill chains and*
13 *mission capabilities through analysis and test-*
14 *ing.*

15 (3) *The Chief Digital and Artificial Intelligence*
16 *Officer shall be responsible for creating and operating*
17 *a factory-based approach for software development*
18 *that allows for iterative, secure, and continuous de-*
19 *ployment of developmental, prototype, and oper-*
20 *ational tools and capabilities from multiple vendors*
21 *to test networks and operational networks for combat-*
22 *ant commanders to—*

23 (A) *gain operational awareness, make deci-*
24 *sions, and take actions;*

1 (B) integrate relevant data sources to sup-
2 port target selection, target prioritization, and
3 weapon-target pairing; and

4 (C) prosecute targets through military serv-
5 ice and combat support agency networks, tools,
6 and systems.

7 (b) *COORDINATION.*—The officials referred to in para-
8 graphs (1), (2), and (3) of subsection (a) shall coordinate
9 and align their plans and activities to implement sub-
10 section (a) among themselves and with the combatant com-
11 manders.

12 (c) *INITIAL PRIORITIZATION.*—In developing an ini-
13 tial set of capabilities described in subsection (a), the offi-
14 cials referred to in paragraphs (1), (2), and (3) of that sub-
15 section shall prioritize the requirements of the United States
16 Indo-Pacific Command.

17 (d) *BRIEFINGS REQUIRED.*—Not later than 90 days
18 after the date of the enactment of this Act, and every 180
19 days thereafter through December 31, 2026, the officials re-
20 ferred to in paragraphs (1), (2), and (3) of subsection (a)
21 shall provide briefings to the congressional defense commit-
22 tees on their plans and activities to implement subsection
23 (a).

24 (e) *REPORT REQUIRED.*—Not later than March 1,
25 2024, the Chief Data and Artificial Intelligence Officer, in

1 *consultation with the Deputy Chief Technology Officer for*
2 *Mission Capabilities of the Office of the Under Secretary*
3 *of Defense for Research and Engineering and the Executive*
4 *Director for Acquisition, Integration, and Interoperability*
5 *of the Office of the Under Secretary of Defense for Acquisi-*
6 *tion and Sustainment, shall submit to the congressional de-*
7 *fense committees a report that includes—*

8 (1) *a plan and associated timelines for deploying*
9 *and demonstrating a joint data integration layer pro-*
10 *totype in the United States Indo-Pacific Command*
11 *area of operations;*

12 (2) *a plan and associated timelines for*
13 *transitioning such a prototype, upon its successful*
14 *demonstration, to fielding as soon as practicable*
15 *given the urgent need for a joint all-domain command*
16 *and control (commonly referred to as “JADC2”) ca-*
17 *pability;*

18 (3) *a plan and associated timelines for reaching*
19 *initial operational capability for a joint data inte-*
20 *gration layer within the United States Indo-Pacific*
21 *Command area of operations;*

22 (4) *a plan and associated timelines for scaling*
23 *that capability to future areas of operation across the*
24 *combatant commands;*

1 (5) *an assessment of the required type and num-*
 2 *ber of personnel at the United States Indo-Pacific*
 3 *Command to enable sustained growth in JADC2 ca-*
 4 *pabilities; and*

5 (6) *a plan and associated timelines for—*

6 (A) *identifying specific critical effects*
 7 *chains necessary to overcome anti-access and*
 8 *area denial capabilities and offensive military*
 9 *operations of foreign adversaries; and*

10 (B) *creating, demonstrating, deploying, and*
 11 *sustaining such chains.*

12 **SEC. 905. PRINCIPAL DEPUTY ASSISTANT SECRETARIES TO**
 13 **SUPPORT ASSISTANT SECRETARY OF DE-**
 14 **FENSE FOR SPECIAL OPERATIONS AND LOW**
 15 **INTENSITY CONFLICT.**

16 *The Secretary of Defense may appoint two Principal*
 17 *Deputy Assistant Secretaries to report to the Assistant Sec-*
 18 *retary of Defense for Special Operations and Low Intensity*
 19 *Conflict—*

20 (1) *one of whom may be assigned to support the*
 21 *Assistant Secretary in the discharge of responsibilities*
 22 *specified in clause (i) of section 138(b)(2)(A) of title*
 23 *10, United States Code; and*

1 (2) one of whom may be assigned to support the
 2 Assistant Secretary in the discharge of responsibilities
 3 specified in clause (ii) of that section.

4 **SEC. 906. MODIFICATION OF CROSS-FUNCTIONAL TEAM TO**
 5 **ADDRESS EMERGING THREAT RELATING TO**
 6 **DIRECTED ENERGY CAPABILITIES.**

7 Section 910 of the National Defense Authorization Act
 8 for Fiscal Year 2022 (Public Law 117–81; 10 U.S.C. 111
 9 note) is amended—

10 (1) in the section heading, by striking “**ANOMA-**
 11 **LOUS HEALTH INCIDENTS**” and inserting “**DI-**
 12 **RECTED ENERGY CAPABILITIES**”;

13 (2) in subsection (a), by striking “anomalous
 14 health incidents (as defined by the Secretary)” and
 15 inserting “emerging directed energy capabilities, in-
 16 cluding such capabilities that could plausibly result
 17 in anomalous health incidents (as defined by the Sec-
 18 retary),”;

19 (3) in subsection (b)—

20 (A) in the matter preceding paragraph (1),
 21 by inserting “to assist the Secretary of Defense”
 22 after “shall be”;

23 (B) by amending paragraph (1) to read as
 24 follows:

1 “(1) to address the threat posed by emerging di-
 2 rected energy capabilities, such as anti-personnel
 3 weapons, including the detection and mitigation of,
 4 and development of countermeasures for, such capa-
 5 bilities;”;

6 (C) by redesignating paragraphs (2) and
 7 (3) as paragraphs (3) and (4), respectively;

8 (D) by inserting after paragraph (1) the fol-
 9 lowing new paragraph (2):

10 “(2) to conduct necessary investigation and ac-
 11 tivities to understand the causation, attribution, miti-
 12 gation, identification, and treatment for anomalous
 13 health incidents;” and

14 (E) in paragraph (4), as redesignated by
 15 subparagraph (C), by striking “any other efforts
 16 regarding such incidents” and inserting “with
 17 any other efforts regarding emerging directed en-
 18 ergy capabilities, hazards of electromagnetic ra-
 19 diation to personnel, and anomalous health inci-
 20 dents”;

21 (4) in subsection (d), by striking “in consulta-
 22 tion with the Director of National Intelligence and”;
 23 and

24 (5) in subsection (e)(2)—

1 (A) by striking “March 1, 2026” and insert-
2 ing “March 1, 2028”; and

3 (B) by striking “anomalous health inci-
4 dents” and inserting “emerging directed energy
5 capabilities, including such capabilities that
6 could plausibly result in anomalous health inci-
7 dents”.

8 **SEC. 907. PILOT PROGRAM ON PROTECTING ACCESS TO**
9 **CRITICAL ASSETS.**

10 (a) *IN GENERAL.*—The Secretary of Defense shall es-
11 tablish a pilot program within the Office of the Under Sec-
12 retary of Defense for Acquisition and Sustainment under
13 which the Under Secretary will conduct and coordinate as-
14 sessments, support industrial base decision-making, and
15 provide mitigation measures to counter adversarial capital
16 flows into industries or businesses of interest to the Depart-
17 ment of Defense intended to undermine or deny—

18 (1) the access of the United States to key capa-
19 bilities; or

20 (2) the ability of the United States to place such
21 capabilities in physical locations necessary for na-
22 tional security functions.

23 (b) *ELEMENTS.*—

1 (1) *IN GENERAL.*—Under the pilot program re-
2 quired by subsection (a), the Under Secretary may
3 perform the following tasks:

4 (A) *Conduct coordinated and integrated*
5 *analysis of adversarial capital flows into indus-*
6 *tries or businesses of interest to the Department*
7 *of Defense.*

8 (B) *Support coordination and outreach*
9 *with technology scouting and acquisition ele-*
10 *ments of the Department to support the invest-*
11 *ment decision-making of those elements and con-*
12 *sideration of how to counteract entities employ-*
13 *ing adversarial capital flows against industries*
14 *or businesses described in subparagraph (A), in-*
15 *cluding the employment of relevant authorities*
16 *vested in other components of the Department*
17 *and the Federal Government.*

18 (C) *Identify, accelerate, and sustain the es-*
19 *tablishment, research, development, construction,*
20 *procurement, leasing, consolidation, alteration,*
21 *improvement, modernization, and repair of tan-*
22 *gible and intangible assets vital to the national*
23 *security of the United States.*

24 (D) *Protect tangible and intangible assets*
25 *vital to the national security of the United*

1 *States from theft, acquisition, and transfer by*
2 *adversaries or strategic competitors of the United*
3 *States.*

4 *(E) Provide capital assistance to entities*
5 *engaged in investments that facilitate the efforts*
6 *of the Under Secretary under subparagraphs (C)*
7 *and (D) utilizing existing authorities available*
8 *to the Department, such as the authority pro-*
9 *vided under section 834.*

10 *(F) Experiment, prototype, test, or validate*
11 *Government-developed or commercially developed*
12 *analytical tools, processes, and tradecraft to im-*
13 *prove the due diligence and investment analysis*
14 *processes for the Department.*

15 *(2) USE OF CERTAIN FINANCIAL INSTRU-*
16 *MENTS.—The Under Secretary may perform the tasks*
17 *described in paragraph (1) using the authorities pro-*
18 *vided by section 834.*

19 *(c) COORDINATION.—In establishing the pilot program*
20 *required by subsection (a), the Secretary shall coordinate*
21 *the activities being carried out under the pilot program*
22 *with the following entities:*

23 *(1) The Air Force Office of Concepts, Develop-*
24 *ment, and Management.*

1 (2) *The Air Force Office of Commercial and Eco-*
2 *nomic Analysis.*

3 (3) *The Special Operations Command.*

4 (4) *The Defense Innovation Unit.*

5 (5) *The Office of Strategic Capital established*
6 *under section 148 of title 10, United States Code, as*
7 *added by section 901.*

8 (6) *Such other entities as the Secretary considers*
9 *appropriate.*

10 (d) *REGULATIONS.—The Secretary of Defense shall*
11 *prescribe such regulations as are necessary to carry out this*
12 *section.*

13 (e) *EFFECTIVE DATE.—The Secretary may not carry*
14 *out activities or exercise authorities under this section until*
15 *the date that is 30 days after the date on which the Sec-*
16 *retary submits to the congressional defense committees the*
17 *regulations required by subsection (d).*

18 (f) *BRIEFING REQUIRED.—Not later than 90 days*
19 *after the date of the enactment of this Act, the Under Sec-*
20 *retary shall provide a briefing to the congressional defense*
21 *committees that details implementation of the pilot pro-*
22 *gram required by subsection (a).*

23 (g) *TERMINATION.—The pilot program required by*
24 *subsection (a) shall terminate on September 30, 2028.*

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

1 (1) *ADVERSARIAL CAPITAL FLOW.*—*The term*
 2 *“adversarial capital flow” means an investment by—*

3 *(A) the government of a country that is an*
 4 *adversary of the United States; or*

5 *(B) an entity organized under the laws of,*
 6 *or otherwise subject to the jurisdiction of, such a*
 7 *country.*

8 (2) *CAPITAL ASSISTANCE.*—*The term “capital*
 9 *assistance” has the meaning given that term in sec-*
 10 *tion 834.*

11 **SEC. 908. EXTENSION OF MISSION MANAGEMENT PILOT**
 12 **PROGRAM.**

13 *Section 871 of the National Defense Authorization Act*
 14 *for Fiscal Year 2022 (Public Law 117–81; 10 U.S.C. 191*
 15 *note) is amended—*

16 *(1) in subsection (b)—*

17 *(A) in paragraph (1)—*

18 *(i) by striking “IN GENERAL.—Ex-*
 19 *cept” and inserting the following: “IN GEN-*
 20 *ERAL.—*

21 *“(A) SELECTION.—Except”; and*

22 *(ii) by adding at the end the following*
 23 *new subparagraph:*

24 *“(B) DELEGATION OF OVERSIGHT AND MAN-*
 25 *AGEMENT.—The Deputy Secretary of Defense*

1 *may delegate one or more mission managers to*
2 *oversee the selected missions and provide man-*
3 *agement around mission outcomes.”; and*

4 *(B) by adding at the end the following new*
5 *paragraph:*

6 *“(4) IDENTIFICATION OF FUNDING.—For each*
7 *mission selected under paragraph (1), the Deputy*
8 *Secretary of Defense shall identify funding sources in*
9 *detail in defense budget materials for budgets sub-*
10 *mitted to Congress pursuant to section 1105 of title*
11 *31, United States Code, with selected missions and so-*
12 *lution detailed in materials for each budgetary item*
13 *associated with a selected mission.”;*

14 *(2) in subsection (c)(2)—*

15 *(A) in subparagraph (E), by striking “;*
16 *and” and inserting a semicolon;*

17 *(B) by redesignating subparagraph (F) as*
18 *subparagraph (G); and*

19 *(C) by inserting after subparagraph (E) the*
20 *following new subparagraph:*

21 *“(F) assist the Deputy Secretary of Defense*
22 *in the identification of funding that could con-*
23 *tribute to the mission, including through existing*
24 *authorized methods to realign, reprogram, or*
25 *transfer funds; and”;*

1 (3) in subsection (f)(1)(A), by striking “every six
2 months thereafter until the date that is five years
3 after the date of the enactment of this Act” and in-
4 serting “annually thereafter until September 30,
5 2031”; and

6 (4) in subsection (h), by striking “terminate on
7 the date that is five years after the date of the enact-
8 ment of this Act” and inserting “terminate on Sep-
9 tember 30, 2031”.

10 **SEC. 909. CONFORMING AMENDMENTS TO CARRY OUT**
11 **ELIMINATION OF POSITION OF CHIEF MAN-**
12 **AGEMENT OFFICER.**

13 (a) *REMOVAL OF REFERENCES TO CHIEF MANAGE-*
14 *MENT OFFICER IN PROVISIONS OF LAW RELATING TO*
15 *PRECEDENCE.*—Chapter 4 of title 10, United States Code,
16 *is amended—*

17 (1) in section 133a(c)—

18 (A) in paragraph (1), by striking “, the
19 Deputy Secretary of Defense, and the Chief Man-
20 agement Officer of the Department of Defense”
21 and inserting “and the Deputy Secretary of De-
22 fense”; and

23 (B) in paragraph (2), by striking “the Chief
24 Management Officer,”;

25 (2) in section 133b(c)—

1 (A) in paragraph (1), by striking “the Chief
2 Management Officer of the Department of De-
3 fense,”; and

4 (B) in paragraph (2), by striking “the Chief
5 Management Officer,”;

6 (3) in section 137a(d), by striking “the Chief
7 Management Officer of the Department of Defense,”;
8 and

9 (4) in section 138(d), by striking “the Chief
10 Management Officer of the Department of Defense,”.

11 (b) *ASSIGNMENT OF PERIODIC REVIEW OF DEFENSE*
12 *AGENCIES AND DEPARTMENT OF DEFENSE FIELD ACTIVI-*
13 *TIES TO SECRETARY OF DEFENSE.*—Section 192(c) of such
14 *title is amended—*

15 (1) in paragraph (1)—

16 (A) in subparagraph (A), in the first sen-
17 tence, by striking “the Chief Management Officer
18 of the Department of Defense” and inserting “the
19 Secretary of Defense”; and

20 (B) in subparagraphs (B) and (C), by strik-
21 ing “the Chief Management Officer” and insert-
22 ing “the Secretary”; and

23 (2) in paragraph (2), by striking “the Chief
24 Management Officer” each place it appears and in-
25 serting “the Secretary”.

1 (c) *ASSIGNMENT OF RESPONSIBILITY FOR FINANCIAL*
 2 *IMPROVEMENT AND AUDIT REMEDIATION TO UNDER SEC-*
 3 *RETARY OF DEFENSE (COMPTROLLER).—Section 240b of*
 4 *such title is amended—*

5 (1) *in subsection (a)(1), by striking “The Chief*
 6 *Management Officer of the Department of Defense*
 7 *shall, in consultation with the Under Secretary of De-*
 8 *fense (Comptroller),” and inserting “The Under Sec-*
 9 *retary of Defense (Comptroller) shall, in consultation*
 10 *with the Performance Improvement Officer of the De-*
 11 *partment of Defense,”; and*

12 (2) *in subsection (b)(1)(C)(ii), by striking “the*
 13 *Chief Management Officer” and inserting “the Per-*
 14 *formance Improvement Officer”.*

15 (d) *REMOVAL OF CHIEF MANAGEMENT OFFICER AS*
 16 *RECIPIENT OF REPORTS OF AUDITS BY EXTERNAL AUDI-*
 17 *TORS.—Section 240d(d)(1)(A) of such title is amended by*
 18 *striking “and the Chief Management Officer of the Depart-*
 19 *ment of Defense”.*

20 (e) *CONFORMING AMENDMENTS TO PROVISIONS OF*
 21 *LAW RELATED TO FREEDOM OF INFORMATION ACT EXEMP-*
 22 *TIONS.—Such title is further amended—*

23 (1) *in section 130e—*

24 (A) *by striking subsection (d);*

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

3 (C) in subsection (d), as so redesignated—

4 (i) in the first sentence, by striking “,
 5 or the Secretary’s designee,”; and

6 (ii) in the second sentence, by striking
 7 “, through the Office of the Director of Ad-
 8 ministration and Management”; and

9 (2) in section 2254a—

10 (A) by striking subsection (c);

11 (B) by redesignating subsection (d) as sub-
 12 section (c); and

13 (C) in subsection (c), as so redesignated—

14 (i) in the first sentence, by striking “,
 15 or the Secretary’s designee,”; and

16 (ii) in the second sentence, by striking
 17 “, through the Office of the Director of Ad-
 18 ministration and Management”.

19 (f) *REMOVAL OF CHIEF MANAGEMENT OFFICER AS*
 20 *REQUIRED COORDINATOR ON DEFENSE RESALE MAT-*
 21 *TERS.*—Section 631(a) of the National Defense Authoriza-
 22 *tion Act for Fiscal Year 2020 (Public Law 116–92; 10*
 23 *U.S.C. 2481 note) is amended by striking “, in coordination*
 24 *with the Chief Management Officer of the Department of*
 25 *Defense,”.*

1 ***Subtitle B—Other Department of***
2 ***Defense Organization and Man-***
3 ***agement Matters***

4 ***SEC. 921. JOINT ENERGETICS TRANSITION OFFICE.***

5 (a) *IN GENERAL.*—*The Secretary of Defense shall re-*
6 *align roles, responsibilities, and resources as necessary to*
7 *establish a Joint Energetics Transition Office (in this sec-*
8 *tion referred to as the “Office”).*

9 (b) *RESPONSIBILITIES.*—*The Office shall—*

10 (1) *develop and periodically update an energetic*
11 *materials strategic plan and investment strategy to*
12 *guide current and future investments in new and leg-*
13 *acy energetic materials and technologies, including*
14 *by—*

15 (A) *developing or supporting the develop-*
16 *ment of strategies and roadmaps, under the fu-*
17 *ture-years defense program under section 221 of*
18 *title 10, United States Code, and the program*
19 *objective memorandum process, for energetic ma-*
20 *terials and technologies; and*

21 (B) *initiating special studies or analyses to*
22 *inform the program objective memorandum proc-*
23 *ess;*

24 (2) *coordinate and synchronize existing research,*
25 *development, test, and evaluation efforts in energetic*

1 *materials across the Department of Defense to iden-*
2 *tify promising new energetic materials and tech-*
3 *nologies—*

4 *(A) to mature, integrate, prototype, and*
5 *demonstrate novel energetic materials and tech-*
6 *nologies, including classification and character-*
7 *ization testing of new materials and manufac-*
8 *turing technologies;*

9 *(B) to expedite testing, evaluation, and ac-*
10 *quisition of energetic materials and technologies*
11 *to meet the emergent needs of the Department,*
12 *including the rapid integration of promising*
13 *new materials and other promising energetic*
14 *compounds into existing and planned weapons*
15 *platforms; and*

16 *(C) to identify existing or establish new*
17 *prototyping demonstration venues to integrate*
18 *advanced technologies that speed the maturation*
19 *and deployment of future energetic materials;*

20 *(3) oversee a process to expedite the qualification*
21 *process for energetic materials, from discovery*
22 *through integration into weapon systems, and rec-*
23 *ommend changes to laws, regulations, and policies*
24 *that present barriers that extend timelines for that*
25 *process; and*

1 (4) *carry out such other responsibilities relating*
 2 *to energetic materials as the Secretary shall specify.*

3 (c) **REPORT REQUIRED.**—*The Deputy Secretary of De-*
 4 *fense shall submit to the congressional defense committees—*

5 (1) *not later than 60 days after the date of the*
 6 *enactment of this Act, a report on the status of the*
 7 *establishment of the Office under subsection (a); and*

8 (2) *not later than one year after such date of en-*
 9 *actment, a report on the measures taken to provide*
 10 *the Office with the staff and resources necessary for*
 11 *the Office to carry out its responsibilities under sub-*
 12 *section (b).*

13 **SEC. 922. TRANSITION OF OVERSIGHT RESPONSIBILITY**
 14 **FOR THE DEFENSE TECHNOLOGY SECURITY**
 15 **ADMINISTRATION.**

16 (a) **PLAN REQUIRED.**—*Not later than 90 days after*
 17 *the date of the enactment of this Act, the Secretary of De-*
 18 *fense shall develop a transition plan to realign the Defense*
 19 *Technology Security Administration under the authority,*
 20 *direction, and control of the Assistant Secretary of Defense*
 21 *for Industrial Base Policy.*

22 (b) **SUBMISSION OF PLAN.**—*Not later than 7 days after*
 23 *the date on which the Secretary completes development of*
 24 *the plan required by subsection (a), the Secretary shall sub-*
 25 *mit the plan to the congressional defense committees.*

1 (c) *IMPLEMENTATION OF PLAN.*—Not later than 180
 2 days after the date on which the Secretary completes devel-
 3 opment of the plan required by subsection (a), the Secretary
 4 shall realign the Defense Technology Security Administra-
 5 tion under the authority, direction, and control of the As-
 6 sistant Secretary of Defense for Industrial Base Policy.

7 **SEC. 923. INTEGRATED AND AUTHENTICATED ACCESS TO**
 8 **DEPARTMENT OF DEFENSE SYSTEMS FOR**
 9 **CERTAIN CONGRESSIONAL STAFF FOR OVER-**
 10 **SIGHT PURPOSES.**

11 Section 1046(a) of the James M. Inhofe National De-
 12 fense Authorization Act for Fiscal Year 2023 (Public Law
 13 117–263) is amended—

14 (1) in paragraph (1)(B), by striking “; and”
 15 and inserting a semicolon;

16 (2) in paragraph (2), by striking the period at
 17 the end and inserting “; and”; and

18 (3) by adding at the end the following new para-
 19 graph:

20 “(3) to the extent feasible, be integrated with
 21 software used by the Department of Defense Parking
 22 Management Office to validate parking requests.”.

1 **SEC. 924. INTEGRATION OF PRODUCTIVITY SOFTWARE**
2 **SUITES FOR SCHEDULING DATA.**

3 *The Secretary of Defense shall ensure that the Depart-*
4 *ment of Defense is capable of scheduling congressional en-*
5 *gagements in a digitally interoperable manner by not later*
6 *than February 25, 2024, either through—*

- 7 *(1) integrating the productivity software suite of*
8 *the Department of Defense with the productivity soft-*
9 *ware suite of the congressional defense committees; or*
10 *(2) enabling the automated transmission of*
11 *scheduling data through another software solution.*

12 **SEC. 925. OPERATIONALIZING AUDIT READINESS.**

13 *(a) METRICS REQUIRED.—*

14 *(1) IN GENERAL.—The Secretary of Defense, in*
15 *coordination with the Secretaries of the military de-*
16 *partments, shall develop a set of command audit*
17 *metrics that link existing audit readiness goals and*
18 *metrics for the financial management community*
19 *with unit leadership goals and metrics to provide*
20 *operationally relevant performance measures for use*
21 *by unit commanders.*

22 *(2) LEVERAGING SUPPORT.—In developing the*
23 *metrics required by paragraph (1), the Secretary may*
24 *leverage support from an existing federally funded re-*
25 *search and development center or university-affiliated*
26 *research center.*

1 (3) *DEADLINE.*—*An initial set of metrics shall*
2 *be developed and implemented under paragraph (1)*
3 *not later than April 30, 2025.*

4 (b) *TRAINING.*—

5 (1) *IN GENERAL.*—*The President of the Defense*
6 *Acquisition University shall develop training cur-*
7 *ricula to support the workforce of the Department of*
8 *Defense in understanding, implementing, and uti-*
9 *lizing the metrics developed under subsection (a) in*
10 *the day-to-day performance of their command and*
11 *leadership duties.*

12 (2) *DEADLINE.*—*An initial training curriculum*
13 *shall be developed and implemented under paragraph*
14 *(1) not later than April 30, 2025.*

15 (c) *LEADER PERFORMANCE ASSESSMENTS.*—

16 (1) *IN GENERAL.*—*The Secretary of Defense, in*
17 *coordination with the Secretaries of the military de-*
18 *partments, shall evaluate means by which the metrics*
19 *developed under subsection (a) can be used in the per-*
20 *formance evaluation of unit commanders.*

21 (2) *BRIEFING REQUIRED.*—*Not later than Sep-*
22 *tember 30, 2024, the Secretary shall provide a brief-*
23 *ing to the Committees on Armed Services of the Sen-*
24 *ate and the House of Representatives on the evalua-*

1 *tion conducted under paragraph (1). The briefing*
 2 *shall include the following elements:*

3 *(A) Identification of the appropriate com-*
 4 *mand echelon at which to assess unit leader per-*
 5 *formance using the metrics developed under sub-*
 6 *section (a).*

7 *(B) Evaluations of available measures to re-*
 8 *ward superior or above average performance*
 9 *with respect to such metrics.*

10 *(C) Assessment of the potential value, and*
 11 *challenges, to integrating such measures into the*
 12 *annual performance evaluations for designated*
 13 *unit leaders.*

14 *(D) Any other issues the Secretary considers*
 15 *appropriate.*

16 **SEC. 926. NEXT GENERATION BUSINESS HEALTH METRICS.**

17 *(a) METRICS REQUIRED.—The Secretary of Defense,*
 18 *acting through the Director of Administration and Manage-*
 19 *ment and in coordination with the Secretaries of the mili-*
 20 *tary departments, shall develop an updated set of business*
 21 *health metrics to inform decision-making by senior leaders*
 22 *of the Department of Defense.*

23 *(b) ELEMENTS.—In developing the metrics required by*
 24 *subsection (a), the Director shall—*

1 (1) *using the current literature on performance*
2 *measurement, determine what additional new metrics*
3 *should be implemented, or current metrics should be*
4 *adapted, to reduce output-based measures and empha-*
5 *size objective, measurable indicators aligned to endur-*
6 *ing strategic goals of the Department of Defense;*

7 (2) *assess the current business processes of the*
8 *Department and provide recommendations to align*
9 *the metrics with available data sources to determine*
10 *what gaps might exist in such processes;*

11 (3) *ensure that data can be collected automati-*
12 *cally and, on a long-term basis, in a manner that*
13 *provides for longitudinal analysis;*

14 (4) *link the metrics with the Strategic Manage-*
15 *ment Plan and other performance documents guiding*
16 *the Department;*

17 (5) *identify any shortfalls in resources, data,*
18 *training, policy, or law that could be an impediment*
19 *to implementing the metrics;*

20 (6) *revise leading and lagging indicators associ-*
21 *ated with each such metric to provide a benchmark*
22 *against which to assess progress;*

23 (7) *improve visualization of and comprehension*
24 *for the use of the metrics in data-driven decision-mak-*

1 *ing, including adoption of new policies and training*
 2 *as needed;*

3 (8) *incorporate the ability to aggregate and*
 4 *disaggregate data to provide the ability to focus on*
 5 *functional, component-level metrics; and*

6 (9) *increase standardization of the use and col-*
 7 *lection of business health metrics across the Depart-*
 8 *ment.*

9 (c) *ADDITIONAL SUPPORT.*—*In developing the metrics*
 10 *required by subsection (a), the Director may leverage sup-*
 11 *port from an existing federally funded research and develop-*
 12 *ment center or university-affiliated research center.*

13 (d) *BRIEFING REQUIRED.*—*Not later than January*
 14 *30, 2025, the Director shall brief the Committees on Armed*
 15 *Services of the Senate and the House of Representatives on*
 16 *the development of the metrics required by subsection (a).*

17 **SEC. 927. INDEPENDENT ASSESSMENT OF DEFENSE BUSI-**
 18 **NESS ENTERPRISE ARCHITECTURE.**

19 (a) *IN GENERAL.*—*The Secretary of Defense shall select*
 20 *a federally funded research and development center or a*
 21 *university affiliated research center to conduct an inde-*
 22 *pendent assessment of the defense business enterprise archi-*
 23 *tecture developed under section 2222(e) of title 10, United*
 24 *States Code.*

1 (b) *ELEMENTS.*—*The assessment required by sub-*
2 *section (a) shall include the following elements:*

3 (1) *An assessment of the effectiveness of the de-*
4 *fense business enterprise architecture as of the date of*
5 *the enactment of this Act in providing an adequate*
6 *and useful framework for planning, managing, and*
7 *integrating the business systems of the Department of*
8 *Defense.*

9 (2) *A comparison of the defense business enter-*
10 *prise architecture with similar models in use by other*
11 *government agencies in the United States, foreign*
12 *governments, and major commercial entities, includ-*
13 *ing an assessment of any lessons from such models*
14 *that might be applied to the defense business enter-*
15 *prise architecture.*

16 (3) *An assessment of the adequacy of the defense*
17 *business enterprise architecture in informing business*
18 *process reengineering and being sufficiently respon-*
19 *sive to changes in business processes over time.*

20 (4) *An identification of any shortfalls or imple-*
21 *mentation challenges in the utility of the defense busi-*
22 *ness enterprise architecture.*

23 (5) *Recommendations for replacement of the ex-*
24 *isting defense business enterprise architecture or for*
25 *modifications to the existing architecture to make that*

1 *architecture and the process for updating that archi-*
 2 *itecture more effective and responsive to the business*
 3 *process needs of the Department.*

4 *(c) INTERIM BRIEFING.—Not later than April 1, 2024,*
 5 *the Secretary shall brief the Committees on Armed Services*
 6 *of the Senate and the House of Representatives on the status*
 7 *of the assessment required by subsection (a).*

8 *(d) FINAL REPORT.—Not later than January 30,*
 9 *2025, the Secretary shall submit to the Committees on*
 10 *Armed Services of the Senate and the House of Representa-*
 11 *tives a report on the results of the assessment required by*
 12 *subsection (a).*

13 **SEC. 928. LIMITATION ON ESTABLISHMENT OF NEW DIVER-**
 14 **SITY, EQUITY, AND INCLUSION POSITIONS;**
 15 **HIRING FREEZE.**

16 *(a) IN GENERAL.—During the period described in sub-*
 17 *section (b), the Secretary of Defense may not—*

18 *(1) establish any new positions within the De-*
 19 *partment of Defense with responsibility for matters*
 20 *relating to diversity, equity, and inclusion; or*

21 *(2) fill any vacancies in positions in the Depart-*
 22 *ment with responsibility for such matters.*

23 *(b) PERIOD DESCRIBED.—The period described in this*
 24 *subsection is the period—*

1 (1) *beginning on the date of the enactment of*
 2 *this Act; and*

3 (2) *ending on the date on which the Comptroller*
 4 *General of the United States submits to Congress the*
 5 *review of the Department of Defense diversity, equity,*
 6 *and inclusion workforce required by the report of the*
 7 *Committee on Armed Services of the Senate accom-*
 8 *panying the National Defense Authorization Act for*
 9 *Fiscal Year 2024.*

10 ***TITLE X—GENERAL PROVISIONS***

11 ***Subtitle A—Financial Matters***

12 ***SEC. 1001. GENERAL TRANSFER AUTHORITY.***

13 (a) *AUTHORITY TO TRANSFER AUTHORIZATIONS.—*

14 (1) *AUTHORITY.—Upon determination by the*
 15 *Secretary of Defense that such action is necessary in*
 16 *the national interest, the Secretary may transfer*
 17 *amounts of authorizations made available to the De-*
 18 *partment of Defense in this division for fiscal year*
 19 *2024 between any such authorizations for that fiscal*
 20 *year (or any subdivisions thereof). Amounts of au-*
 21 *thorizations so transferred shall be merged with and*
 22 *be available for the same purposes as the authoriza-*
 23 *tion to which transferred.*

24 (2) *LIMITATION.—Except as provided in para-*
 25 *graph (3), the total amount of authorizations that the*

1 *Secretary may transfer under the authority of this*
2 *section may not exceed \$6,000,000,000.*

3 (3) *EXCEPTION FOR TRANSFERS BETWEEN MILI-*
4 *TARY PERSONNEL AUTHORIZATIONS.—A transfer of*
5 *funds between military personnel authorizations*
6 *under title IV shall not be counted toward the dollar*
7 *limitation in paragraph (2).*

8 (b) *LIMITATIONS.—The authority provided by sub-*
9 *section (a) to transfer authorizations—*

10 (1) *may only be used to provide authority for*
11 *items that have a higher priority than the items from*
12 *which authority is transferred; and*

13 (2) *may not be used to provide authority for an*
14 *item that has been denied authorization by Congress.*

15 (c) *EFFECT ON AUTHORIZATION AMOUNTS.—A trans-*
16 *fer made from one account to another under the authority*
17 *of this section shall be deemed to increase the amount au-*
18 *thorized for the account to which the amount is transferred*
19 *by an amount equal to the amount transferred.*

20 (d) *NOTICE TO CONGRESS.—The Secretary shall*
21 *promptly notify Congress of each transfer made under sub-*
22 *section (a).*

1 **SEC. 1002. ANNUAL REPORT ON BUDGET PRIORITIZATION**
2 **BY SECRETARY OF DEFENSE AND MILITARY**
3 **DEPARTMENTS.**

4 (a) *IN GENERAL.*—Chapter 9 of title 10, United States
5 Code, is amended by inserting after section 222d the fol-
6 lowing new section:

7 **“§ 222e. Programs, projects, and activities that were**
8 **internally reduced or eliminated in the**
9 **submission of the President’s budget: an-**
10 **nual report**

11 “(a) *IN GENERAL.*—The Secretary of Defense, acting
12 through the Secretaries of the military departments and the
13 officers of Department of Defense agencies and offices not
14 under the control of a Secretary of a military department,
15 shall submit to the congressional defense committees each
16 year, not later than 15 days after the submission of the
17 budget of the President for the fiscal year beginning in such
18 year under section 1105(a) of title 31, a report that includes
19 organized tabulations of programs, projects, and activities
20 the total obligational authority for which was reduced or
21 eliminated in the current budget year proposal compared
22 to the prior-year projection for the current year.

23 “(b) *ELEMENTS.*—The tabulations required under sub-
24 section (a) shall include, for each program, project, or activ-
25 ity that was internally reduced or eliminated, the following
26 elements:

1 “(1) *Whether the program, project, or activity*
 2 *was eliminated or reduced and which fiscal year it*
 3 *was eliminated or reduced in.*

4 “(2) *Appropriations sub-account.*

5 “(3) *The appropriate program element, line item*
 6 *number, or sub-activity group.*

7 “(4) *Program, project, or activity name.*

8 “(5) *Prior year enacted appropriation.*

9 “(6) *Prior year projected current year budget.*

10 “(7) *Current year budget request.*

11 “(8) *If applicable, the amount reduced or saved*
 12 *by the current year elimination or reduction over the*
 13 *future years defense plan.*

14 “(9) *The rationale for reduction or elimination.*

15 “(c) *FORM.—The report required under subsection (a)*
 16 *shall be submitted in machine readable, electronic form.”.*

17 “(b) *CLERICAL AMENDMENT.—The table of sections at*
 18 *the beginning of chapter 9 of such title is amended by in-*
 19 *serting after the item relating to section 222d the following*
 20 *new item:*

“222e. *Programs, projects, and activities that were internally reduced or eliminated in the submission of the President’s budget: annual report.”.*

1 **SEC. 1003. ADDITIONAL REPORTING REQUIREMENTS RE-**
 2 **LATED TO UNFUNDED PRIORITIES.**

3 *Section 222a(c)(1) of title 10, United States Code, is*
 4 *amended by adding at the end the following new subpara-*
 5 *graph:*

6 *“(E) For each priority—*

7 *“(i) the requirement that will be ad-*
 8 *dressed which is not in the base budget re-*
 9 *quest;*

10 *“(ii) the reason why the priority was*
 11 *not included in the base budget request;*

12 *“(iii) a description of previous funding*
 13 *to address the requirement;*

14 *“(iv) an assessment of the impact of*
 15 *the priority on the future years defense*
 16 *plan.”.*

17 **SEC. 1004. SENSE OF THE SENATE ON NEED FOR EMER-**
 18 **GENCY SUPPLEMENTAL APPROPRIATIONS.**

19 *It is the sense of the Senate that—*

20 *(1) section 101 of the Fiscal Responsibility Act*
 21 *of 2023 (Public Law 118–5) imposes limits on discre-*
 22 *tionary spending in the defense and nondefense cat-*
 23 *egories;*

24 *(2) if those spending limits for either category*
 25 *are breached, then across-the-board sequestration cuts*
 26 *are triggered on that category to eliminate the breach;*

1 (3) *the enactment of authorization and appro-*
2 *priations legislation for the Department of Defense*
3 *will provide inherent cost savings that continuing res-*
4 *olutions do not provide;*

5 (4) *there are growing national security concerns*
6 *that require additional funds beyond the revised secu-*
7 *rity spending limit, to include continued support to*
8 *the Ukrainian armed forces, additional munitions*
9 *production, additional large surface combatants, ship-*
10 *building industrial base modernization investments,*
11 *submarine industrial base and supply chain manage-*
12 *ment, additional production of wheeled and tracked*
13 *combat vehicles, and emergent capabilities and exer-*
14 *cises in the United States Indo-Pacific Command;*

15 (5) *as the Senate Majority Leader Chuck Schu-*
16 *mer stated on June 1, 2023, “This debt ceiling deal*
17 *does nothing to limit the Senate’s ability to appro-*
18 *priate emergency/supplemental funds to ensure our*
19 *military capabilities are sufficient to deter China,*
20 *Russia, and our other adversaries and respond to on-*
21 *going and growing national security threats, includ-*
22 *ing Russia’s ongoing war of aggression against*
23 *Ukraine, our ongoing competition with China and its*
24 *growing threat to Taiwan, Iranian threats to Amer-*
25 *ican interests and those of our partners in the Middle*

1 *East, or any other emerging security crisis; nor does*
 2 *this debt ceiling deal limit the Senate’s ability to ap-*
 3 *propriate emergency/supplemental funds to respond to*
 4 *various national issues, such as disaster relief, or*
 5 *combating the fentanyl crisis, or other issues of na-*
 6 *tional importance.”; and*

7 *(6) the President should expeditiously send emer-*
 8 *gency funding requests to the Senate for consideration*
 9 *so that those needs can receive sufficient and addi-*
 10 *tional funds.*

11 ***Subtitle B—Counterdrug Activities***

12 ***SEC. 1011. DISRUPTION OF FENTANYL TRAFFICKING.***

13 *(a) SENSE OF SENATE.—It is the sense of the Senate*
 14 *that—*

15 *(1) fentanyl trafficking across the borders of the*
 16 *United States, and the consequences of that traf-*
 17 *ficking, constitute an unprecedented, nontraditional,*
 18 *and long-term threat to the national security of the*
 19 *United States;*

20 *(2) transnational criminal organizations have*
 21 *established effective control over significant areas*
 22 *within Mexico, which has enabled the development of*
 23 *fentanyl production and trafficking infrastructure;*

24 *(3) combating fentanyl trafficking demands—*

1 (A) improved interagency command, con-
2 trol, communications, and intelligence sharing to
3 enhance the effectiveness of the interdiction of
4 fentanyl at the borders of the United States; and

5 (B) whole-of-government solutions com-
6 prised of an integrated and synchronized inter-
7 agency organizational construct committed to
8 dismantling the process of trafficking fentanyl
9 from chemical precursor to production to deliv-
10 ery in the United States and enabling partner
11 nations to do the same;

12 (4) it is within the national security interest of
13 the United States for Federal, State, and local law
14 enforcement agencies, the Department of Defense, the
15 Department of State, other counter-drug agencies, and
16 stakeholders to effectively communicate and that the
17 failure of effective communication affects the preven-
18 tion, interdiction, and prosecution of fentanyl traf-
19 ficking and distribution into and within the United
20 States; and

21 (5) the United States must partner with Mexico
22 and Canada to combat fentanyl trafficking through
23 institution building, the dismantling of cartels, and
24 seizures of fentanyl in Mexico, Canada, and intra-
25 state transit zones.

1 (b) *DEVELOPMENT OF STRATEGY TO COUNTER*
2 *FENTANYL TRAFFICKING AND REPORT.*—

3 (1) *STRATEGY.*—

4 (A) *IN GENERAL.*—Not later than 120 days
5 after the date of the enactment of this Act, the
6 Secretary of Defense, in coordination with other
7 Federal agencies as the Secretary considers ap-
8 propriate, shall develop and submit to the appro-
9 priate congressional committees a strategy to use
10 existing authorities, including the authorities
11 under section 124 of title 10, United States Code,
12 as appropriate, to target, disrupt, or degrade
13 threats to the national security of the United
14 States caused or exacerbated by fentanyl traf-
15 ficking.

16 (B) *CONTENTS.*—The strategy required by
17 subparagraph (A) shall outline how the Sec-
18 retary of Defense will—

19 (i) leverage existing authorities regard-
20 ing counterdrug and counter-transnational
21 organized crime activities with a counter-
22 fentanyl nexus to detect and monitor activi-
23 ties related to fentanyl trafficking;

24 (ii) support operations to counter
25 fentanyl trafficking carried out by other

1 *Federal agencies, State, Tribal, and local*
2 *law enforcement agencies, or foreign secu-*
3 *rity forces;*

4 *(iii) coordinate efforts of the Depart-*
5 *ment of Defense for the detection and moni-*
6 *toring of aerial, maritime, and surface traf-*
7 *fic suspected of carrying fentanyl bound for*
8 *the United States, including efforts to unify*
9 *the use of technology, surveillance, and re-*
10 *lated resources across air, land, and mari-*
11 *time domains to counter fentanyl traf-*
12 *ficking, including with respect to data col-*
13 *lection, data processing, and integrating*
14 *sensors across such domains;*

15 *(iv) provide military-unique capabili-*
16 *ties to support activities by the United*
17 *States Government and foreign security*
18 *forces to detect and monitor the trafficking*
19 *of fentanyl and precursor chemicals used in*
20 *fentanyl production, consistent with section*
21 *284(b)(10) of title 10, United States Code;*

22 *(v) leverage existing counterdrug and*
23 *counter-transnational organized crime pro-*
24 *grams of the Department to counter*
25 *fentanyl trafficking;*

1 (vi) assess existing training programs
2 of the Department and provide training for
3 Federal, State, Tribal, and local law en-
4 forcement agencies conducted by special op-
5 erations forces to counter fentanyl traf-
6 ficking, consistent with section 284(b) of
7 title 10, United States Code;

8 (vii) engage with foreign security forces
9 to ensure the counterdrug and counter-
10 transnational organized crime programs of
11 the Department—

12 (I) support efforts to counter
13 fentanyl trafficking; and

14 (II) build capacity to interdict
15 fentanyl in foreign countries, including
16 programs to train security forces in
17 partner countries to counter fentanyl
18 trafficking, including countering illicit
19 flows of fentanyl precursors, consistent
20 with sections 284(c) and 333 of title
21 10, United States Code;

22 (viii) use the North American Defense
23 Ministerial and the bilateral defense work-
24 ing groups and bilateral military coopera-
25 tion round tables with Canada and Mexico

1 to increase domain awareness to detect and
2 monitor fentanyl trafficking; and

3 (ix) evaluate existing policies, proce-
4 dures, processes, and resources that affect
5 the ability of the Department to counter
6 fentanyl trafficking consistent with existing
7 counterdrug and counter-transnational or-
8 ganized crime authorities.

9 (C) *FORM.*—The strategy required by sub-
10 paragraph (A) shall be submitted in unclassified
11 form, but may include a classified annex.

12 (D) *BRIEFING.*—Not later than 45 days
13 after the submission of the strategy required by
14 subparagraph (A), the Secretary shall provide to
15 the appropriate congressional committees a brief-
16 ing on the strategy and plans for its implemen-
17 tation.

18 (2) *REPORT ON LAW ENFORCEMENT REIMBURSE-*
19 *MENT.*—The Secretary of Defense shall submit to the
20 appropriate congressional committees a report on—

21 (A) any goods or services provided under
22 section 1535 of title 31, United States Code
23 (commonly known as the “Economy Act”), dur-
24 ing the period beginning on January 1, 2010,
25 and ending on the date on which the report is

submitted, by the Department of Defense to Federal civilian law enforcement agencies for counterdrug and counter-transnational organized crime operations on the southern border of the United States; and

(B) any payments made for such goods or services under such section during such period.

(c) COOPERATION WITH MEXICO.—

(1) IN GENERAL.—The Secretary of Defense shall seek to enhance cooperation with defense officials of the Government of Mexico to target, disrupt, and degrade transnational criminal organizations within Mexico that traffic fentanyl.

(2) REPORT ON ENHANCED SECURITY COOPERATION.—

(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate congressional committees a report on efforts to enhance cooperation with defense officials of the Government of Mexico specified in paragraph (1).

(B) CONTENTS.—The report required by subparagraph (A) shall include—

1 (i) *an assessment of the impact of the*
 2 *efforts to enhance cooperation described in*
 3 *paragraph (1) on targeting, disrupting, and*
 4 *degrading fentanyl trafficking;*

5 (ii) *a description of limitations on*
 6 *such efforts, including limitations imposed*
 7 *by the Government of Mexico;*

8 (iii) *recommendations by the Secretary*
 9 *on actions to further improve cooperation*
 10 *with defense officials of the Government of*
 11 *Mexico;*

12 (iv) *recommendations by the Secretary*
 13 *on actions of the Department of Defense to*
 14 *further improve the capabilities of the Gov-*
 15 *ernment of Mexico to target, disrupt, and*
 16 *degrade fentanyl trafficking; and*

17 (v) *any other matter the Secretary con-*
 18 *siders relevant.*

19 (C) *FORM.*—*The report required by sub-*
 20 *paragraph (A) may be submitted in unclassified*
 21 *form but shall include a classified annex.*

22 (d) *DEFINITIONS.*—*In this section:*

23 (1) *APPROPRIATE CONGRESSIONAL COMMIT-*
 24 *TEES.*—*The term “appropriate congressional commit-*
 25 *tees” means—*

1 (A) *the Committee on Armed Services of the*
2 *Senate; and*

3 (B) *the Committee on Armed Services of the*
4 *House of Representatives.*

5 (2) *FENTANYL.—The term “fentanyl” means*
6 *fentanyl and any fentanyl-related substance.*

7 (3) *FENTANYL-RELATED SUBSTANCE.—The term*
8 *“fentanyl-related substance”—*

9 (A) *means any substance that is struc-*
10 *turally related to fentanyl by 1 or more modi-*
11 *fications of—*

12 (i) *replacement of the phenyl portion of*
13 *the phenethyl group by any monocycle,*
14 *whether or not further substituted in or on*
15 *the monocycle;*

16 (ii) *substitution in or on the phenethyl*
17 *group with alkyl, alkenyl, alkoxy, hydroxyl,*
18 *halo, haloalkyl, amino, or nitro groups;*

19 (iii) *substitution in or on the piper-*
20 *idine ring with alkyl, alkenyl, alkoxy,*
21 *ester, ether, hydroxyl, halo, haloalkyl,*
22 *amino, or nitro groups;*

23 (iv) *replacement of the aniline ring*
24 *with any aromatic monocycle whether or*

1 *not further substituted in or on the aro-*
2 *matic monocycle; and*

3 *(v) replacement of the N-propionyl*
4 *group with another acyl group; and*

5 *(B) does not include a substance described*
6 *in subparagraph (A) that is—*

7 *(i) controlled by action of the Attorney*
8 *General pursuant to section 201 of the Con-*
9 *trolled Substances Act (21 U.S.C. 811);*

10 *(ii) expressly listed in Schedule I of*
11 *section 202(c) of that Act (21 U.S.C. 812)*
12 *or another schedule by a statutory provi-*
13 *sion; or*

14 *(iii) removed from Schedule I, or re-*
15 *scheduled to another schedule, pursuant to*
16 *section 201(k) of that Act (21 U.S.C.*
17 *811(k)).*

18 (4) *ILLEGAL MEANS.—The term “illegal means”*
19 *includes the trafficking of money, human trafficking,*
20 *illicit financial flows, illegal trade in natural re-*
21 *sources and wildlife, trade in illegal drugs and weap-*
22 *ons, and other forms of illegal means determined by*
23 *the Secretary of Defense.*

24 (5) *SECURITY COOPERATION PROGRAM.—The*
25 *term “security cooperation program” has the meaning*

1 *given that term in section 301 of title 10, United*
 2 *States Code.*

3 (6) *TRANSNATIONAL CRIMINAL ORGANIZATION.*—

4 (A) *IN GENERAL.*—*The term “transnational*
 5 *criminal organization” means a group, network,*
 6 *and associated individuals who operate*
 7 *transnationally for the purpose of obtaining*
 8 *power, influence, or monetary or commercial*
 9 *gain, wholly or in part by illegal means, while*
 10 *advancing their activities through a pattern of*
 11 *crime, corruption, or violence and protecting*
 12 *their illegal activities through a transnational*
 13 *organizational structure and the exploitation of*
 14 *public corruption or transnational logistics, fi-*
 15 *nancial, or communication mechanisms.*

16 (B) *ADDITIONAL ORGANIZATIONS.*—*The*
 17 *term “transnational criminal organization” in-*
 18 *cludes any transnational criminal organization*
 19 *identified in the most recent Drug Threat Assess-*
 20 *ment of the Drug Enforcement Agency.*

21 **SEC. 1012. ENHANCED SUPPORT FOR COUNTERDRUG AC-**
 22 **TIVITIES AND ACTIVITIES TO COUNTER**
 23 **TRANSNATIONAL ORGANIZED CRIME.**

24 *Section 284(b)(9) of title 10, United States Code, is*
 25 *amended by striking “linguist and intelligence analysis”*

1 *and inserting “linguist, intelligence analysis, and plan-*
 2 *ning”.*

3 **SEC. 1013. MODIFICATION OF SUPPORT FOR**
 4 **COUNTERDRUG ACTIVITIES AND ACTIVITIES**
 5 **TO COUNTER TRANSNATIONAL ORGANIZED**
 6 **CRIME: INCREASE IN CAP FOR SMALL SCALE**
 7 **CONSTRUCTION PROJECTS.**

8 *Section 284(i)(3) of title 10, United States Code, is*
 9 *amended by striking “\$750,000” and inserting*
 10 *“\$1,500,000”.*

11 **SEC. 1014. BUILDING THE CAPACITY OF ARMED FORCES OF**
 12 **MEXICO TO COUNTER THE THREAT POSED BY**
 13 **TRANSNATIONAL CRIMINAL ORGANIZATIONS.**

14 *(a) PILOT PROGRAM.—Not later than 180 days after*
 15 *the date of the enactment of this Act, the Secretary of De-*
 16 *fense, in coordination with the Secretary of State, shall es-*
 17 *tablish a pilot program to assess the feasibility and advis-*
 18 *ability of building the capacity of armed forces of Mexico*
 19 *in the United States on goals, jointly agreed to by the Gov-*
 20 *ernments of the United States and Mexico, to counter the*
 21 *threat posed by transnational criminal organizations, in-*
 22 *cluding through—*

23 *(1) operations designed, at least in part, by the*
 24 *United States, to counter that threat; and*

(2) *in consultation with the appropriate civilian government agencies specializing in countering transnational criminal organizations—*

(A) *joint network analysis;*

(B) *counter threat financing;*

(C) *counter illicit trafficking (including narcotics, weapons, and human trafficking, and illicit trafficking in natural resources); and*

(D) *assessments of key nodes of activity of transnational criminal organizations.*

(b) *PLAN.—*

(1) *IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate congressional committees a plan for implementing the pilot program required by subsection (a) over a period of five years, including the costs of administering the program during such period.*

(2) *DEFINITION OF APPROPRIATE CONGRESSIONAL COMMITTEES.—In this subsection, the term “appropriate congressional committees” means—*

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

1 (B) the Committee on Armed Services, the
 2 Committee on Foreign Affairs, and the Com-
 3 mittee on Appropriations of the House of Rep-
 4 resentatives.

5 ***Subtitle C—Naval Vessels***

6 **SEC. 1021. MODIFICATION OF AUTHORITY TO PURCHASE**
 7 ***USED VESSELS UNDER THE NATIONAL DE-***
 8 ***FENSE SEALIFT FUND.***

9 Section 2218(f)(3) of title 10, United States Code, is
 10 amended—

11 (1) by striking subparagraphs (C), (E) and (G);
 12 and

13 (2) by redesignating subparagraphs (D) and (F)
 14 as subparagraphs (C) and (D), respectively.

15 **SEC. 1022. AMPHIBIOUS WARSHIP FORCE AVAILABILITY.**

16 Section 8062 of title 10, United States Code, is amend-
 17 ed—

18 (1) in subsection (e)—

19 (A) in paragraph (2), by striking “and” at
 20 the end;

21 (B) in paragraph (3), by striking the period
 22 at the end and inserting “; and”; and

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

1 “(4) the Navy adjusts scheduled maintenance
2 and repair actions to maintain a minimum of 24
3 amphibious warfare ships operationally available for
4 worldwide deployment.”; and

5 (2) by redesignating the second subsection (g)
6 (defining amphibious warfare ship) as subsection (h).

7 **SEC. 1023. PROHIBITION ON RETIREMENT OF CERTAIN**
8 **NAVAL VESSELS.**

9 None of the funds authorized to be appropriated by this
10 Act for fiscal year 2024 may be obligated or expended to
11 retire, prepare to retire, or place in storage any of the fol-
12 lowing naval vessels:

13 (1) USS Germantown (LSD 42).

14 (2) USS Gunston Hall (LSD 44).

15 (3) USS Tortuga (LSD 46).

16 (4) USS Shiloh (CG 67).

17 **SEC. 1024. REPORT ON THE POTENTIAL FOR AN ARMY AND**
18 **NAVY JOINT EFFORT FOR WATERCRAFT VES-**
19 **SELS.**

20 (a) *REPORT REQUIRED.*—Not later than February 29,
21 2024, the Secretary of the Navy, in coordination with the
22 Secretary of the Army, shall submit to the congressional de-
23 fense committees a report on the feasibility of conducting
24 a joint Army and Navy effort to develop and field a family
25 of watercraft vessels to support the implementation of the

1 *Marine Corps concept of expeditionary advanced base oper-*
 2 *ations and Army operations in maritime environments.*

3 (b) *ELEMENTS.*—*The report required by subsection (a)*
 4 *shall include an assessment of whether a shared base plat-*
 5 *form could meet requirements of the Department of the*
 6 *Navy and the Department of the Army, and, if so, an as-*
 7 *essment of the benefits and challenges of procuring a tech-*
 8 *nical data package to allow simultaneous construction of*
 9 *such platform by multiple builders and using block buy au-*
 10 *thorities.*

11 ***Subtitle D—Counterterrorism***

12 ***SEC. 1031. EXTENSION OF PROHIBITION ON USE OF FUNDS*** 13 ***TO CLOSE OR RELINQUISH CONTROL OF*** 14 ***UNITED STATES NAVAL STATION, GUANTA-*** 15 ***NAMO BAY, CUBA.***

16 *Section 1036 of the National Defense Authorization*
 17 *Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat.*
 18 *1551), as most recently amended by section 1034 of the*
 19 *James M. Inhofe National Defense Authorization Act for*
 20 *Fiscal Year 2023 (Public Law 117–263), is further amend-*
 21 *ed by striking “2023” and inserting “2024”.*

1 **SEC. 1032. 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 *1031 of the James M. Inhofe National Defense Authoriza-*
 10 *tion Act for Fiscal Year 2023 (Public Law 117–263), is*
 11 *further amended by striking “December 31, 2023” and in-*
 12 *serting “December 31, 2024”.*

13 **SEC. 1033. 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 1032 of the James M. Inhofe National Defense Author-*
 22 *ization Act for Fiscal Year 2023 (Public Law 117–263),*
 23 *is further amended by striking “December 31, 2023” and*
 24 *inserting “December 31, 2024”.*

1 **SEC. 1034. 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 CERTAIN**
 5 **COUNTRIES.**

6 *Section 1035 of the John S. McCain National Defense*
 7 *Authorization Act for Fiscal Year 2019 (Public Law 115–*
 8 *232; 132 Stat. 1954), as most recently amended by section*
 9 *1033 of the James M. Inhofe National Defense Authoriza-*
 10 *tion Act for Fiscal Year 2023 (Public Law 117–263), is*
 11 *further amended by striking “December 31, 2023” and in-*
 12 *serting “December 31, 2024”.*

13 ***Subtitle E—Miscellaneous***
 14 ***Authorities and Limitations***

15 **SEC. 1041. EXTENSION OF ADMISSION TO GUAM OR THE**
 16 **COMMONWEALTH OF THE NORTHERN MAR-**
 17 **IANA ISLANDS FOR CERTAIN NONIMMIGRANT**
 18 **H-2B WORKERS.**

19 *Section 6(b)(1)(B) of the Joint Resolution entitled “A*
 20 *Joint Resolution to approve the ‘Covenant to Establish a*
 21 *Commonwealth of the Northern Mariana Islands in Polit-*
 22 *ical Union with the United States of America’, and for*
 23 *other purposes”, approved March 24, 1976 (48 U.S.C.*
 24 *1806(b)(1)(B)), is amended, in the matter preceding clause*
 25 *(i), by striking “December 31, 2023” and inserting “Decem-*
 26 *ber 31, 2029”.*

1 **SEC. 1042. AUTHORITY TO INCLUDE FUNDING REQUESTS**
 2 **FOR THE CHEMICAL AND BIOLOGICAL DE-**
 3 **FENSE PROGRAM IN BUDGET ACCOUNTS OF**
 4 **MILITARY DEPARTMENTS.**

5 *Section 1701(d)(2) of the National Defense Authoriza-*
 6 *tion Act for Fiscal Year 1994 (50 U.S.C. 1522(d)(2)) is*
 7 *amended by striking “may not be included in the budget*
 8 *accounts” and inserting “may be included in the budget*
 9 *accounts”.*

10 **SEC. 1043. UNFAVORABLE SECURITY CLEARANCE ELIGI-**
 11 **BILITY DETERMINATIONS AND APPEALS.**

12 *(a) ADMINISTRATIVE DUE PROCESS PROCEDURES FOR*
 13 *COVERED INDIVIDUALS SEEKING OR HAVING ACCESS TO*
 14 *CLASSIFIED INFORMATION OR SENSITIVE COMPARTMENT*
 15 *INFORMATION.—*

16 *(1) IN GENERAL.—Each head of a component of*
 17 *the Department of Defense shall provide to each cov-*
 18 *ered individual described in paragraph (2) of such*
 19 *component seeking or having access to classified infor-*
 20 *mation or sensitive compartment information with*
 21 *administrative due process procedures described in*
 22 *paragraph (3) through the Defense Office of Hearings*
 23 *and Appeals.*

24 *(2) COVERED INDIVIDUAL DESCRIBED.—A cov-*
 25 *ered individual described in this paragraph is a*
 26 *member of the Armed Forces, a civilian employee em-*

1 *ployed by a component of the Department of Defense,*
 2 *or a contractor employee described in Department of*
 3 *Defense Manual 5220.22, Volume 2 (relating to Na-*
 4 *tional Industrial Security Program: Industrial Secu-*
 5 *rity Procedures for Government Activities), or suc-*
 6 *cessor manual.*

7 (3) *ADMINISTRATIVE DUE PROCESS PROCEDURES*
 8 *DESCRIBED.—The administrative due process proce-*
 9 *dures described in this paragraph are the administra-*
 10 *tive due process procedures described in Department*
 11 *of Defense Directive 5220.6 (relating to Defense In-*
 12 *dustrial Personnel Security Clearance Review Pro-*
 13 *gram), or successor directive, and Executive Order*
 14 *10865 (50 U.S.C. 3161 note; relating to safeguarding*
 15 *classified information within industry).*

16 (b) *HEARINGS, APPEALS, AND FINAL DENIALS AND*
 17 *REVOCATIONS OF SECURITY CLEARANCE ELIGIBILITY.—In*
 18 *order to simplify, centralize, and unify the administrative*
 19 *processes for unfavorable security clearance eligibility deter-*
 20 *minations for covered individuals described in subsection*
 21 *(a)(2), the Secretary of Defense shall ensure that all hear-*
 22 *ings, appeals, and final denials and revocations of security*
 23 *clearance eligibility are performed by the Defense Office of*
 24 *Hearings and Appeals with administrative due process pro-*
 25 *cedures.*

1 (c) *UPDATES TO DEPARTMENT OF DEFENSE MANU-*
 2 *ALS.—The Secretary of Defense shall update Department*
 3 *of Defense Manual 5200.02 (relating to procedures for De-*
 4 *partment of Defense Personnel Security Program) and De-*
 5 *partment of Defense Manual 5220.22, Volume 2 (relating*
 6 *to National Industrial Security Program: Industrial Secu-*
 7 *rity Procedures for Government Activities) to conform with*
 8 *the requirements of subsections (a) and (b).*

9 (d) *AUTHORITY OF DIRECTOR OF DEFENSE OFFICE OF*
 10 *HEARINGS AND APPEALS TO RENDER ELIGIBILITY DETER-*
 11 *MINATIONS FOR ACCESS TO CLASSIFIED INFORMATION AND*
 12 *SENSITIVE COMPARTMENTED INFORMATION.—The Director*
 13 *of the Defense Office of Hearings and Appeals may render*
 14 *eligibility determinations for access to classified informa-*
 15 *tion and sensitive compartmented information pursuant to*
 16 *procedures and guidelines that the Director shall issue in*
 17 *consultation with the Director of National Intelligence.*

18 (e) *DISSEMINATION OF SECURITY RELEVANT INFOR-*
 19 *MATION.—*

20 (1) *REQUEST FOR SHARING REQUIRED.—In a*
 21 *case in which a contractor or civilian employee of the*
 22 *Federal Government holding an active security clear-*
 23 *ance is seeking to transfer that clearance for a new*
 24 *position in the Department of Defense and in which*
 25 *an agency or department of the Federal Government*

1 *possesses security relevant information about that*
2 *clearance holder that is related to eligibility for access*
3 *to classified information and makes known the exist-*
4 *ence of such security relevant information in the com-*
5 *monly accessible security clearance databases of the*
6 *Federal Government, but without taking any action*
7 *to suspend or revoke that clearance holder's security*
8 *clearance, the Department of Defense component con-*
9 *sidering the transfer of a clearance shall promptly*
10 *make a request to receive the security relevant infor-*
11 *mation from the agency or department in possession*
12 *of such information.*

13 (2) *FAILURE TO SHARE.*—*In a case in which an*
14 *agency or department of the Federal Government re-*
15 *ceives a request to share security relevant information*
16 *about a clearance holder pursuant to paragraph (1)*
17 *but fails to do so within 30 days of the date on which*
18 *the request is made, such failure shall trigger proce-*
19 *dural and substantive due process rights, established*
20 *for the purposes of carrying out this section, for the*
21 *clearance holder to challenge the security relevant in-*
22 *formation as if the information were the equivalent of*
23 *a suspension, denial, or revocation of the underlying*
24 *clearance.*

1 (f) *PROTECTIONS.*—*Members of the Armed Forces and*
 2 *civilian employees of the Department of Defense may not*
 3 *be suspended without pay because a security clearance is*
 4 *suspended or revoked prior to the conclusion of any appeal*
 5 *process to enable such members and employee to support*
 6 *themselves during an appeal process and to support them-*
 7 *selves without resigning from Government employment and*
 8 *thereby losing standing to appeal the suspension or revoca-*
 9 *tion of access to classified information.*

10 (g) *EFFECTIVE DATE; APPLICABILITY.*—

11 (1) *EFFECTIVE DATE.*—*This section shall take ef-*
 12 *fect on the earlier of—*

13 (A) *the date on which the General Counsel*
 14 *of the Department of Defense certifies to the*
 15 *Committee on Armed Services of the Senate and*
 16 *the Committee on Armed Services of the House*
 17 *of Representatives that the Defense Office of*
 18 *Hearings and Appeals is prepared for the provi-*
 19 *sions of this section to take effect; or*

20 (B) *September 30, 2024.*

21 (2) *APPLICABILITY.*—*This section shall apply to*
 22 *revocations of eligibility to access classified informa-*
 23 *tion or sensitive compartmented information that*
 24 *occur on or after the date on which this section takes*
 25 *effect pursuant to paragraph (1).*

1 (h) *RULE OF CONSTRUCTION.*—*Nothing in this section*
 2 *shall be construed to diminish or otherwise affect the au-*
 3 *thority of the head of a component of the Department to*
 4 *suspend access to classified information or a special access*
 5 *program, including sensitive compartmented information,*
 6 *in exigent circumstances, should the head determine that*
 7 *continued access of a covered individual is inconsistent with*
 8 *protecting the national security of the United States.*

9 **SEC. 1044. ASSISTANCE IN SUPPORT OF DEPARTMENT OF**
 10 **DEFENSE ACCOUNTING FOR MISSING UNITED**
 11 **STATES GOVERNMENT PERSONNEL.**

12 (a) *IN GENERAL.*—*Section 408 of title 10, United*
 13 *States Code, is amended—*

14 (1) *in the section heading, by striking “Equip-*
 15 *ment and training of foreign personnel to*
 16 *assist in” and inserting “Assistance in sup-*
 17 *port of”;*

18 (2) *in subsection (b), by adding at the end the*
 19 *following new paragraph:*

20 “(5) *Funds.*”;

21 (3) *by striking subsections (d) and (f);*

22 (4) *by redesignating subsection (e) as subsection*
 23 *(d); and*

24 (5) *by adding at the end the following new sub-*
 25 *section:*

1 “(e) *ANNUAL REPORT*.—Not later than December 31
 2 of each year, the Secretary of Defense shall submit to the
 3 congressional defense committees a report on the assistance
 4 provided under this section during the preceding fiscal
 5 year.”.

6 (b) *TABLE OF SECTIONS AMENDMENT*.—The table of
 7 sections at the beginning of chapter 20 of title 10, United
 8 States Code, is amended by striking the item relating to
 9 section 408 and inserting the following new item:

“408. Assistance in support of Department of Defense accounting for missing
 United States Government personnel.”.

10 **SEC. 1045. IMPLEMENTATION OF ARRANGEMENTS TO BUILD**
 11 **TRANSPARENCY, CONFIDENCE, AND SECU-**
 12 **RITY.**

13 Section 2241 of title 10, United States Code, is amend-
 14 ed by adding at the end the following new subsection:

15 “(d) *IMPLEMENTATION OF VIENNA DOCUMENT 2011*.—
 16 Amounts appropriated for operation and maintenance may
 17 be used by the Secretary of Defense for travel, transpor-
 18 tation, and subsistence expenses for meetings and dem-
 19 onstrations hosted by the Department of Defense for the im-
 20 plementation of the Vienna Document 2011 on Confidence
 21 and Security-Building Measures.”.

1 **SEC. 1046. ACCESS TO AND USE OF MILITARY POST OFFICES**
2 **BY UNITED STATES CITIZENS EMPLOYED**
3 **OVERSEAS BY THE NORTH ATLANTIC TREATY**
4 **ORGANIZATION WHO PERFORM FUNCTIONS**
5 **IN SUPPORT OF MILITARY OPERATIONS OF**
6 **THE ARMED FORCES.**

7 (a) *REQUIREMENT TO AUTHORIZE USE OF POST OF-*
8 *FICE.*—Section 406 of title 39, United States Code, is
9 amended by striking “may authorize the use” and inserting
10 “shall authorize the use”.

11 (b) *BRIEFING REQUIREMENT.*—Not later than March
12 1, 2024, the Secretary of Defense shall brief the Committees
13 on Armed Services of the Senate and House of Representa-
14 tives on the revision of the Financial Management Regula-
15 tion to authorize individuals under subparagraph (A) of
16 section 406(c)(1) of title 39, United States Code, as amend-
17 ed by subsection (a), to utilize the authority provided under
18 such subparagraph. If there is a determination that this
19 authority is not feasible for a legal or financial reason, the
20 Secretary shall include the background for those determina-
21 tions in the briefing.

1 **SEC. 1047. REMOVAL OF TIME LIMITATIONS OF TEMPORARY**
 2 **PROTECTION AND AUTHORIZATION OF REIM-**
 3 **BURSEMENT FOR SECURITY SERVICES AND**
 4 **EQUIPMENT FOR FORMER OR RETIRED DE-**
 5 **PARTMENT OF DEFENSE PERSONNEL.**

6 (a) *REMOVAL OF TIME LIMITATIONS.*—Section 714(b)
 7 of title 10, United States Code, is amended—

8 (1) *by redesignating paragraph (6) as para-*
 9 *graph (7);*

10 (2) *in paragraph (5)—*

11 (A) *by redesignating subparagraph (C) as*
 12 *paragraph (6) and moving such paragraph, as*
 13 *so redesignated, two ems to the left; and*

14 (B) *by striking “DURATION OF PROTEC-*
 15 *TION.—” and all that follows through the period*
 16 *at the end of subparagraph (B) and inserting*
 17 *“DURATION OF PROTECTION.—The Secretary of*
 18 *Defense shall require periodic reviews, not less*
 19 *than once every six months, of the duration of*
 20 *protection provided to individuals under this*
 21 *subsection.”;*

22 (3) *in subparagraph (A) of paragraph (7), as re-*
 23 *designated by paragraph (1) of this subsection, by*
 24 *striking “and of each determination under paragraph*
 25 *(5)(B) to extend such protection and security”.*

1 (b) *AUTHORIZATION OF REIMBURSEMENT OR ACQUISITION OF SECURITY SERVICES.*—Section 714 of title 10, United States Code, is further amended by adding at the end the following new subsection:

5 “(e) *REIMBURSEMENT.*—The Secretary of Defense may reimburse a former or retired official who faces serious and credible threats arising from duties performed while employed by the Department for security services and equipment procured at the personal expense of the official, not to exceed an aggregate of \$15,000,000 in any fiscal year for all former and retired officials authorized by the Secretary of Defense for such reimbursement.”.

13 **SEC. 1048. ANNUAL DEFENSE POW/MIA ACCOUNTING AGENCY (DPAA) CAPABILITIES REQUIRED TO EXPAND ACCOUNTING FOR PERSONS MISSING FROM DESIGNATED PAST CONFLICTS.**

17 (a) *IN GENERAL.*—Not later than March 1, 2024, and annually thereafter, the Defense POW/MIA Accounting Agency (DPAA) shall post on a publicly available internet website a list of capabilities required to expand accounting for persons missing from designated past conflicts and provide a briefing to Congress on those capabilities.

23 (b) *AUTHORITY TO ENTER INTO AGREEMENTS.*—The Defense POW/MIA Accounting Agency may enter into agreements with universities or research organizations to

1 *provide additional capabilities for specialized missions or*
 2 *research requirements.*

3 **SEC. 1049. ACCESS TO COMMISSARY AND EXCHANGE PRIVI-**
 4 **LEGES FOR REMARRIED SPOUSES.**

5 *(a) BENEFITS.—Section 1062 of title 10, United States*
 6 *Code, is amended—*

7 *(1) by striking “The Secretary of Defense” and*
 8 *inserting the following:*

9 *“(a) CERTAIN UNREARRIED FORMER SPOUSES.—*
 10 *The Secretary of Defense”;*

11 *(2) by striking “commissary and exchange privi-*
 12 *leges” and inserting “use commissary stores and*
 13 *MWR retail facilities”;*

14 *(3) by adding at the end the following new sub-*
 15 *section:*

16 *“(b) CERTAIN REMARRIED SURVIVING SPOUSES.—The*
 17 *Secretary of Defense shall prescribe such regulations as may*
 18 *be necessary to provide that a surviving spouse of a deceased*
 19 *member of the armed forces, regardless of the marital status*
 20 *of the surviving spouse, is entitled to use commissary stores*
 21 *and MWR retail facilities to the same extent and on the*
 22 *same basis as an unremarried surviving spouse of a member*
 23 *of the uniformed services.”; and*

24 *(4) by adding at the end the following new sub-*
 25 *section:*

1 “(c) *MWR RETAIL FACILITIES DEFINED.*—*In this sec-*
 2 *tion, the term ‘MWR retail facilities’ has the meaning given*
 3 *that term in section 1063(e) of this title.”.*

4 (b) *CLERICAL AMENDMENTS.*—

5 (1) *SECTION HEADING.*—*The heading of section*
 6 *1062 of title 10, United States Code, is amended to*
 7 *read as follows:*

8 **“§ 1062. Certain former spouses and surviving**
 9 **spouses”.**

10 (2) *TABLE OF SECTIONS.*—*The table of sections*
 11 *at the beginning of chapter 54 of title 10, United*
 12 *States Code, is amended by striking the item relating*
 13 *to section 1062 and inserting the following new item:*
 “1062. Certain former spouses and surviving spouses.”.

14 (c) *REGULATIONS.*—*The Secretary of Defense shall*
 15 *publish the regulations required under section 1062(b) of*
 16 *title 10, United States Code, as added by subsection (a)(3),*
 17 *by not later than October 1, 2025.*

18 ***Subtitle F—Studies and Reports***

19 ***SEC. 1051. ANNUAL REPORT AND BRIEFING ON IMPLEMEN-*** 20 ***TATION OF FORCE DESIGN 2030.***

21 (a) *IN GENERAL.*—*Not later than March 31, 2024, and*
 22 *annually thereafter through March 31, 2030, the Com-*
 23 *mandant of the Marine Corps shall submit to the congres-*
 24 *sional defense committees a report detailing the pro-*
 25 *grammatic choices made to implement Force Design 2030,*

1 *including both new developmental and fielded capabilities,*
 2 *as well as capabilities and capacity divested to accelerate*
 3 *implementation of Force Design 2030.*

4 (b) *BRIEFING REQUIREMENT.*—*Not later than Sep-*
 5 *tember 30, 2024, and annually thereafter through Sep-*
 6 *tember 30, 2030, the Commandant of the Marine Corps*
 7 *shall provide a briefing on the elements described under sub-*
 8 *section (c).*

9 (c) *ELEMENTS.*—*The report required under subsection*
 10 *(a) and briefing required under subsection (b) shall include*
 11 *the following elements:*

12 (1) *An assessment of changes in the National De-*
 13 *fense Strategy, Defense Planning Guidance, Joint*
 14 *Warfighting Concept (and associated Concept Re-*
 15 *quired Capabilities), and other planning processes*
 16 *that informed Force Design 2030.*

17 (2) *An inventory and assessment of Force De-*
 18 *sign-related exercises and experimentation beginning*
 19 *in fiscal year 2020, including which capabilities were*
 20 *involved and the extent to which such exercises and*
 21 *experiments validated or militated against proposed*
 22 *capability investments.*

23 (3) *An inventory of divestments of capability or*
 24 *capacity, whether force structure or equipment, start-*
 25 *ing in fiscal year 2020, including—*

1 (A) a timeline of the progress of each divest-
2 ment;

3 (B) the type of force structure or equipment
4 divested or reduced;

5 (C) the percentage of force structure or
6 equipment divested or reduced, including any
7 equipment entered into inventory management
8 or another form of storage;

9 (D) the rationale and context behind such
10 divestment;

11 (E) an identification of whether such divest-
12 ment affects the Marine Corps' ability to meet
13 the requirements of Global Force Management
14 process and the operational plans, including an
15 explanation of how the Marine Corps plans to
16 mitigate the loss of such capability or capacity
17 if the divestment affects the Marine Corps' abil-
18 ity to meet the requirements of the Global Force
19 Management process and the operational plans,
20 including through new investments, additional
21 joint planning and training, or other methods;
22 and

23 (F) an assessment of the Marine Corps' re-
24 cruitment and retention actual and projected
25 percentages starting in fiscal year 2020.

(4) *An inventory of extant or planned investments as a part of Force Design 2030, disaggregated by integrated air and missile defense, littoral mobility and maneuver, sea denial, and reconnaissance and counter-reconnaissance forces, including—*

(A) capability name;

(B) capability purpose and context;

(C) capability being replaced (or not applicable);

(D) date of initial operational capability;

(E) date of full operational capability;

(F) deliveries of units by year; and

(G) approved acquisition objective or similar inventory objective.

(5) *A description of the amphibious warfare ship and maritime mobility requirements the Marine Corps submitted to the Department of the Navy in support of the Marine Corps organization and concepts under Force Design 2030 and its statutory requirements, including a detailed statement of the planning assumptions about readiness of amphibious warfare ships and maritime mobility platforms that were used in developing the requirements.*

(6) *An assessment of how the capability investments described in paragraph (4) contribute to joint*

1 *force efficacy in new ways, including through support*
2 *of other military services.*

3 *(7) An assessment of the ability of the Marine*
4 *Corps to generate required force elements for the Im-*
5 *mediate Ready Force and the Contingency Ready*
6 *Force over the previous two fiscal years and the ex-*
7 *pected ability to generate forces for the next two fiscal*
8 *years.*

9 *(8) An assessment of Marine Corps force struc-*
10 *ture and the readiness of Marine Expeditionary Units*
11 *compared to availability of amphibious ships com-*
12 *prising an Amphibious Ready Group over the pre-*
13 *vious two fiscal years and the expected availability*
14 *for the next two fiscal years.*

15 *(9) An assessment by the Marine Corps of its*
16 *compliance with the statutory organization prescribed*
17 *in section 8063 of title 10, United States Code, that*
18 *“[t]he Marine Corps, within the Department of the*
19 *Navy, shall be so organized as to include not less than*
20 *three combat divisions and three air wings, and such*
21 *other land combat, aviation, and other services as*
22 *may be organic therein”.*

23 *(10) An assessment by the Marine Corps of its*
24 *compliance with the statutory functions prescribed in*
25 *section 8063 of title 10, United States Code, that*

1 “[t]he Marine Corps shall be organized, trained, and
 2 equipped to provide fleet marine forces of combined
 3 arms, together with supporting air components, for
 4 service with the fleet in the seizure or defense of ad-
 5 vanced naval bases and for the conduct of such land
 6 operations as may be essential to the prosecution of
 7 a naval campaign”.

8 **SEC. 1052. PLAN FOR CONVERSION OF JOINT TASK FORCE**
 9 **NORTH INTO JOINT INTERAGENCY TASK**
 10 **FORCE NORTH.**

11 (a) *IN GENERAL.*—Not later than 90 days after the
 12 date of the enactment of this Act, the Secretary of Defense,
 13 in consultation with the head of any relevant Federal de-
 14 partment or agency and acting through the Under Sec-
 15 retary of Defense for Policy, shall submit to the congres-
 16 sional defense committees a plan for converting the Joint
 17 Task Force North of the United States Northern Command
 18 into a joint interagency task force to be known as the “Joint
 19 Interagency Task Force North”.

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

22 (1) *A description of the mission of the Joint*
 23 *Interagency Task Force North.*

24 (2) *A detailed description of the resources of the*
 25 *Department of Defense, including personnel, facilities,*

1 *and operating costs, necessary to convert the Joint*
2 *Task Force North into a joint interagency task force.*

3 *(3) An identification of—*

4 *(A) each relevant department and agency of*
5 *the United States Government the participation*
6 *in the Joint Interagency Task Force North of*
7 *which is necessary in order to enable the Joint*
8 *Interagency Task Force North to effectively carry*
9 *out its mission; and*

10 *(B) the interagency arrangements necessary*
11 *to ensure effective participation by each such de-*
12 *partment and agency.*

13 *(4) An identification of each international liai-*
14 *son necessary for the Joint Interagency Task Force*
15 *North to effectively carry out its mission.*

16 *(5) A description of the bilateral and multilat-*
17 *eral agreements with foreign partners and regional*
18 *and international organizations that would support*
19 *the implementation of the mission of the Joint Inter-*
20 *agency Task Force North.*

21 *(6) A description of the relationship between the*
22 *Joint Interagency Task Force North and the Joint*
23 *Interagency Task Force South of the United States*
24 *Southern Command.*

1 (7) *A description of the relationship between the*
2 *Joint Interagency Task Force North and the relevant*
3 *security forces of the Government of Mexico and the*
4 *Government of the Bahamas.*

5 (8) *A recommendation on whether the Joint*
6 *Interagency Task Force North should be an enduring*
7 *entity and a discussion of the circumstances under*
8 *which the mission of the Joint Interagency Task*
9 *Force North would transition to one or more entities*
10 *within the United States Government other than the*
11 *United States Northern Command.*

12 (9) *Any recommendations for additional legal*
13 *authority needed for the Joint Interagency Task Force*
14 *North to effectively carry out its mission.*

15 (c) *FORM.*—*The plan required by subsection (a) shall*
16 *be submitted in unclassified form but may include a classi-*
17 *fied annex.*

18 (d) *INTERIM BRIEFING.*—*Not later than 60 days after*
19 *the date of the enactment of this Act, the Secretary shall*
20 *provide a briefing to the congressional defense committees*
21 *on progress made in developing the plan required by sub-*
22 *section (a).*

1 **SEC. 1053. REPORT ON USE OF TACTICAL FIGHTER AIR-**
2 **CRAFT AND BOMBER AIRCRAFT FOR DEPLOY-**
3 **MENTS AND HOMELAND DEFENSE MISSIONS.**

4 (a) *IN GENERAL.*—Not later than May 1, 2024, the
5 Secretary of Defense shall submit to the congressional de-
6 fense committees a report including the results of a study
7 on the use of tactical fighter aircraft and bomber aircraft
8 for deployments and homeland defense missions.

9 (b) *SCOPE.*—The study conducted pursuant to sub-
10 section (a) shall—

11 (1) *review both deployment and exercise require-*
12 *ments for tactical fighter aircraft and bomber aircraft*
13 *levied by each geographic combatant command;*

14 (2) *assess deployable forces currently available to*
15 *fulfill each of those requirements, and whether those*
16 *forces are adequate to meet the global requirements;*

17 (3) *review any relevant tactical fighter forces or*
18 *bomber forces that are not considered deployable or*
19 *available to meet combatant command requirements,*
20 *and consider whether that status can or should*
21 *change;*

22 (4) *assess whether adequate consideration has*
23 *been put into fighter coverage of the homeland during*
24 *these deployments, in particular within the Alaska*
25 *Area of Responsibility and the Hawaii Area of Re-*
26 *sponsibility; and*

1 (5) *assess Air Force and Navy active duty, Air*
 2 *National Guard, and reserve land-based tactical fight-*
 3 *er units that could be considered for inclusion into*
 4 *homeland defense mission requirements.*

5 **SEC. 1054. MODIFICATIONS OF REPORTING REQUIRE-**
 6 **MENTS.**

7 (a) *CONSOLIDATED BUDGET QUARTERLY REPORT ON*
 8 *USE OF FUNDS.—Section 381(b) of title 10, United States*
 9 *Code, is amended—*

10 (1) *in the subsection heading, by striking*
 11 *“QUARTERLY REPORT” and inserting “SEMIANNUAL*
 12 *REPORT”;*

13 (2) *by striking “calendar quarter” and inserting*
 14 *“calendar half”; and*

15 (3) *by striking “such calendar quarter” and in-*
 16 *serting “such calendar half”.*

17 (b) *MONTHLY COUNTERTERRORISM OPERATIONS*
 18 *BRIEFING.—*

19 (1) *IN GENERAL.—Section 485 of title 10,*
 20 *United States Code, is amended—*

21 (A) *in the section heading, by striking*
 22 *“**Monthly**” and inserting “**Quarterly**”; and*

23 (B) *in subsection (a), by striking “monthly”*
 24 *and inserting “quarterly”.*

1 (2) *CLERICAL AMENDMENT.*—*The table of sec-*
 2 *tions at the beginning of chapter 23 of such title is*
 3 *amended by striking the item relating to section 485*
 4 *and inserting the following new item:*

“485. Quarterly counterterrorism operations briefings.”.

5 (c) *NATIONAL SECURITY STRATEGY FOR THE NA-*
 6 *TIONAL TECHNOLOGY AND INDUSTRIAL BASE.*—*Section*
 7 *4811(a) of title 10, United States Code, is amended by strik-*
 8 *ing “The Secretary shall submit such strategy to Congress*
 9 *not later than 180 days after the date of submission of the*
 10 *national security strategy report required under section 108*
 11 *of the National Security Act of 1947 (50 U.S.C. 3043).”*
 12 *and inserting “The Secretary shall submit such strategy to*
 13 *Congress as an integrated part of the report submitted*
 14 *under section 4814 of this title.”.*

15 (d) *NATIONAL TECHNOLOGY AND INDUSTRIAL BASE*
 16 *REPORT AND QUARTERLY BRIEFING.*—

17 (1) *IN GENERAL.*—*Section 4814 of title 10,*
 18 *United States Code, is amended—*

19 (A) *by amending the section heading to*
 20 *read as follows:*

21 **“§4814. National Technology and Industrial Base: bi-**
 22 **ennial report”;**

23 (B) *by striking “(a) ANNUAL REPORT.—”;*

1 (C) by striking “March 1 of each year” and
 2 inserting “March 1 of each odd-numbered year”;
 3 and

4 (D) by striking subsection (b).

5 (2) *CLERICAL AMENDMENT.*—The table of sec-
 6 tions at the beginning of chapter 382 of such title is
 7 amended by striking the item relating to section 4814
 8 and inserting the following:

“4814. *National Technology and Industrial Base: biennial report.*”.

9 (3) *CONFORMING AMENDMENT.*—Section
 10 858(b)(2) of the *James M. Inhofe National Defense*
 11 *Authorization Act for Fiscal Year 2023 (Public Law*
 12 *117–263)* is amended by striking subparagraph (A).
 13 (e) *ANNUAL MILITARY CYBERSPACE OPERATIONS RE-*
 14 *PORT.*—Section 1644 of the *National Defense Authorization*
 15 *Act for Fiscal Year 2020 (10 U.S.C. 394 note; Public Law*
 16 *116–92)* is amended—

17 (1) in subsection (a) in the matter preceding
 18 paragraph (1) in the first sentence—

19 (A) by inserting “effects” after “all named
 20 military cyberspace”; and

21 (B) by striking “, operations, cyber effects
 22 enabling operations, and cyber operations con-
 23 ducted as defensive operations” and inserting
 24 “conducted for either offensive or defensive pur-
 25 poses”; and

1 (2) *in subsection (c), by inserting “or cyber ef-*
 2 *fects operations for which Congress has otherwise been*
 3 *provided notice” before the period.*

4 (f) *INDEPENDENT STUDIES REGARDING POTENTIAL*
 5 *COST SAVINGS WITH RESPECT TO THE NUCLEAR SECURITY*
 6 *ENTERPRISE AND FORCE STRUCTURE.—Section 1753 of the*
 7 *National Defense Authorization Act for Fiscal Year 2020*
 8 *(Public Law 116–92, 133 Stat. 1852) is hereby repealed.*

9 (g) *EXTENSION AND MODIFICATION OF AUTHORITY TO*
 10 *PROVIDE ASSISTANCE TO THE VETTED SYRIAN OPPOSI-*
 11 *TION.—Section 1231(d) of the John S. McCain National*
 12 *Defense Authorization Act for Fiscal Year 2019 (Public*
 13 *Law 115–232) is amended—*

14 (1) *in the subsection heading, by striking*
 15 *“QUARTERLY” and inserting “SEMIANNUAL”; and*

16 (2) *in paragraph (1)—*

17 (A) *in the matter preceding subparagraph*
 18 (A), *by striking “quarterly” and inserting*
 19 *“semiannual”; and*

20 (B) *in subparagraph (A), by striking “90-*
 21 *day” and inserting “180-day”.*

22 (h) *EXTENSION OF AUTHORITY TO PROVIDE ASSIST-*
 23 *ANCE TO COUNTER THE ISLAMIC STATE OF IRAQ AND*
 24 *SYRIA.—Section 1233(e) of the John S. McCain National*

1 *Defense Authorization Act for Fiscal Year 2019 (Public*
 2 *Law 115–232) is amended—*

3 *(1) in the heading, by striking “QUARTERLY”*
 4 *and inserting “SEMIANNUAL”; and*

5 *(2) in paragraph (1) in the second sentence of*
 6 *the matter preceding subparagraph (A), by striking*
 7 *“quarterly” and inserting “semiannual”.*

8 *(i) THEFT, LOSS, OR RELEASE OF BIOLOGICAL SE-*
 9 *LECT AGENTS OR TOXINS INVOLVING DEPARTMENT OF DE-*
 10 *FENSE.—Section 1067(a) of the National Defense Author-*
 11 *ization Act for Fiscal Year 2017 (Public Law 114–328; 50*
 12 *U.S.C. 1528(a)) is amended to read as follows:*

13 *“(a) NOTIFICATION.—(1) Subject to paragraph (2), not*
 14 *later than 45 days after a covered report of any theft, loss,*
 15 *or release of a biological select agent or toxin involving the*
 16 *Department of Defense is filed with the Centers for Disease*
 17 *Control and Prevention or the Animal and Plant Health*
 18 *Inspection Service, the Secretary of Defense, acting through*
 19 *the Assistant Secretary of Defense for Nuclear, Chemical,*
 20 *and Biological Defense Programs, shall provide to the con-*
 21 *gressional defense committees notice of such theft, loss, or*
 22 *release.*

23 *“(2) The Secretary shall provide to the congressional*
 24 *defense committees notice of a release under paragraph (1)*
 25 *only if the Secretary, acting through the Assistant Sec-*

1 *retary, determines that the release is outside the barriers*
 2 *of secondary containment into the ambient air or environ-*
 3 *ment or is causing occupational exposure that presents a*
 4 *threat to public safety.*

5 “(3) *In this subsection, the term ‘covered report’ means*
 6 *a report filed under any of the following (or any successor*
 7 *regulations):*

8 “(A) *Section 331.19 of title 7, Code of Federal*
 9 *Regulations.*

10 “(B) *Section 121.19 of title 9, Code of Federal*
 11 *Regulations.*

12 “(C) *Section 73.19 of title 42, Code of Federal*
 13 *Regulations.”.*

14 (j) *DEPARTMENT OF DEFENSE SECURITY COOPERA-*
 15 *TION WORKFORCE DEVELOPMENT.*—*Section 1250(b) of the*
 16 *National Defense Authorization Act for Fiscal Year 2017*
 17 *(Public Law 114–328; 130 Stat. 2529) is amended—*

18 (1) *in paragraph (1), by striking “each year”*
 19 *and inserting “every other year”; and*

20 (2) *in paragraph (2) in the matter preceding*
 21 *subparagraph (A), by striking “for the fiscal year”*
 22 *and inserting “for the fiscal years”.*

23 (k) *AUDIT OF DEPARTMENT OF DEFENSE FINANCIAL*
 24 *STATEMENTS.*—*Section 240a of title 10, United States*
 25 *Code, is amended—*

1 (1) by striking “(A) ANNUAL AUDIT RE-
2 *QUIRED.—*”; and

3 (2) by striking subsection (b).

4 (l) *FINANCIAL IMPROVEMENT AND AUDIT REMEDI-*
5 *ATION PLAN.—Section 240b(b) of title 10, United States*
6 *Code, is amended—*

7 (1) in paragraph (1)—

8 (A) in subparagraph (A), by striking “June
9 30, 2019, and annually thereafter” and inserting
10 “July 31 each year”;

11 (B) in subparagraph (B)—

12 (i) by striking clauses (vii) through
13 (x); and

14 (ii) by redesignating clauses (xi), (xii),
15 and (xiii) as clauses (vii), (viii), and (ix),
16 respectively; and

17 (C) by striking subparagraph (C); and

18 (2) in paragraph (2)—

19 (A) in subparagraph (A)—

20 (i) by striking “June 30” and insert-
21 ing “July 31”; and

22 (ii) by striking the second sentence;
23 and

24 (B) in subparagraph (b)—

1 (i) by striking “June 30” and insert-
2 ing “July 31”; and

3 (ii) by striking the second sentence.

4 (m) *ANNUAL REPORTS ON FUNDING.*—Section 1009(c)
5 *of the National Defense Authorization Act for Fiscal Year*
6 *2020 (Public Law 116–92; 10 U.S.C. 240b note) is amended*
7 *by striking “five days” and inserting “10 days”.*

8 **SEC. 1055. REPORT ON EQUIPPING CERTAIN GROUND COM-**
9 **BAT UNITS WITH SMALL UNMANNED AERIAL**
10 **SYSTEMS.**

11 (a) *REPORT REQUIRED.*—Not later than one year
12 *after the date of the enactment of this Act, the Secretary*
13 *of Defense shall, in consultation with the Secretaries of the*
14 *military departments, submit to the congressional defense*
15 *committees a report on equipping platoon-sized ground*
16 *combat formations with covered small unmanned aerial*
17 *systems.*

18 (b) *ELEMENTS.*—The report submitted pursuant to
19 *subsection (a) shall address the following:*

20 (1) *The use of covered small unmanned aerial*
21 *systems in the Ukraine conflict and best practices*
22 *learned.*

23 (2) *The potential use of covered small unmanned*
24 *aerial systems to augment small unit tactics and*
25 *lethality in the ground combat forces.*

1 (3) *Procurement challenges, legal restrictions,*
 2 *training shortfalls, operational limitations, or other*
 3 *impediments to fielding covered small unmanned aer-*
 4 *ial systems at the platoon level.*

5 (4) *A plan to equip platoon-sized ground combat*
 6 *formations in the close combat force with covered*
 7 *small unmanned aerial systems at a basis of issue*
 8 *deemed appropriate by the relevant secretary, includ-*
 9 *ing a proposed timeline and fielding strategy.*

10 (5) *A plan to equip such other ground combat*
 11 *units with covered small unmanned aerial systems as*
 12 *deemed appropriate by the relevant secretaries.*

13 (6) *An assessment of appropriate mission allocat-*
 14 *ion between Group 3 unmanned aerial systems,*
 15 *Group 1 unmanned aerial systems, and covered small*
 16 *unmanned aerial systems.*

17 (c) *DEFINITION OF COVERED SMALL UNMANNED AER-*
 18 *IAL SYSTEM.—In this section, the term “covered small un-*
 19 *manned aerial system” means a lightweight, low-cost, and*
 20 *commercially available unmanned aerial system or drone*
 21 *able to be quickly deployed for—*

22 (1) *intelligence, surveillance, target acquisition,*
 23 *and reconnaissance;*

24 (2) *conducting offensive strikes; or*

1 (3) *other functions as deemed appropriate by the*
 2 *relevant secretaries.*

3 **SEC. 1056. COMPREHENSIVE ASSESSMENT OF MARINE**
 4 **CORPS FORCE DESIGN 2030.**

5 (a) *IN GENERAL.*—Not later than 90 days after the
 6 *date of the enactment of this Act, the Secretary of Defense*
 7 *shall enter into a contract with a Federally Funded Re-*
 8 *search and Development Center to conduct an independent*
 9 *review, assessment, and analysis of the Marine Corps mod-*
 10 *ernization initiatives. The required report shall be sub-*
 11 *mitted to the congressional defense committees in written*
 12 *report form not later than one year after entering into the*
 13 *contract.*

14 (b) *ELEMENTS.*—The report required under subsection
 15 (a) shall include the following elements:

16 (1) *An assessment of changes in the National De-*
 17 *fense Strategy, Defense Planning Guidance, the Joint*
 18 *Warfighting Concept, and other strategic documents*
 19 *and concepts that informed Force Design moderniza-*
 20 *tion requirements.*

21 (2) *An assessment of how the Marine Corps, con-*
 22 *sistent with authorized end strength, can be struc-*
 23 *tured, organized, trained, equipped, and postured to*
 24 *meet the challenges of future competition, crisis, and*
 25 *conflict to include discussion of multiple structural*

1 *options as relevant and the tradeoffs between different*
2 *options.*

3 (3) *An assessment of the ability of the defense in-*
4 *novation base and defense industrial base to develop*
5 *and produce the technologies required to implement*
6 *the Marine Corps' published Force Design moderniza-*
7 *tion plan on a timeline and at production rates suffi-*
8 *cient to sustain military operations.*

9 (4) *An assessment of forward infrastructure and*
10 *the extent to which installations are operationalized*
11 *to deter, compete, and prevail during conflict in sup-*
12 *port of the Marine Corps modernization.*

13 (5) *An assessment of whether the Marine Corps*
14 *is in compliance with the statutory organization and*
15 *functions prescribed in section 8063 of title 10,*
16 *United States Code.*

17 (6) *An assessment of the current retention and*
18 *recruiting environment and the ability of the Marine*
19 *Corps to sustain manpower requirements necessary*
20 *for operational requirements levied by title 10, in*
21 *light of the published Force Design plan.*

22 (7) *The extent to which the modernization initia-*
23 *tives within the Marine Corps are nested within ap-*
24 *plicable joint warfighting concepts.*

1 (8) *An assessment of whether the Marine Corps’*
2 *modernization is consistent with the strategy of inte-*
3 *grated deterrence.*

4 (9) *An assessment of the ability of the Marine*
5 *Corps to generate required force elements for the Im-*
6 *mediate Ready Force and the Contingency Ready*
7 *Force, based on current and planned end strength and*
8 *structure.*

9 (10) *The extent to which the Marine Corps’ pub-*
10 *lished plan for modernized capabilities can be inte-*
11 *grated across the Joint Force, to include warfighting*
12 *concepts at the combatant command level.*

13 (11) *The extent to which the Marine Corps’ mod-*
14 *ernization efforts currently meet the requirements of*
15 *combatant commanders’ current plans and global*
16 *force management operations, to include a description*
17 *of what mechanisms exist to ensure geographic com-*
18 *batant requirements inform Marine Corps moderniza-*
19 *tion efforts.*

20 (12) *The extent to which modeling and simula-*
21 *tion, experimentation, wargaming, and other analytic*
22 *methods support the changes incorporated into the*
23 *Marine Corps’ modernization initiatives, to include*
24 *underlying assumptions and outcomes of such anal-*
25 *yses.*

1 (13) *An inventory of extant or planned invest-*
2 *ments as part of the Marine Corps' modernization ef-*
3 *forts, disaggregated by the following capability areas*
4 *and including actual or projected dates of Initial*
5 *Operational Capability and Full Operational Capa-*
6 *bility:*

7 (A) *Command and Control.*

8 (B) *Information.*

9 (C) *Intelligence.*

10 (D) *Fires.*

11 (E) *Movement and Maneuver.*

12 (F) *Protection.*

13 (G) *Sustainment.*

14 (14) *An inventory of divestments of capability or*
15 *capacity, whether force structure or equipment, start-*
16 *ing in fiscal year 2020, including—*

17 (A) *a timeline of the progress of each divest-*
18 *ment;*

19 (B) *the type of force structure or equipment*
20 *divested or reduced;*

21 (C) *the percentage of force structure of*
22 *equipment divested or reduced, including any*
23 *equipment entered into inventory management*
24 *or other form of storage;*

1 (D) the rationale and context behind such
2 divestment; and

3 (E) an identification of whether such divest-
4 ment affects the Marine Corps' ability to meet
5 the requirements of Global Force Management
6 process and the operational plans.

7 (15) An assessment of how observations regard-
8 ing the invasion and defense of Ukraine affect the fea-
9 sibility, advisability, and suitability of the Marine
10 Corps' published modernization plans.

11 (c) CLASSIFICATION OF REPORT.—The report required
12 under subsection (a) shall be submitted in unclassified form,
13 but may include a classified appendix to the extent required
14 to ensure that the report is accurate and complete.

15 **SEC. 1057. STRATEGY TO ACHIEVE CRITICAL MINERAL SUP-**
16 **PLY CHAIN INDEPENDENCE FOR THE DE-**
17 **PARTMENT OF DEFENSE.**

18 (a) STRATEGY REQUIRED.—

19 (1) IN GENERAL.—Not later than 180 days after
20 the date of the enactment of this Act, the Under Sec-
21 retary of Defense for Acquisition and Sustainment
22 shall submit to the appropriate committees of Con-
23 gress a strategy to develop supply chains for the De-
24 partment of Defense that are not dependent on min-
25 ing or processing of critical minerals in or by covered

1 *countries, prioritizing production and processing in*
2 *the United States, in order to achieve critical mineral*
3 *supply chain independence from covered countries for*
4 *the Department by 2035.*

5 (2) *ELEMENTS.—The strategy required by para-*
6 *graph (1) shall—*

7 (A) *identify and assess significant*
8 *vulnerabilities in the supply chains of contrac-*
9 *tors and subcontractors of the Department of De-*
10 *fense involving critical minerals that are mined*
11 *or processed in or by covered countries;*

12 (B) *identify and recommend changes to the*
13 *acquisition laws, regulations, and policies of the*
14 *Department of Defense to ensure contractors and*
15 *subcontractors of the Department use supply*
16 *chains involving critical minerals that are not*
17 *mined or processed in or by covered countries to*
18 *the greatest extent practicable, prioritizing pro-*
19 *duction and processing in the United States;*

20 (C) *evaluate the utility and desirability of*
21 *using authorities provided by the Defense Pro-*
22 *duction Act of 1950 (50 U.S.C. 4501 et seq.) to*
23 *expand supply chains and processing capacity*
24 *for critical minerals in the United States;*

1 (D) evaluate the utility and desirability of
2 expanding authorities provided by the Defense
3 Production Act of 1950 to be used to expand sup-
4 ply chains and processing capacity for critical
5 minerals by countries that are allies or partners
6 of the United States;

7 (E) evaluate the utility and desirability of
8 leveraging the process for acquiring shortfall ma-
9 terials for the National Defense Stockpile under
10 the Strategic and Critical Materials Stock Piling
11 Act (50 U.S.C. 98 et seq.) to expand supply
12 chains and processing capacity for critical min-
13 erals in the United States and in countries that
14 are allies or partners of the United States;

15 (F) identify areas of potential engagement
16 and partnership with the governments of coun-
17 tries that are allies or partners of the United
18 States to jointly reduce dependence on critical
19 minerals mined or processed in or by covered
20 countries;

21 (G) identify and recommend other policy
22 changes that may be needed to achieve critical
23 mineral supply chain independence from covered
24 countries for the Department;

1 (H) identify and recommend measures to
 2 streamline authorities and policies with respect
 3 to critical minerals and supply chains for crit-
 4 ical minerals; and

5 (I) prioritize the recommendations made in
 6 the strategy to achieve critical mineral supply
 7 chain independence from covered countries for
 8 the Department, prioritizing production and
 9 processing in the United States, and taking into
 10 consideration economic costs and varying degrees
 11 of vulnerability posed to the national security of
 12 the United States by reliance on different types
 13 of critical minerals.

14 (3) *FORM OF STRATEGY.*—The strategy required
 15 by paragraph (1) shall be submitted in classified form
 16 but shall include an unclassified summary.

17 (b) *DEFINITIONS.*—In this section:

18 (1) *APPROPRIATE COMMITTEES OF CONGRESS.*—
 19 The term “appropriate committees of Congress”
 20 means—

21 (A) the Committee on Armed Services of the
 22 Senate; and

23 (B) the Committee on Armed Services of the
 24 House of Representatives.

1 (2) *COVERED COUNTRY.*—*The term “covered*
2 *country” means—*

3 (A) *a covered nation, as defined in section*
4 *4872, title 10, United States Code; and*

5 (B) *any other country determined by the*
6 *Secretary of Defense to be a geostrategic compet-*
7 *itor or adversary of the United States for pur-*
8 *poses of this Act.*

9 (3) *CRITICAL MINERAL.*—*The term “critical*
10 *mineral” means a critical mineral (as defined in sec-*
11 *tion 7002(a) of the Energy Act of 2020 (30 U.S.C.*
12 *1606(a))) that the Secretary of Defense determines to*
13 *be important to the national security of the United*
14 *States for purposes of this Act.*

15 (4) *SHORTFALL MATERIAL.*—*The term “shortfall*
16 *material” means materials determined to be in short-*
17 *fall in the most recent report on stockpile require-*
18 *ments submitted to Congress under subsection (a) of*
19 *section 14 of the Strategic and Critical Materials*
20 *Stock Piling Act (50 U.S.C. 98h–5) and included in*
21 *the most recent briefing required by subsection (f) of*
22 *that section.*

1 **SEC. 1058. QUARTERLY BRIEFING ON HOMELAND DEFENSE**
2 **PLANNING.**

3 (a) *IN GENERAL.*—Not later than February 1, 2024,
4 and every 90 days thereafter through February 1, 2026, the
5 Secretary of Defense shall provide a briefing to the congres-
6 sional defense committees on efforts to bolster homeland de-
7 fense, which is the top priority under the 2022 National
8 Defense Strategy.

9 (b) *CONTENTS.*—Each briefing required by subsection
10 (a) shall include the following:

11 (1) *A summary of any update made to the home-*
12 *land defense planning guidance of the Department of*
13 *Defense during the preceding quarter.*

14 (2) *An update on the latest threats to the home-*
15 *land posed by the Government of the People’s Repub-*
16 *lic of China, the Government of the Russian Federa-*
17 *tion, the Government of the Democratic People’s Re-*
18 *public of Korea, the Government of Iran, and any*
19 *other adversary.*

20 (3) *A description of actions taken by the Depart-*
21 *ment during the preceding quarter to mitigate such*
22 *threats.*

23 (4) *An assessment of threats to the homeland in*
24 *the event of a conflict with any adversary referred to*
25 *in paragraph (2).*

1 (5) *A description of actions taken by the Depart-*
 2 *ment during the preceding quarter to bolster home-*
 3 *land defense in the event of such a conflict.*

4 (6) *An update on coordination by the Depart-*
 5 *ment with Federal, State, and Tribal agencies to bol-*
 6 *ster homeland defense.*

7 (7) *Any other matter the Secretary considers rel-*
 8 *evant.*

9 **SEC. 1059. SPECIAL OPERATIONS FORCE STRUCTURE.**

10 (a) *SENSE OF SENATE.—It is the sense of the Senate*
 11 *that—*

12 (1) *special operations forces have a vital and in-*
 13 *creasing role to play in strategic competition in addi-*
 14 *tion to conducting counterterrorism operations and*
 15 *responding to crises;*

16 (2) *the demand for special operations forces and*
 17 *related capabilities by combatant commanders con-*
 18 *tinues to exceed supply;*

19 (3) *special operations forces cannot be mass pro-*
 20 *duced during a crisis;*

21 (4) *most special operations require non-special*
 22 *operations forces support, including engineers, techni-*
 23 *cians, intelligence analysts, and logisticians;*

24 (5) *reductions to special operations forces, in-*
 25 *cluding critical enablers, would dramatically and*

1 *negatively impact available options for combatant*
2 *commanders to engage in strategic competition, carry*
3 *out counterterrorism operations, and respond to cri-*
4 *ses; and*

5 *(6) the Secretary of Defense should not consider*
6 *any reductions to special operations force structure*
7 *until after the completion of a comprehensive analysis*
8 *of special operations force structure and a determina-*
9 *tion that any planned changes would not have a neg-*
10 *ative impact on the ability of combatant commanders*
11 *to support strategic competition, counter terrorism,*
12 *and respond to crises.*

13 *(b) REPORT.—Not later than March 1, 2024, the Sec-*
14 *retary of Defense shall submit to the congressional defense*
15 *committees a report assessing the optimal force structure*
16 *for special operations forces that includes the following ele-*
17 *ments:*

18 *(1) A description of the role of special operations*
19 *forces in implementing the most recent national de-*
20 *fense strategy under section 113(g) of title 10, United*
21 *States Code.*

22 *(2) A description of ongoing special operations*
23 *activities, as described in section 167(k) of title 10,*
24 *United States Code.*

1 (3) *An assessment of potential future national*
2 *security threats to the United States across the spec-*
3 *trum of competition and conflict.*

4 (4) *A description of ongoing counterterrorism*
5 *and contingency operations of the United States.*

6 (5) *A detailed accounting of the demand for spe-*
7 *cial operations forces by geographic combatant com-*
8 *mand.*

9 (6) *A description of the role of emerging tech-*
10 *nology on special operations forces.*

11 (7) *An assessment of current and projected capa-*
12 *bilities of other United States Armed Forces that*
13 *could affect force structure capability and capacity*
14 *requirements of special operations forces.*

15 (8) *An assessment of the size, composition, and*
16 *organizational structure of the military services' spe-*
17 *cial operations command headquarters and subordi-*
18 *nate headquarters elements.*

19 (9) *An assessment of the readiness of special op-*
20 *erations forces for assigned missions and future con-*
21 *licts.*

22 (10) *An assessment of the adequacy of special op-*
23 *erations force structure for meeting the goals of the*
24 *National Military Strategy under section 153(b) of*
25 *title 10, United States Code.*

1 (11) *A description of the role of special oper-*
 2 *ations forces in supporting the Joint Concept for*
 3 *Competing.*

4 (12) *Any other matters deemed relevant by the*
 5 *Secretary.*

6 **SEC. 1060. BRIEFING ON COMMERCIAL TOOLS EMPLOYED**
 7 **BY THE DEPARTMENT OF DEFENSE TO AS-**
 8 **SESS FOREIGN OWNERSHIP, CONTROL, OR IN-**
 9 **FLUENCE.**

10 (a) *IN GENERAL.*—*Not later than 180 days after the*
 11 *date of the enactment of this Act, the Secretary of Defense*
 12 *shall submit to the congressional defense committees a re-*
 13 *port on countering industrial espionage.*

14 (b) *ELEMENTS.*—*The request required under sub-*
 15 *section (a) shall include the following elements:*

16 (1) *A description of commercial and organically*
 17 *developed tools employed by the Department of De-*
 18 *fense to—*

19 (A) *assess the risks of foreign malign owner-*
 20 *ship, control, or influence within the defense in-*
 21 *dustrial base;*

22 (B) *mitigate vulnerability associated with,*
 23 *but no limited to, the People’s Republic of Chi-*
 24 *na’s, the Russian Federation’s, Iran’s, or North*

1 *Korea’s foreign ownership, control, or influence*
 2 *of any part of the acquisition supply chain; and*

3 *(C) vet program personnel to identify tech-*
 4 *nologies and program components most at risk*
 5 *for industrial espionage.*

6 *(2) A description of specific commercial solutions*
 7 *the Department is currently leveraging to assess and*
 8 *mitigate these risks.*

9 **SEC. 1061. PLAN ON COUNTERING HUMAN TRAFFICKING.**

10 *(a) PLAN.—Not later than 120 days after the date of*
 11 *enactment of this Act, the Secretary of Defense shall submit*
 12 *a plan to the congressional defense committees for coordi-*
 13 *nating with defense partners in North America and South*
 14 *America and supporting interagency departments and*
 15 *agencies, as appropriate, in countering human trafficking*
 16 *operations, including human trafficking by transnational*
 17 *criminal organizations.*

18 *(b) ELEMENTS OF PLAN.—The plan under subsection*

19 *(a) shall include—*

20 *(1) a description of the threat to United States*
 21 *security from human trafficking operations;*

22 *(2) a description of the authorities of the Depart-*
 23 *ment of Defense for the purposes specified in sub-*
 24 *section (a);*

1 (3) a description of any current or proposed De-
 2 partment of Defense programs or activities to coordi-
 3 nate with defense partners or provide support to
 4 interagency departments and agencies as described in
 5 subsection (a); and

6 (4) any recommendations of the Secretary of De-
 7 fense for additional authorities for the purposes of
 8 countering human trafficking, including by
 9 transnational criminal organizations.

10 (c) *BRIEFING*.—Not later than 180 days after the sub-
 11 mission of the plan required under subsection (a), the Sec-
 12 retary of Defense shall brief the congressional defense com-
 13 mittees regarding the authorities, programs, and activities
 14 of the Department of Defense to counter human trafficking
 15 operations.

16 **SEC. 1062. BRIEFING AND REPORT ON USE AND EFFECTIVE-**
 17 **NESS OF UNITED STATES NAVAL STATION,**
 18 **GUANTANAMO BAY, CUBA.**

19 (a) *IN GENERAL*.—Not later than April 30, 2024, the
 20 Secretary of Defense shall provide to the Committee on
 21 Armed Services of the Senate and the Committee on Armed
 22 Services of the House of Representatives a briefing and re-
 23 port on whether United States Naval Station, Guantanamo
 24 Bay, Cuba, is being used effectively to defend the national
 25 security interests of the United States.

1 (b) *ELEMENTS.*—*The briefing and report required by*
 2 *subsection (a) shall—*

3 (1) *consider—*

4 (A) *the presence and activities in Cuba of*
 5 *the militaries of foreign governments, such as the*
 6 *Russian Federation and the People’s Republic of*
 7 *China; and*

8 (B) *to what extent the presence and activi-*
 9 *ties of those militaries could compromise the na-*
 10 *tional security of the United States or of United*
 11 *States allies and partners; and*

12 (2) *discuss—*

13 (A) *options for dealing with the presence*
 14 *and activities of those militaries in Cuba; and*

15 (B) *how different use by the United States*
 16 *of United States Naval Station, Guantanamo*
 17 *Bay, might mitigate risk.*

18 **SEC. 1063. ENSURING RELIABLE SUPPLY OF CRITICAL MIN-**
 19 **ERALS.**

20 (a) *SENSE OF CONGRESS.*—*It is the sense of Congress*
 21 *that—*

22 (1) *the People’s Republic of China’s dominant*
 23 *share of the global minerals market is a threat to the*
 24 *economic stability, well being, and competitiveness of*
 25 *key industries in the United States;*

1 (2) *the United States should reduce reliance on*
2 *the People's Republic of China for critical minerals*
3 *through—*

4 (A) *strategic investments in development*
5 *projects, production technologies, and refining*
6 *facilities in the United States; and*

7 (B) *in partnership with strategic allies of*
8 *the United States that are reliable trading part-*
9 *ners, including members of the Quadrilateral Se-*
10 *curity Dialogue; and*

11 (3) *the United States Trade Representative*
12 *should initiate multilateral talks among the countries*
13 *of the Quadrilateral Security Dialogue to promote*
14 *shared investment and development of critical min-*
15 *erals.*

16 (b) *REPORT REQUIRED.—*

17 (1) *IN GENERAL.—Not later than 120 days after*
18 *the date of the enactment of this Act, the United*
19 *States Trade Representative, in consultation with the*
20 *officials specified in paragraph (3), shall submit to*
21 *the appropriate congressional committees a report on*
22 *the work of the Trade Representative to address the*
23 *national security threat posed by the People's Repub-*
24 *lic of China's control of nearly $\frac{2}{3}$ of the global supply*
25 *of critical minerals.*

1 (2) *ELEMENTS.*—*The report required by para-*
2 *graph (1) shall include—*

3 (A) *a description of the extent of the engage-*
4 *ment of the United States with the other coun-*
5 *tries of the Quadrilateral Security Dialogue to*
6 *promote shared investment and development of*
7 *critical minerals during the period beginning on*
8 *the date of the enactment of this Act and ending*
9 *on the date of the report; and*

10 (B) *a description of the plans of the Presi-*
11 *dent to leverage the partnership of the countries*
12 *of the Quadrilateral Security Dialogue to*
13 *produce a more reliable and secure global supply*
14 *chain of critical minerals.*

15 (3) *OFFICIALS SPECIFIED.*—*The officials speci-*
16 *fied in this paragraph are the following:*

17 (A) *The Secretary of Commerce.*

18 (B) *The Chief Executive Officer of the*
19 *United States International Development Fi-*
20 *nance Corporation.*

21 (C) *The Secretary of Energy.*

22 (D) *The Director of the United States Geo-*
23 *logical Survey.*

1 (4) *APPROPRIATE CONGRESSIONAL COMMITTEES*
 2 *DEFINED.*—*In this subsection, the term “appropriate*
 3 *congressional committees” means—*

4 (A) *the Committee on Finance and the*
 5 *Committee on Energy and Natural Resources of*
 6 *the Senate; and*

7 (B) *the Committee on Ways and Means and*
 8 *the Committee on Energy and Commerce of the*
 9 *House of Representatives.*

10 ***Subtitle G—Other Matters***

11 ***SEC. 1071. MATTERS RELATED TO IRREGULAR WARFARE.***

12 (a) *AFFIRMING THE AUTHORITY OF THE SECRETARY*
 13 *OF DEFENSE TO CONDUCT IRREGULAR WARFARE.*—*Con-*
 14 *gress affirms that the Secretary of Defense is authorized to*
 15 *conduct irregular warfare operations, including clandestine*
 16 *irregular warfare operations, to defend the United States,*
 17 *allies of the United States, and interests of the United*
 18 *States.*

19 (b) *DEFINITION REQUIRED.*—*Not later than 90 days*
 20 *after the date of the enactment of this Act, the Secretary*
 21 *of Defense shall, for the purposes of joint doctrine, define*
 22 *the term “irregular warfare”.*

23 (c) *RULE OF CONSTRUCTION.*—*Nothing in this section*
 24 *shall be construed to constitute a specific statutory author-*
 25 *ization for any of the following:*

1 (1) *The conduct of a covert action, as such term*
 2 *is defined in section 503(e) of the National Security*
 3 *Act of 1947 (50 U.S.C. 3093(e)).*

4 (2) *The introduction of United States Armed*
 5 *Forces, within the meaning of the War Powers Reso-*
 6 *lution (Public Law 93–148; 50 U.S.C. 1541 et seq.),*
 7 *into hostilities or into situations wherein hostilities*
 8 *are clearly indicated by the circumstances.*

9 **SEC. 1072. JOINT CONCEPT FOR COMPETING IMPLEMENTA-**
 10 **TION UPDATES.**

11 (a) *IMPLEMENTATION UPDATE AND BRIEFINGS RE-*
 12 *QUIRED.*—Not later than March 1, 2024, and every 180
 13 *days thereafter through March 1, 2026, the Chairman of*
 14 *the Joint Chiefs of Staff shall provide the congressional de-*
 15 *fense committees with a written update with accompanying*
 16 *briefing on the implementation of the Joint Concept for*
 17 *Competing, released on February 10, 2023.*

18 (b) *ELEMENTS.*—At a minimum, the written updates
 19 *and briefings required by subsection (a) shall include—*

20 (1) *a detailed description of the Joint Staff's ef-*
 21 *forts to develop integrated competitive strategies to*
 22 *address the challenges posed by specific adversaries,*
 23 *including those designed to—*

24 (A) *deter aggression;*

25 (B) *prepare for armed conflict, if necessary;*

1 (C) counter the competitive strategies of ad-
2 versaries; and

3 (D) support the efforts of interagency, allies
4 and foreign partners, and interorganizational
5 partners;

6 (2) an identification of relevant updates to joint
7 doctrine and professional military education;

8 (3) an update on the Joint Concept for
9 Competing's concept required capabilities;

10 (4) an explanation of the integration of the Joint
11 Concept for Competing with other ongoing and future
12 joint force development and design efforts;

13 (5) a description of efforts to operationalize the
14 Joint Concept for Competing through a structured ap-
15 proach, including to provide strategic guidance and
16 direction, identify and optimize Joint Force inter-
17 dependencies with interagency and allied partners,
18 and inform and guide joint force development and de-
19 sign processes;

20 (6) an articulation of concept-required capabili-
21 ties that are necessary for joint force development and
22 design in support of the Joint Concept for Competing;

23 (7) a description of efforts to coordinate and syn-
24 chronize Department of Defense activities with those

1 *of other interagency and foreign partners for the pur-*
 2 *pose of integrated campaigning;*

3 *(8) an identification of any recommendations to*
 4 *better integrate the role of the Joint Force, as identi-*
 5 *fied by the Joint Concept for Competing, with na-*
 6 *tional security efforts of other interagency and foreign*
 7 *partners;*

8 *(9) an identification of any changes to authori-*
 9 *ties and resources necessary to fully implement the*
 10 *Joint Concept for Competing; and*

11 *(10) a description of any other matters deemed*
 12 *relevant by the Chairman of the Joint Chiefs of Staff.*

13 **SEC. 1073. LIMITATION ON CERTAIN FUNDING UNTIL SUB-**
 14 **MISSION OF THE CHAIRMAN'S RISK ASSESS-**
 15 **MENT AND BRIEFING REQUIREMENT.**

16 *(a) OFFICE OF THE CHAIRMAN OF THE JOINT CHIEFS*
 17 *OF STAFF.—Of the amounts authorized to be appropriated*
 18 *by this Act for fiscal year 2024 for operation and mainte-*
 19 *nance, Defense-wide, and available for the Office of the*
 20 *Chairman of the Joint Chiefs of Staff, not more than 50*
 21 *percent may be obligated or expended until the date that*
 22 *is 15 days after the date on which the following reports are*
 23 *submitted to the Committees on Armed Services of the Sen-*
 24 *ate and the House of Representatives:*

1 (1) *The 2021 risk assessment mandated by para-*
2 *graph (2) of subsection (b) of section 153 of title 10,*
3 *United States Code, and required to be delivered pur-*
4 *suant to paragraph (3) of such subsection by not later*
5 *than February 15, 2021.*

6 (2) *The 2023 risk assessment mandated by para-*
7 *graph (2) of subsection (b) of section 153 of title 10,*
8 *United States Code, and required to be delivered pur-*
9 *suant to paragraph (3) of such subsection by not later*
10 *than February 15, 2023.*

11 (b) *OFFICE OF THE SECRETARY OF DEFENSE.—Of the*
12 *amounts authorized to be appropriated by this Act for fiscal*
13 *year 2024 for operation and maintenance, Defense-wide,*
14 *and available for the Office of the Secretary of Defense, not*
15 *more than 50 percent may be obligated or expended until*
16 *the date that is 15 days after the date on which the Sec-*
17 *retary submits to the Committees on Armed Services of the*
18 *Senate and the House of Representatives:*

19 (1) *The risk mitigation plan required to be sub-*
20 *mitted as part of the assessment described under sub-*
21 *section (a)(1), if applicable.*

22 (2) *The risk mitigation plan required to be sub-*
23 *mitted as part of the assessment described under sub-*
24 *section (a)(2), if applicable.*

1 (c) *BRIEFING REQUIREMENT.*—Section 153 of title 10,
2 *United States Code*, is amended by adding at the end the
3 *following new subsection:*

4 “(d) *BRIEFING REQUIREMENT.*—(1) *Not later than 15*
5 *days after the submission of the risk assessment required*
6 *under subsection (b)(2) or March 1 of each year, whichever*
7 *is earlier, the Chairman shall provide to the Committees*
8 *on Armed Services of the Senate and the House of Rep-*
9 *resentatives a briefing on the activities of the Chairman*
10 *under this section.*

11 “(2) *The briefing shall include—*

12 “(A) *a detailed review of the risk assessment re-*
13 *quired under paragraph (2) of subsection (b), includ-*
14 *ing how it addresses the elements required in sub-*
15 *paragraph (B) of such paragraph;*

16 “(B) *an analysis of how the risk assessment in-*
17 *forms, and supports, other Joint Staff assessments,*
18 *including joint capability development assessments,*
19 *joint force development assessments, comprehensive*
20 *joint readiness assessments, and global military inte-*
21 *gration assessments; and*

22 “(C) *if the risk assessment is not delivered at the*
23 *time of the briefing, a timeline for when the risk as-*
24 *essment will be submitted to the Committees on*

1 *Armed Services of the Senate and the House of Rep-*
 2 *resentatives.”.*

3 **SEC. 1074. NOTIFICATION OF SAFETY AND SECURITY CON-**
 4 **CERNS AT CERTAIN DEPARTMENT OF DE-**
 5 **FENSE LABORATORIES.**

6 (a) *IN GENERAL.*—*The Secretary of Defense shall no-*
 7 *tify the congressional defense committees within 7 days*
 8 *after ceasing operations at any Department of Defense lab-*
 9 *oratory or facility rated at biosafety level (BSL)–3 or high-*
 10 *er for safety or security reasons.*

11 (b) *CONTENT.*—*The notification required under sub-*
 12 *section (a) shall include—*

13 (1) *the reason why operations have ceased at the*
 14 *laboratory or facility;*

15 (2) *whether appropriate notification to other*
 16 *Federal agencies has occurred;*

17 (3) *a description of the actions taken to deter-*
 18 *mine the root cause of the cessation; and*

19 (4) *a description of the actions taken to restore*
 20 *operations at the laboratory or facility.*

21 **SEC. 1075. ASSESSMENT AND RECOMMENDATIONS RELAT-**
 22 **ING TO INFRASTRUCTURE, CAPACITY, RE-**
 23 **SOURCES, AND PERSONNEL IN GUAM.**

24 (a) *ASSESSMENT.*—*The Secretary of Defense, in co-*
 25 *ordination with the Commander of United States Indo-Pa-*

1 *cific Command, shall assess the capacity of existing infra-*
2 *structure, resources, and personnel available in Guam to*
3 *meet Indo-Pacific Command strategic objectives.*

4 *(b) ELEMENTS.—The assessment under subsection (a)*
5 *shall include the following elements:*

6 *(1) An appraisal of the potential role Guam*
7 *could play as a key logistics and operational hub for*
8 *the United States military in the Indo-Pacific region.*

9 *(2) An assessment of whether current infrastruc-*
10 *ture, capacity, resources, and personnel in Guam is*
11 *sufficient to meet the expected demands during rel-*
12 *evant operations and contingency scenarios.*

13 *(3) An assessment of the adequacy of civilian in-*
14 *frastructure in Guam for supporting the requirements*
15 *of United States Indo-Pacific Command, including*
16 *the resilience of such infrastructure in the event of a*
17 *natural disaster and the vulnerability of such infra-*
18 *structure to cyber threats.*

19 *(4) Recommendations to improve current infra-*
20 *structure, capacity, resources, and personnel in*
21 *Guam, to include the need for recruiting and reten-*
22 *tion programs, such as cost-of-living adjustments, ini-*
23 *tiatives for dealing with any shortages of civilian em-*
24 *ployees, and programs to improve quality-of-life for*
25 *personnel assigned to Guam.*

(6) *Timeline and estimated costs by location and project to support both existing and future roles in the region.*

10 (7) Any other matters determined relevant by the
11 Secretary.

(c) *REPORT.*—Not later than March 1, 2024, the Secretary of Defense shall submit to the congressional defense committees a report including the results of the assessment required under subsection (a).

16 SEC. 1076. PROGRAM AND PROCESSES RELATING TO FOR-
17 EIGN ACQUISITION.

(a) *PILOT PROGRAM FOR COMBATANT COMMAND USE OF DEFENSE ACQUISITION WORKFORCE DEVELOPMENT ACCOUNT.*—Each geographic combatant command may use amounts from the Defense Acquisition Workforce Development Account established under section 1705 of title 10, United States Code, to hire not more than two acquisition specialists or contracting officers to advise the combatant command on foreign arms transfer processes, including the

1 *foreign military sales and direct commercial sales processes,*
2 *for the purpose of facilitating the effective implementation*
3 *of such processes.*

4 *(b) INDUSTRY DAY.—*

5 *(1) IN GENERAL.—Not later than March 1, 2024,*
6 *and not less frequently than annually thereafter, the*
7 *Secretary of Defense shall conduct an industry day—*

8 *(A) to raise awareness and understanding*
9 *among officials of foreign governments, embassy*
10 *personnel, and industry representatives with re-*
11 *spect to the role of the Department of Defense in*
12 *implementing the foreign military sales and di-*
13 *rect commercial sales processes; and*

14 *(B) to raise awareness—*

15 *(i) within the United States private*
16 *sector with respect to—*

17 *(I) foreign demand for United*
18 *States weapon systems; and*

19 *(II) potential foreign industry*
20 *partnering opportunities; and*

21 *(ii) among officials of foreign govern-*
22 *ments and embassy personal with respect to*
23 *potential United States material solutions*
24 *for capability needs.*

1 (2) *FORMAT.*—In conducting each industry day
2 under paragraph (1), the Secretary of Defense, to the
3 extent practicable, shall seek to maximize participa-
4 tion by representatives of the commercial defense in-
5 dustry and government officials while minimizing
6 cost, by—

7 (A) convening the industry day at the un-
8 classified security level;

9 (B) making the industry day publicly acces-
10 sible through teleconference or other virtual
11 means; and

12 (C) disseminating any supporting materials
13 by posting the materials on a publicly accessible
14 internet website.

15 (c) *SENIOR-LEVEL INDUSTRY ADVISORY GROUP.*—

16 (1) *IN GENERAL.*—Not later than 180 days after
17 the date of the enactment of this Act, the Secretary of
18 Defense, in coordination with representatives of the
19 commercial defense industry, shall establish a senior-
20 level industry advisory group, modeled on the Defense
21 Trade Advisory Group of the Department of State
22 and the Industry Trade Advisory Committees of the
23 Department of Commerce, for the purpose of focusing
24 on the role of the Department of Defense in the for-
25 eign military sales process.

1 (2) *BRIEFING*.—Not later than 90 days after the
 2 date of the enactment of this Act, the Secretary of De-
 3 fense shall provide a briefing to the Committees on
 4 Armed Services of the Senate and the House of Rep-
 5 resentatives on plans to establish the group described
 6 in paragraph (1).

7 (d) *DEPARTMENT OF DEFENSE POINTS OF CONTACT*
 8 *FOR FOREIGN MILITARY SALES*.—

9 (1) *IN GENERAL*.—Not later than 90 days after
 10 the date of the enactment of this Act, the Under Sec-
 11 retary of Defense for Acquisition and Sustainment
 12 and the Secretary of each military department shall
 13 each establish a single point of contact—

14 (A) to coordinate information and outreach
 15 on Department of Defense implementation of the
 16 foreign military sales process; and

17 (B) to respond to inquiries from representa-
 18 tives of the commercial defense industry and
 19 partner countries.

20 (2) *POINTS OF CONTACT*.—The Under Secretary
 21 of Defense for Acquisition and Sustainment and the
 22 Secretary of each military department shall each en-
 23 sure that the contact information for the cor-
 24 responding point of contact established under para-
 25 graph (1) is—

1 (A) publicized at each industry day con-
 2 ducted under subsection (b); and

3 (B) disseminated among the members of the
 4 advisory group established under subsection (f).

5 (e) COMBATANT COMMAND NEEDS FOR
 6 EXPORTABILITY.—Not later than July 1 each year until
 7 2030, the commander of each geographic combatant com-
 8 mand shall provide to the Under Secretary of Defense for
 9 Acquisition and Sustainment a list of systems relating to
 10 research and development or sustainment that would benefit
 11 from investment for exportability features in support of the
 12 security cooperation objectives of the commander.

13 (f) SUNSET.—This section shall cease to have effect on
 14 December 31, 2028.

15 **SEC. 1077. TECHNICAL AND CONFORMING AMENDMENTS**
 16 **RELATED TO THE SPACE FORCE.**

17 (a) APPOINTMENT OF CHAIRMAN; GRADE AND
 18 RANK.—Section 152(c) of title 10, United States Code, is
 19 amended by striking “or, in the case of an officer of the
 20 Space Force, the equivalent grade,”.

21 (b) JOINT REQUIREMENTS OVERSIGHT COUNCIL.—
 22 Section 181(c)(1)(F) of such title is amended by striking
 23 “in the grade equivalent to the grade of general in the
 24 Army, Air Force, or Marine Corps, or admiral in the
 25 Navy” and inserting “in the grade of general”.

1 (c) *ORIGINAL APPOINTMENTS OF COMMISSIONED OFF-*
 2 *ICERS.*—Section 531(a) of such title is amended—

3 (1) in paragraph (1), by striking “and Regular
 4 Marine Corps in the grades of ensign, lieutenant (jun-
 5 ior grade), and lieutenant in the Regular Navy, and
 6 in the equivalent grades in the Regular Space Force”
 7 and inserting “Regular Marine Corps, and Regular
 8 Space Force, and in the grades of ensign, lieutenant
 9 (junior grade), and lieutenant in the Regular Navy”;
 10 and

11 (2) in paragraph (2), by striking “and Regular
 12 Marine Corps in the grades of lieutenant commander,
 13 commander, and captain in the Regular Navy, and
 14 in the equivalent grades in the Regular Space Force”
 15 and inserting “Regular Marine Corps, and Regular
 16 Space Force, and in the grades of lieutenant com-
 17 mander, commander, and captain in the Regular
 18 Navy”.

19 (d) *SERVICE CREDIT UPON ORIGINAL APPOINTMENT*
 20 *AS A COMMISSIONED OFFICER.*—Section 533(b)(2) of such
 21 *title is amended—*

22 (1) by striking “, or Marine Corps, captain in
 23 the Navy, or an equivalent grade in the Space Force”
 24 and inserting “Marine Corps, or Space Force or cap-
 25 tain in the Navy”.

1 (e) *POSITIONS OF IMPORTANCE AND RESPONSIBILITY*.—Section 601(e) of such title is amended—

3 (1) by striking “or Marine Corps” and inserting
4 “Marine Corps, or Space Force, or”; and

5 (2) by striking “or the commensurate grades in
6 the Space Force,”.

7 (f) *CONVENING OF SELECTION BOARDS*.—Section
8 611(a) of such title is amended by striking “or Marine
9 Corps” and inserting “Marine Corps, or Space Force”.

10 (g) *INFORMATION FURNISHED TO SELECTION
11 BOARDS*.—Section 615(a)(3) of such title is amended—

12 (1) in subparagraph (B)(i), by striking “, in the
13 case of the Navy, lieutenant, or in the case of the
14 Space Force, the equivalent grade” and inserting “or,
15 in the case of the Navy, lieutenant”; and

16 (2) in subparagraph (D), by striking “in the
17 case of the Navy, rear admiral, or, in the case of the
18 Space Force, the equivalent grade” and inserting “or,
19 in the case of the Navy, rear admiral”.

20 (h) *SPECIAL SELECTION REVIEW BOARDS*.—Section
21 628a(a)(1)(A) of such title is amended by striking “, rear
22 admiral in the Navy, or an equivalent grade in the Space
23 Force” and inserting “or rear admiral in the Navy”.

24 (i) *RANK: COMMISSIONED OFFICERS OF THE ARMED
25 FORCES*.—Section 741(a) of such title is amended in the

1 *table by striking “and Marine Corps” and inserting “Ma-*
 2 *rine Corps, and Space Force”.*

3 (j) *REGULAR COMMISSIONED OFFICERS.—Section*
 4 *1370 of such title is amended—*

5 (1) *in subsection (a)(2), by striking “rear admiral in the Navy, or the equivalent grade in the Space*
 6 *Force” both places it appears and inserting “or rear*
 7 *admiral in the Navy”;*

8 (2) *in subsection (b)—*

9 (A) *in paragraph (1)—*

10 (i) *in the matter preceding subparagraph*
 11 *graph (A), by striking “or Marine Corps,*
 12 *lieutenant in the Navy, or the equivalent*
 13 *grade in the Space Force” and inserting*
 14 *“Marine Corps, or Space Force, or lieutenant*
 15 *in the Navy”;* and

16 (ii) *in subparagraph (B), by striking*
 17 *“or Marine Corps, rear admiral in the*
 18 *Navy, or an equivalent grade in the Space*
 19 *Force” and inserting “Marine Corps, or*
 20 *Space Force, or rear admiral in the Navy”;*

21 (B) *in paragraph (4), by striking “or Ma-*
 22 *rine Corps, captain in the Navy, or the equivalent*
 23 *grade in the Space Force” and inserting*
 24

1 *“Marine Corps, or Space Force, or captain in*
2 *the Navy”;*

3 *(C) in paragraph (5)—*

4 *(i) in subparagraph (A), by striking*
5 *“or Marine Corps, lieutenant commander in*
6 *the Navy, or the equivalent grade in the*
7 *Space Force” and inserting “Marine Corps,*
8 *or Space Force, or lieutenant commander in*
9 *the Navy”;*

10 *(ii) in subparagraph (B), by striking*
11 *“or Marine Corps, commander or captain*
12 *in the Navy, or an equivalent grade in the*
13 *Space Force” and inserting “Marine Corps,*
14 *or Space Force, or commander or captain*
15 *in the Navy”; and*

16 *(iii) in subparagraph (C), by striking*
17 *“or Marine Corps, rear admiral (lower half)*
18 *or rear admiral in the Navy” and inserting*
19 *“Marine Corps, or Space Corps, or rear ad-*
20 *miral (lower half) or rear admiral in the*
21 *Navy”; and*

22 *(D) in paragraph (6), by striking “, or an*
23 *equivalent grade in the Space Force,”;*

24 *(3) in subsection (c)(1), by striking “or Marine*
25 *Corps, vice admiral or admiral in the Navy, or an*

1 *equivalent grade in the Space Force” and inserting*
 2 *“Marine Corps, or Space Force, or vice admiral or*
 3 *admiral in the Navy”;*

4 *(4) in subsection (d)—*

5 *(A) in paragraph (1), by striking “or Ma-*
 6 *rine Corps, rear admiral in the Navy, or an*
 7 *equivalent grade in the Space Force” and insert-*
 8 *ing “Marine Corps, or Space Force, or rear ad-*
 9 *miral in the Navy”; and*

10 *(B) in paragraph (3), by striking “or Ma-*
 11 *rine Corps, captain in the Navy, or the equiva-*
 12 *lent grade in the Space Force” and inserting*
 13 *“Marine Corps, or Space Force, or captain in*
 14 *the Navy”;*

15 *(5) in subsection (e)(2), by striking “or Marine*
 16 *Corps, vice admiral or admiral in the Navy, or an*
 17 *equivalent grade in the Space Force” and inserting*
 18 *“Marine Corps, or Space Force, or vice admiral or*
 19 *admiral in the Navy”;*

20 *(6) in subsection (f)—*

21 *(A) in paragraph (3)—*

22 *(i) in subparagraph (A), by striking*
 23 *“or Marine Corps, rear admiral in the*
 24 *Navy, or the equivalent grade in the Space*
 25 *Force” and inserting “Marine Corps, or*

1 *Space Force, or rear admiral in the Navy*”;
 2 *and*

3 (ii) in subparagraph (B), by striking
 4 *“or Marine Corps, vice admiral or admiral*
 5 *in the Navy, or an equivalent grade in the*
 6 *Space Force” and inserting “Marine Corps,*
 7 *or Space Force, or vice admiral or admiral*
 8 *in the Navy”*; and
 9 (B) in paragraph (6)—

10 (i) in subparagraph (A), by striking
 11 *“or Marine Corps, rear admiral in the*
 12 *Navy, or the equivalent grade in the Space*
 13 *Force” and inserting “, Marine Corps, or*
 14 *Space Force, or rear admiral in the Navy”*;
 15 *and*

16 (ii) in subparagraph (B), by striking
 17 *“or Marine Corps, vice admiral or admiral*
 18 *in the Navy, or an equivalent grade in the*
 19 *Space Force” and inserting “Marine Corps,*
 20 *or Space Force, or vice admiral or admiral*
 21 *in the Navy”*; and

22 (7) in subsection (g), by striking *“or Marine*
 23 *Corps, rear admiral in the Navy, or an equivalent*
 24 *grade in the Space Force” and inserting “Marine*
 25 *Corps, or Space Force, or rear admiral in the Navy”*.

1 (k) *OFFICERS ENTITLED TO RETIRED PAY FOR NON-*
 2 *REGULAR SERVICE.*—Section 1370a of such title is amend-
 3 *ed—*

4 (1) *in subsection (d)(1), by striking “or Marine*
 5 *Corps” both places it appears and inserting “Marine*
 6 *Corps, or Space Force”; and*

7 (2) *in subsection (h), by striking “or Marine*
 8 *Corps” and inserting “Marine Corps, or Space*
 9 *Force”.*

10 (l) *RETIRED BASE PAY.*—Section 1406(i)(3)(B)(v) of
 11 *such title is amended by striking “The senior enlisted advi-*
 12 *sor of the Space Force” and inserting “Chief Master Ser-*
 13 *geant of the Space Force”.*

14 (m) *FINANCIAL ASSISTANCE PROGRAM FOR SPECIALLY*
 15 *SELECTED MEMBERS.*—Section 2107 of such title is
 16 *amended—*

17 (1) *in subsection (a)—*

18 (A) *by striking “, as a” and inserting “or*
 19 *as a”; and*

20 (B) *by striking “or Marine Corps, or as an*
 21 *officer in the equivalent grade in the Space*
 22 *Force” and inserting “Marine Corps, or Space*
 23 *Force”; and*

1 (2) in subsection (d), by striking “lieutenant, en-
 2 sign, or an equivalent grade in the Space Force,” and
 3 inserting “lieutenant or ensign,”.

4 (n) *DESIGNATION OF SPACE SYSTEMS COMMAND AS*
 5 *A FIELD COMMAND OF THE UNITED STATES SPACE*
 6 *FORCE*.—Section 9016(b)(6)(B)(iv)(II) of title 10, United
 7 States Code, is amended by striking “Space and Missile
 8 Systems Center” and inserting “Space Systems Command”.

9 (o) *CHIEF OF SPACE OPERATIONS*.—Section 9082 of
 10 such title is amended—

11 (1) in subsection (a), by striking “, flag, or
 12 equivalent” both places it appears; and

13 (2) in subsection (b), by striking “grade in the
 14 Space Force equivalent to the grade of general in the
 15 Army, Air Force, and Marine Corps, or admiral in
 16 the Navy” and inserting “grade of general”.

17 (p) *DISTINGUISHED FLYING CROSS*.—Section 9279(a)
 18 of such title is amended—

19 (1) by adding “or Space Force” after “Air
 20 Force”; and

21 (2) by adding “or space” after “aerial”.

22 (q) *AIRMAN’S MEDAL*.—Section 9280(a)(1) of such
 23 title is amended by adding “or Space Force” after “Air
 24 Force”.

1 (r) *RETIRED GRADE OF COMMISSIONED OFFICERS*.—

2 *Section 9341 of such title is amended—*

3 (1) *in subsection (a)(2), by striking “or the*

4 *Space Force”*; and

5 (2) *in subsection (b), by striking “or Reserve”*.

6 (s) *UNITED STATES AIR FORCE INSTITUTE OF TECH-*

7 *NOLOGY: ADMINISTRATION*.—*Section 9414b(a)(2)(B) of*

8 *such title is amended by striking “or the equivalent grade*

9 *in the Space Force”*.

10 (t) *AIR FORCE ACADEMY PERMANENT PROFESSORS;*

11 *DIRECTOR OF ADMISSIONS*.—*Section 9436 of such title is*

12 *amended—*

13 (1) *in subsection (a)—*

14 (A) *in the first sentence, by striking “in the*

15 *Air Force or the equivalent grade in the Space*

16 *Force”*;

17 (B) *in the second sentence—*

18 (i) *by inserting “or Regular Space*

19 *Force” after “Regular Air Force”*; and

20 (ii) *by striking “and a permanent pro-*

21 *fessor appointed from the Regular Space*

22 *Force has the grade equivalent to the grade*

23 *of colonel in the Regular Air Force”*; and

1 (C) *in the third sentence, by striking “in*
 2 *the Air Force or the equivalent grade in the*
 3 *Space Force”*; and

4 (2) *in subsection (b)—*

5 (A) *in the first sentence, by striking “in the*
 6 *Air Force or the equivalent grade in the Space*
 7 *Force” both places it appears; and*

8 (B) *in the second sentence—*

9 (i) *by inserting “or Regular Space*
 10 *Force” after “Regular Air Force”; and*

11 (ii) *by striking “and a permanent pro-*
 12 *fessor appointed from the Regular Space*
 13 *Force has the grade equivalent to the grade*
 14 *of colonel in the Regular Air Force”.*

15 (u) *CADETS: DEGREE AND COMMISSION ON GRADUA-*
 16 *TION.—Section 9453(b) of such title is amended by striking*
 17 *“in the equivalent grade in”.*

18 (v) *BASIC PAY RATES FOR ENLISTED MEMBERS.—*
 19 *Footnote 2 of the table titled “ENLISTED MEMBERS”*
 20 *in section 601(c) of the John Warner National Defense Au-*
 21 *thorization Act for Fiscal Year 2007 (Public Law 109–364;*
 22 *37 U.S.C. 1009 note) is amended by striking “the senior*
 23 *enlisted advisor of the Space Force” and inserting “Chief*
 24 *Master Sergeant of the Space Force”.*

1 (w) *PAY OF SENIOR ENLISTED MEMBERS.*—Section
 2 210(c)(5) of title 37, United States Code, is amended by
 3 striking “the senior enlisted advisor of the Space Force”
 4 and inserting “the Chief Master Sergeant of the Space
 5 Force”.

6 (x) *PERSONAL MONEY ALLOWANCE.*—Section 414(b)
 7 of title 37, United States Code, is amended by striking “the
 8 senior enlisted advisor of the Space Force” and inserting
 9 “the Chief Master Sergeant of the Space Force”.

10 **SEC. 1078. AUTHORITY TO ESTABLISH COMMERCIAL INTE-**
 11 **GRATION CELLS WITHIN CERTAIN COMBAT-**
 12 **ANT COMMANDS.**

13 (a) *IN GENERAL.*—The Commander of the United
 14 States Africa Command, the Commander of the United
 15 States European Command, the Commander of the United
 16 States Indo-Pacific Command, the Commander of the
 17 United States Northern Command, and the Commander of
 18 the United States Southern Command may each establish—

19 (1) a commercial integration cell within their re-
 20 spective combatant command for the purpose of close-
 21 ly integrating public and private entities with capa-
 22 bilities relevant to the area of operation of such com-
 23 batant command; and

24 (2) a chief technology officer position within
 25 their respective combatant command, who may—

1 (A) oversee such commercial integration
2 cell; and

3 (B) report directly to the commander of the
4 applicable combatant command.

5 (b) *REQUIREMENTS AND AUTHORITIES.*—In estab-
6 lishing the commercial integration cells under subsection

7 (a)(1), each commander described in that paragraph may—

8 (1) make the applicable commercial integration
9 cell available to commercial entities with existing
10 Government contracts up to the Top Secret/Sensitive
11 Compartmented Information clearance level;

12 (2) ensure that such commercial integration cell
13 is an information-sharing partnership rather than a
14 service contract;

15 (3) in the case of a solution identified within the
16 commercial integration cell that requires resources,
17 work within existing resources or processes to request
18 such resources; and

19 (4) integrate lessons learned from the commercial
20 integration cells of the United States Space Command
21 and the United States Central Command.

22 (c) *BRIEFING.*—Not later than 90 days after the date
23 of the enactment of this Act, the Commander of the United
24 States Africa Command, the Commander of the United
25 States European Command, the Commander of the United

1 *States Indo-Pacific Command, the Commander of the*
2 *United States Northern Command, and the Commander of*
3 *the United States Southern Command shall each provide*
4 *to the Committees on Armed Services of the Senate and the*
5 *House of Representatives—*

6 (1) *a briefing on whether a commercial integra-*
7 *tion cell was implemented and any related progress,*
8 *including any challenges to implementation;*

9 (2) *in the case of a commander of a combatant*
10 *command who chooses not to use the authority pro-*
11 *vided in this section to establish a commercial inte-*
12 *gration cell or a chief technology officer—*

13 (A) *an explanation for not using such au-*
14 *thority; and*

15 (B) *a description of the manner in which*
16 *such commander is otherwise addressing the need*
17 *to integrate commercial solutions; and*

18 (3) *in the case of a combatant command that has*
19 *an official performing a role similar to the role de-*
20 *scribed for a chief technology officer under subsection*
21 *(a)(2), a detailed description of the role performed by*
22 *such official.*

1 **SEC. 1079. MODIFICATION ON LIMITATION ON FUNDING**
 2 **FOR INSTITUTIONS OF HIGHER EDUCATION**
 3 **HOSTING CONFUCIUS INSTITUTES.**

4 *Section 1062 of the William M. (“Mac”) Thornberry*
 5 *National Defense Authorization Act for Fiscal Year 2021*
 6 *(Public Law 116–283; 10 U.S.C. 2241 note) is amended by*
 7 *striking subsection (b).*

8 **SEC. 1080. MODIFICATION OF DEFINITION OF DOMESTIC**
 9 **SOURCE FOR TITLE III OF DEFENSE PRODUC-**
 10 **TION ACT OF 1950.**

11 *(a) IN GENERAL.—Section 702(7) of such Act (50*
 12 *U.S.C. 4552(7)) is amended—*

13 *(1) by redesignating subparagraphs (A) and (B)*
 14 *as clauses (i) and (ii), respectively, and by moving*
 15 *such clauses, as so redesignated, two ems to the right;*

16 *(2) by striking “The term” and inserting the fol-*
 17 *lowing:*

18 *“(A) IN GENERAL.—Except as provided in*
 19 *subparagraph (B), the term”;*

20 *(3) in clause (ii), as redesignated by paragraph*
 21 *(1), by striking “subparagraph (A)” and inserting*
 22 *“clause (i)”;* and

23 *(4) by adding at the end the following new sub-*
 24 *paragraph (B):*

25 *“(B) DOMESTIC SOURCE FOR TITLE III.—*

1 “(i) *IN GENERAL.*—*For purposes of*
2 *title III, the term ‘domestic source’ means a*
3 *business concern that—*

4 “(I) *performs substantially all of*
5 *the research and development, engi-*
6 *neering, manufacturing, and produc-*
7 *tion activities required of such business*
8 *concern under a contract with the*
9 *United States relating to a critical*
10 *component or a critical technology*
11 *item in—*

12 “(aa) *the United States or*
13 *Canada; or*

14 “(bb) *subject to clause (ii),*
15 *Australia or the United Kingdom;*
16 *and*

17 “(II) *procures from business con-*
18 *cerns described in subclause (I) sub-*
19 *stantially all of any components or as-*
20 *semblies required under a contract*
21 *with the United States relating to a*
22 *critical component or critical tech-*
23 *nology item.*

1 “(i) *LIMITATIONS ON USE OF BUSI-*
2 *NESS CONCERNS IN AUSTRALIA AND UNITED*
3 *KINGDOM.*—

4 “(I) *IN GENERAL.*—A business
5 concern described in clause (i)(I)(bb)
6 may be treated as a domestic source
7 only for purposes of the exercise of au-
8 thorities under title III relating to na-
9 tional defense matters that cannot be
10 fully addressed with business concerns
11 described in clause (i)(I)(aa).

12 “(II) *NATIONAL DEFENSE MAT-*
13 *TERS.*—For purposes of subclause (I),
14 a national defense matter is a matter
15 relating to the development or produc-
16 tion of—

17 “(aa) a defense article, as de-
18 fined in section 301 of title 10,
19 United States Code; or

20 “(bb) a material critical to
21 national defense or national secu-
22 rity, as defined in section 10(f) of
23 the Strategic and Critical Mate-
24 rials Stock Piling Act (50 U.S.C.
25 98h-1(f)).”.

1 (b) *REPORTS ON EXERCISE OF TITLE III AUTHORI-*
 2 *TIES.—Title III of the Defense Production Act of 1950 (50*
 3 *U.S.C. 4531 et seq.) is amended by adding at the end the*
 4 *following new section:*

5 **“SEC. 305. REPORTS ON EXERCISE OF AUTHORITIES.**

6 “(a) *IN GENERAL.—The President, or the head of an*
 7 *agency to which the President has delegated authorities*
 8 *under this title, shall submit a report and provide a briefing*
 9 *to the appropriate congressional committees with respect to*
 10 *any action taken pursuant to such authorities—*

11 “(1) *except as provided by paragraph (2), not*
 12 *later than 30 days after taking the action; and*

13 “(2) *in the case of an action that involves a*
 14 *business concern in the United Kingdom or Australia,*
 15 *not later than 30 days before taking the action.*

16 “(b) *ELEMENTS.—*

17 “(1) *IN GENERAL.—Each report and briefing re-*
 18 *quired by subsection (a) with respect to an action de-*
 19 *scribed in that subsection shall include—*

20 “(A) *a justification of the necessity of the*
 21 *use of authorities under this title; and*

22 “(B) *a description of the financial terms of*
 23 *any related financial transaction.*

24 “(2) *ADDITIONAL ELEMENTS RELATING TO BUSI-*
 25 *NESS CONCERNS IN THE UNITED KINGDOM OR AUS-*

1 *TRALIA.—Each report and briefing required by sub-*
 2 *section (a) with respect to an action described in*
 3 *paragraph (2) of that subsection shall include, in ad-*
 4 *dition to the elements under paragraph (1)—*

5 *“(A) a certification that business concerns*
 6 *in the United States or Canada were not avail-*
 7 *able with respect to the action; and*

8 *“(B) an analysis of why such business con-*
 9 *cerns were not available.*

10 *“(c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
 11 *FINED.—In this section, the term ‘appropriate congres-*
 12 *sional committees’ means—*

13 *“(1) the Committee on Banking, Housing, and*
 14 *Urban Affairs of the Senate and the Committee on*
 15 *Financial Services of the House of Representatives;*
 16 *and*

17 *“(2) in the case of an action described in sub-*
 18 *section (a) involving strategic and critical materials*
 19 *relating to national defense matters (as described in*
 20 *section 702(7)(B)(ii)(II)), the Committee on Energy*
 21 *and Natural Resources of the Senate and the Com-*
 22 *mittee on Natural Resources of the House of Rep-*
 23 *resentatives.”.*

1 **SEC. 1081. COMPREHENSIVE STRATEGY FOR TALENT DE-**
2 **VELOPMENT AND MANAGEMENT OF DEPART-**
3 **MENT OF DEFENSE COMPUTER PROGRAM-**
4 **MING WORKFORCE.**

5 (a) *POLICY.*—*It shall be a policy of the Armed Forces,*
6 *including the reserve components, to establish appropriate*
7 *and effective talent development and management policies*
8 *and practices that allow for the military departments to*
9 *present an adaptable, qualified workforce training and edu-*
10 *cation standard with respect to computer programming*
11 *skill needs for the workforce of the Department of Defense,*
12 *including technical and nontechnical skills related to artifi-*
13 *cial intelligence and software coding.*

14 (b) *STRATEGY REQUIRED.*—

15 (1) *IN GENERAL.*—*The Secretary of Defense, in*
16 *consultation with the Secretaries of each military de-*
17 *partment and the Chairman of the Joint Chiefs of*
18 *Staff, shall develop a strategy to achieve the policy set*
19 *forth in subsection (a).*

20 (2) *ELEMENTS.*—*The strategy required by para-*
21 *graph (1) shall include—*

22 (A) *the development, funding, and execution*
23 *of a coherent approach and transparent strategy*
24 *across digital platforms and applications that*
25 *enable development and presentation of forces*

1 with appropriate programmatic oversight for
2 both active and reserve component workforces;

3 (B) the evaluation of the potential need for
4 career field occupational codes or other service-
5 specific talent management mechanisms aligned
6 with the work roles related to computer program-
7 ming, artificial intelligence and machine learn-
8 ing competency, and software engineering under
9 the Department of Defense Cyber Workforce
10 Framework to allow for the military depart-
11 ments to identify, assess, track, manage, and as-
12 sign personnel with computer programming, cod-
13 ing, and artificial intelligence skills through es-
14 tablished mechanisms, under the policies of the
15 military departments with respect to career field
16 management, including—

17 (i) development, modification, or re-
18 validation of a career field or separate occu-
19 pational code for computer programming
20 occupational areas aligned with such work
21 roles; and

22 (ii) development, modification, or re-
23 validation of a unique special skills or expe-
24 rience designator or qualification, tracked
25 independently of a career field, for computer

1 *programming occupational areas aligned*
2 *with such work roles;*

3 *(C) the evaluation of current talent manage-*
4 *ment processes to incorporate equivalency assess-*
5 *ment as part of the qualification standard to ac-*
6 *commodate experiences, training, or skills devel-*
7 *oped as a result of other work experience or*
8 *training opportunities, including potentially*
9 *from civilian occupations or commercially-avail-*
10 *able training courses*

11 *(D) assessment of members of the Armed*
12 *Forces who have completed the qualification*
13 *process of the military department concerned or*
14 *who qualify based on existing skills and training*
15 *across computer programming occupational*
16 *areas; and*

17 *(E) maintaining data on, and longitudinal*
18 *tracking of, members of the Armed Forces de-*
19 *scribed in subparagraph (D).*

20 *(c) RESPONSIBILITIES.—The Secretary of each mili-*
21 *tary department, in consultation with the Assistant Sec-*
22 *retary of the military department for Manpower and Re-*
23 *serve Affairs, the Chief Information Officer of the Depart-*
24 *ment of Defense, and the Chief Digital and Artificial Intel-*

1 *ligence Officer of the Office of the Secretary of Defense,*
2 *shall—*

3 (1) *be responsible for development and imple-*
4 *mentation of the policy set forth in subsection (a) and*
5 *strategy required by subsection (b); and*

6 (2) *carry out that responsibility through an offi-*
7 *cer or employee of the military department assigned*
8 *by the Secretary for that purpose.*

9 (d) *DUTIES.—In developing and providing for the im-*
10 *plementation of the policy set forth in subsection (a) and*
11 *strategy required by subsection (b), the Secretary of each*
12 *military department, in consultation with the Assistant*
13 *Secretary of the military department for Manpower and*
14 *Reserve Affairs, the Chief Information Officer of the mili-*
15 *tary department, the Chief Information Officer of the De-*
16 *partment of Defense, and the Chief Digital and Artificial*
17 *Intelligence Officer of the Office of the Secretary of Defense,*
18 *shall establish and update relevant policies and practices*
19 *to enable the talent development and management to pro-*
20 *vide a workforce capable of conducting computer program-*
21 *ming, software coding, and artificial intelligence activities,*
22 *including by meeting related manning, systems, training,*
23 *and other related funding requirements.*

24 (e) *STRATEGY AND IMPLEMENTATION PLANS.—*

1 (1) *IN GENERAL.*—Not later than 180 days after
 2 the date of the enactment of this Act, the Secretary of
 3 each military department shall submit to the Com-
 4 mittees on Armed Services of the Senate and the
 5 House of Representatives the strategy required by sub-
 6 section (b).

7 (2) *IMPLEMENTATION PLANS REQUIRED.*—Not
 8 later than one year after the date of the enactment of
 9 this Act, the Secretary of each military department
 10 shall submit to the Committees on Armed Services of
 11 the Senate and the House of Representatives a imple-
 12 mentation plan for the strategy required by subsection
 13 (b), including identification of resource needs and
 14 areas where current internal policy or legal statutes
 15 may need to be updated.

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

17 (1) *COMPUTER PROGRAMMING OCCUPATIONAL*
 18 *AREA.*—The term “computer programming occupa-
 19 tional area” means a technical or nontechnical occu-
 20 pational position that supports computer program-
 21 ming, coding, or artificial intelligence operations and
 22 development, including the following positions:

23 (A) *Data scientists.*

24 (B) *Data engineers.*

25 (C) *Data analysts.*

1 (D) *Software developers.*

2 (E) *Machine learning engineers.*

3 (F) *Program managers.*

4 (G) *Acquisition professionals.*

5 (2) *DIGITAL PLATFORM OR APPLICATION.—The*
 6 *term “digital platform or application” means an on-*
 7 *line integrated personnel management system or*
 8 *human capital solution.*

9 (3) *QUALIFICATION PROCESS.—The term “quali-*
 10 *fication process”—*

11 (A) *means the process, modeled on a*
 12 *streamlined version of the process for obtaining*
 13 *joint qualifications, for training and verifying*
 14 *members of the Armed Forces to receive career*
 15 *field or occupational codes associated with com-*
 16 *puter programming occupational areas; and*

17 (B) *may include—*

18 (i) *experiences, education, and train-*
 19 *ing received as a part of military service,*
 20 *including fellowships, talent exchanges, po-*
 21 *sitions within government, and educational*
 22 *courses; and*

23 (ii) *in the case of members of the re-*
 24 *serve components, experiences, education,*

1 and training received in their civilian occu-
 2 pations.

3 (4) *STANDARD.*—The term “standard” means the
 4 defined, reviewed, and published standard for occupa-
 5 tional series or career fields that provides a measur-
 6 able standard by which the military departments can
 7 assess the ability to meet their operational planning
 8 and steady-state force presentation requirements dur-
 9 ing the global force management process.

10 **SEC. 1082. LIMITATION ON AVAILABILITY OF FUNDS FOR**
 11 **DESTRUCTION OF LANDMINES.**

12 (a) *LIMITATION.*—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 2024 for the
 15 Department of Defense may be obligated or expended for
 16 the destruction of anti-personnel landmine munitions before
 17 the date on which the Secretary of Defense submits the re-
 18 port required by subsection (c).

19 (b) *EXCEPTION FOR SAFETY.*—Subsection (a) shall not
 20 apply to any anti-personnel landmine munitions that the
 21 Secretary of Defense determines are unsafe or could pose
 22 a safety risk to the United States Armed Forces if not de-
 23 militarized or destroyed.

24 (c) *REPORT REQUIRED.*—

1 (1) *IN GENERAL.*—Not later than one year 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 report that includes each of the following:

5 (A) *A description of the policy of the De-*
6 *partment of Defense regarding the use of anti-*
7 *personnel landmines, including methods for com-*
8 *manders to seek waivers to use such munitions.*

9 (B) *Projections covering the period of 10*
10 *years following the date of the report of—*

11 (i) *the inventory levels for all anti-per-*
12 *sonnel landmine munitions, taking into ac-*
13 *count future production of anti-personnel*
14 *landmine munitions, any plans for demili-*
15 *tarization of such munitions, the age of the*
16 *munitions, storage and safety consider-*
17 *ations, and any other factors that are ex-*
18 *pected to impact the size of the inventory;*

19 (ii) *the cost to achieve the inventory*
20 *levels projected in clause (i), including the*
21 *cost for potential demilitarization or dis-*
22 *posal of such munitions; and*

23 (iii) *the cost to develop and produce*
24 *new anti-personnel landmine munitions the*

1 *Secretary determines are necessary to meet*
2 *the demands of operational plans.*

3 *(C) An assessment by the Chairman of the*
4 *Joint Chiefs of Staff of the effects of the inven-*
5 *tory levels projected under subparagraph (B)(i)*
6 *on operational plans.*

7 *(D) Any inputs by the Chairman and the*
8 *commanders of the combatant commands to a*
9 *policy process that resulted in a change in land-*
10 *mine policy during the calendar year preceding*
11 *the date of the enactment of this Act.*

12 *(E) Any other matters that the Secretary*
13 *determines appropriate for inclusion in the re-*
14 *port.*

15 *(2) FORM OF REPORT.—The report required by*
16 *paragraph (1) shall be submitted in unclassified form,*
17 *but may include a classified annex.*

18 *(d) BRIEFING REQUIRED.—*

19 *(1) IN GENERAL.—Not later than 180 days after*
20 *the date of the enactment of this Act, the Secretary of*
21 *Defense shall provide to the congressional defense com-*
22 *mittees a briefing on the status, as of the date of the*
23 *briefing, of research and development into operational*
24 *alternatives to anti-personnel landmine munitions.*

1 (2) *FORM OF BRIEFING.*—*The briefing required*
 2 *by paragraph (1) may contain classified information.*

3 (e) *ANTI-PERSONNEL LANDMINE MUNITIONS DE-*
 4 *FINED.*—*In this section, the term “anti-personnel landmine*
 5 *munitions” includes anti-personnel landmines and sub-*
 6 *munitions, as defined by the Convention on the Prohibition*
 7 *of the Use, Stockpiling, Production and Transfer of Anti-*
 8 *Personnel Mines and on their Destruction, concluded at*
 9 *Oslo September 18, 1997, as determined by the Secretary.*

10 **SEC. 1083. NOGALES WASTEWATER IMPROVEMENT.**

11 (a) *AMENDMENT TO THE ACT OF JULY 27, 1953.*—
 12 *The first section of the Act of July 27, 1953 (67 Stat. 195,*
 13 *chapter 242; 22 U.S.C. 277d–10), is amended by striking*
 14 *the period at the end and inserting “: Provided further,*
 15 *That the equitable portion of the Nogales sanitation project*
 16 *for the city of Nogales, Arizona, shall be limited to the costs*
 17 *directly associated with the treatment and conveyance of*
 18 *the wastewater of the city and, to the extent practicable,*
 19 *shall not include any costs directly associated with the qual-*
 20 *ity or quantity of wastewater originating in Mexico.”.*

21 (b) *NOGALES SANITATION PROJECT.*—

22 (1) *DEFINITIONS.*—*In this subsection:*

23 (A) *CITY.*—*The term “City” means the City*
 24 *of Nogales, Arizona.*

1 (B) *COMMISSION.*—*The term “Commission”*
 2 *means the United States Section of the Inter-*
 3 *national Boundary and Water Commission.*

4 (C) *INTERNATIONAL OUTFALL INTER-*
 5 *CEPTOR.*—*The term “International Outfall In-*
 6 *terceptor” means the pipeline that conveys*
 7 *wastewater from the United States-Mexico border*
 8 *to the Nogales International Wastewater Treat-*
 9 *ment Plant.*

10 (D) *NOGALES INTERNATIONAL WASTEWATER*
 11 *TREATMENT PLANT.*—*The term “Nogales Inter-*
 12 *national Wastewater Treatment Plant” means*
 13 *the wastewater treatment plant that—*

14 (i) *is operated by the Commission;*
 15 (ii) *is located in Rio Rico, Santa Cruz*
 16 *County, Arizona, after manhole 99; and*
 17 (iii) *treats sewage and wastewater*
 18 *originating from—*

19 (I) *Nogales, Sonora, Mexico; and*
 20 (II) *Nogales, Arizona.*

21 (2) *OWNERSHIP AND CONTROL.*—

22 (A) *IN GENERAL.*—*Subject to subparagraph*
 23 *(B) and in accordance with authority under the*
 24 *Act of July 27, 1953 (67 Stat. 195, chapter 242;*
 25 *22 U.S.C. 277d–10 et seq.), on transfer by dona-*

1 *tion from the City of the current stake of the*
2 *City in the International Outfall Interceptor to*
3 *the Commission, the Commission shall enter into*
4 *such agreements as are necessary to assume full*
5 *ownership and control over the International*
6 *Outfall Interceptor.*

7 *(B) AGREEMENTS REQUIRED.—The Com-*
8 *mission shall assume full ownership and control*
9 *over the International Outfall Interceptor under*
10 *subparagraph (A) after all applicable governing*
11 *bodies in the State of Arizona, including the*
12 *City, have—*

13 *(i) signed memoranda of under-*
14 *standing granting to the Commission access*
15 *to existing easements for a right of entry to*
16 *the International Outfall Interceptor for the*
17 *life of the International Outfall Interceptor;*

18 *(ii) entered into an agreement with re-*
19 *spect to the flows entering the International*
20 *Outfall Interceptor that are controlled by*
21 *the City; and*

22 *(iii) agreed to work in good faith to ex-*
23 *peditionously enter into such other agreements*
24 *as are necessary for the Commission to op-*

1 *erate and maintain the International Out-*
2 *fall Interceptor.*

3 (3) *OPERATIONS AND MAINTENANCE.—*

4 (A) *IN GENERAL.—Beginning on the date*
5 *on which the Commission assumes full ownership*
6 *and control of the International Outfall Inter-*
7 *ceptor under paragraph (2)(A), but subject to*
8 *paragraph (5), the Commission shall be respon-*
9 *sible for the operations and maintenance of the*
10 *International Outfall Interceptor.*

11 (B) *AUTHORIZATION OF APPROPRIA-*
12 *TIONS.—There are authorized to be appropriated*
13 *to the Commission to carry out this paragraph,*
14 *to remain available until expended—*

15 (i) *\$6,500,000 for fiscal year 2025; and*
16 (ii) *not less than \$2,500,000 for fiscal*
17 *year 2026 and each fiscal year thereafter.*

18 (4) *DEBRIS SCREEN.—*

19 (A) *DEBRIS SCREEN REQUIRED.—*

20 (i) *IN GENERAL.—The Commission*
21 *shall construct, operate, and maintain a de-*
22 *bris screen at Manhole One of the Inter-*
23 *national Outfall Interceptor for intercepting*
24 *debris and drug bundles coming to the*

1 *United States from Nogales, Sonora, Mex-*
2 *ico.*

3 (ii) *REQUIREMENT.—In constructing*
4 *and operating the debris screen under clause*
5 *(i), the Commission and the Commissioner*
6 *of U.S. Customs and Border Protection*
7 *shall coordinate—*

8 (I) *the removal of drug bundles*
9 *and other illicit goods caught in the*
10 *debris screen; and*

11 (II) *other operations at the Inter-*
12 *national Outfall Interceptor that re-*
13 *quire coordination.*

14 (B) *AUTHORIZATION OF APPROPRIA-*
15 *TIONS.—There are authorized to be appropriated*
16 *to the Commission, to remain available until ex-*
17 *pended—*

18 (i) *for fiscal year 2025—*

19 (I) *\$8,000,000 for construction of*
20 *the debris screen described in subpara-*
21 *graph (A)(i); and*

22 (II) *not less than \$1,000,000 for*
23 *the operations and maintenance of the*
24 *debris screen described in subpara-*
25 *graph (A)(i); and*

1 (ii) not less than \$1,000,000 for fiscal
 2 year 2026 and each fiscal year thereafter for
 3 the operations and maintenance of the de-
 4 bris screen described in subparagraph
 5 (A)(i).

6 (5) *LIMITATION OF CLAIMS.*—Chapter 171 and
 7 section 1346(b) of title 28, United States Code (com-
 8 monly known as the “Federal Tort Claims Act”),
 9 shall not apply to any claim arising from the activi-
 10 ties of the Commission in carrying out this sub-
 11 section, including any claim arising from damages
 12 that result from overflow of the International Outfall
 13 Interceptor due to excess inflow to the International
 14 Outfall Interceptor originating from Nogales, Sonora,
 15 Mexico.

16 (c) *EFFECTIVE DATE.*—This section (including the
 17 amendments made by this section) takes effect on October
 18 1, 2024.

19 **SEC. 1084. AUTHORIZATION OF AMOUNTS TO SUPPORT INI-**
 20 **TIATIVES FOR MOBILE MAMMOGRAPHY SERV-**
 21 **ICES FOR VETERANS.**

22 There is authorized to be appropriated to the Secretary
 23 of Veterans Affairs \$10,000,000 for the Office of Women’s
 24 Health of the Department of Veterans Affairs under section

1 7310 of title 38, United States Code, to be used by the Sec-
 2 retary to expand access of women veterans to—

3 (1) mobile mammography initiatives;

4 (2) advanced mammography equipment; and

5 (3) outreach activities to publicize those initia-
 6 tives and equipment.

7 **SEC. 1085. PROTECTION OF COVERED SECTORS.**

8 *The Defense Production Act of 1950 (50 U.S.C. 4501*
 9 *et seq.) is amended by adding at the end the following:*

10 **“TITLE VIII—PROTECTION OF**
 11 **COVERED SECTORS**

12 **“SEC. 801. DEFINITIONS.**

13 *“In this title:*

14 *“(1) APPROPRIATE CONGRESSIONAL COMMIT-*
 15 *TEES.—The term ‘appropriate congressional commit-*
 16 *tees’ means—*

17 *“(A) the Committee on Armed Services, the*
 18 *Committee on Finance, the Committee on Bank-*
 19 *ing, Housing, and Urban Affairs, the Select*
 20 *Committee on Intelligence, and the Committee on*
 21 *Foreign Relations of the Senate; and*

22 *“(B) the Committee on Armed Services, the*
 23 *Committee on Ways and Means, the Committee*
 24 *on Financial Services, the Permanent Select*

1 *Committee on Intelligence, and the Committee on*
2 *Foreign Affairs of the House of Representatives.*

3 “(2) *COUNTRY OF CONCERN.*—*The term ‘country*
4 *of concern’ means, subject to such regulations as may*
5 *be prescribed in accordance with section 806, a coun-*
6 *try specified in section 4872(d)(2) of title 10, United*
7 *States Code.*

8 “(3) *COVERED ACTIVITY.*—

9 “(A) *IN GENERAL.*—*Subject to such regula-*
10 *tions as may be prescribed in accordance with*
11 *section 806, and except as provided in subpara-*
12 *graph (B), the term ‘covered activity’ means any*
13 *activity engaged in by a United States person in*
14 *a related to a covered sector that involves—*

15 “(i) *an acquisition by such United*
16 *States person of an equity interest or con-*
17 *tingent equity interest, or monetary capital*
18 *contribution, in a covered foreign entity, di-*
19 *rectly or indirectly, by contractual commit-*
20 *ment or otherwise, with the goal of gener-*
21 *ating income or gain;*

22 “(ii) *an arrangement for an interest*
23 *held by such United States person in the*
24 *short- or long-term debt obligations of a cov-*
25 *ered foreign entity that includes governance*

1 *rights that are characteristic of an equity*
2 *investment, management, or other impor-*
3 *tant rights, as defined in regulations pre-*
4 *scribed in accordance with section 806;*

5 “(iii) *the establishment of a wholly*
6 *owned subsidiary in a country of concern,*
7 *such as a greenfield investment, for the pur-*
8 *pose of production, design, testing, manu-*
9 *facturing, fabrication, or development re-*
10 *lated to one or more covered sectors;*

11 “(iv) *the establishment by such United*
12 *States person of a joint venture in a coun-*
13 *try of concern or with a covered foreign en-*
14 *tity for the purpose of production, design,*
15 *testing, manufacturing, fabrication, or re-*
16 *search involving one or more covered sec-*
17 *tors, or other contractual or other commit-*
18 *ments involving a covered foreign entity to*
19 *jointly research and develop new innova-*
20 *tion, including through the transfer of cap-*
21 *ital or intellectual property or other busi-*
22 *ness proprietary information; or*

23 “(v) *the acquisition by a United States*
24 *person with a covered foreign entity of—*

1 “(I) operational cooperation, such
2 as through supply or support arrange-
3 ments;

4 “(II) the right to board represen-
5 tation (as an observer, even if limited,
6 or as a member) or an executive role
7 (as may be defined through regulation)
8 in a covered foreign entity;

9 “(III) the ability to direct or in-
10 fluence such operational decisions as
11 may be defined through such regula-
12 tions;

13 “(IV) formal governance represen-
14 tation in any operating affiliate, like a
15 portfolio company, of a covered foreign
16 entity; or

17 “(V) a new relationship to share
18 or provide business services, such as
19 but not limited to financial services,
20 marketing services, maintenance, or as-
21 sembly functions, related to a covered
22 sectors.

23 “(B) EXCEPTIONS.—The term ‘covered ac-
24 tivity’ does not include—

1 “(i) any transaction the value of which
 2 the Secretary of the Treasury determines is
 3 *de minimis*, as defined in regulations pre-
 4 scribed in accordance with section 806;

5 “(ii) any category of transactions that
 6 the Secretary determines is in the national
 7 interest of the United States, as may be de-
 8 fined in regulations prescribed in accord-
 9 ance with section 806; or

10 “(iii) any ordinary or administrative
 11 business transaction as may be defined in
 12 such regulations.

13 “(4) COVERED FOREIGN ENTITY.—

14 “(A) IN GENERAL.—Subject to regulations
 15 prescribed in accordance with section 806, and
 16 except as provided in subparagraph (B), the
 17 term ‘covered foreign entity’ means—

18 “(i) any entity that is incorporated in,
 19 has a principal place of business in, or is
 20 organized under the laws of a country of
 21 concern;

22 “(ii) any entity the equity securities of
 23 which are primarily traded in the ordinary
 24 course of business on one or more exchanges
 25 in a country of concern;

1 “(iii) any entity in which any entity
 2 described in subclause (i) or (ii) holds, indi-
 3 vidually or in the aggregate, directly or in-
 4 directly, an ownership interest of greater
 5 than 50 percent; or

6 “(iv) any other entity that is not a
 7 United States person and that meets such
 8 criteria as may be specified by the Sec-
 9 retary of the Treasury in such regulations.

10 “(B) EXCEPTION.—The term ‘covered for-
 11 eign entity’ does not include any entity described
 12 in subparagraph (A) that can demonstrate that
 13 a majority of the equity interest in the entity is
 14 ultimately owned by—

15 “(i) nationals of the United States; or

16 “(ii) nationals of such countries (other
 17 than countries of concern) as are identified
 18 for purposes of this subparagraph pursuant
 19 to regulations prescribed in accordance with
 20 section 806.

21 “(5) COVERED SECTORS.—Subject to regulations
 22 prescribed in accordance with section 806, the term
 23 ‘covered sectors’ includes sectors within the following
 24 areas, as specified in such regulations:

1 “(A) *Advanced semiconductors and micro-*
2 *electronics.*

3 “(B) *Artificial intelligence.*

4 “(C) *Quantum information science and*
5 *technology.*

6 “(D) *Hypersonics.*

7 “(E) *Satellite-based communications.*

8 “(F) *Networked laser scanning systems with*
9 *dual-use applications.*

10 “(6) *PARTY.*—*The term ‘party’, with respect to*
11 *an activity, has the meaning given that term in regu-*
12 *lations prescribed in accordance with section 806.*

13 “(7) *UNITED STATES.*—*The term ‘United States’*
14 *means the several States, the District of Columbia,*
15 *and any territory or possession of the United States.*

16 “(8) *UNITED STATES PERSON.*—*The term*
17 *‘United States person’ means—*

18 “(A) *an individual who is a citizen or na-*
19 *tional of the United States or an alien lawfully*
20 *admitted for permanent residence in the United*
21 *States; and*

22 “(B) *any corporation, partnership, or other*
23 *entity organized under the laws of the United*
24 *States or the laws of any jurisdiction within the*
25 *United States.*

1 **“SEC. 802. ADMINISTRATION OF UNITED STATES INVEST-**
 2 **MENT NOTIFICATION.**

3 “(a) *IN GENERAL.*—*The President shall delegate the*
 4 *authorities and functions under this title to the Secretary*
 5 *of the Treasury.*

6 “(b) *COORDINATION.*—*In carrying out the duties of the*
 7 *Secretary under this title, the Secretary shall—*

8 “(1) *coordinate with the Secretary of Commerce;*
 9 *and*

10 “(2) *consult with the United States Trade Rep-*
 11 *resentative, the Secretary of Defense, the Secretary of*
 12 *State, and the Director of National Intelligence.*

13 **“SEC. 803. MANDATORY NOTIFICATION OF COVERED AC-**
 14 **TIVITIES.**

15 “(a) *MANDATORY NOTIFICATION.*—

16 “(1) *IN GENERAL.*—*Subject to regulations pre-*
 17 *scribed in accordance with section 806, beginning on*
 18 *the date that is 90 days after such regulations take*
 19 *effect, a United States person that plans to engage in*
 20 *a covered activity shall—*

21 “(A) *if such covered activity is not a se-*
 22 *cured transaction, submit to the Secretary of the*
 23 *Treasury a complete written notification of the*
 24 *activity not later than 14 days before the antici-*
 25 *ipated completion date of the activity; and*

1 “(B) if such covered activity is a secured
 2 transaction, submit to the Secretary of the Treas-
 3 ury a complete written notification of the activ-
 4 ity not later than 14 days after the completion
 5 date of the activity.

6 “(2) CIRCULATION OF NOTIFICATION.—

7 “(A) IN GENERAL.—The Secretary shall,
 8 upon receipt of a notification under paragraph
 9 (1), promptly inspect the notification for com-
 10 pleteness.

11 “(B) INCOMPLETE NOTIFICATIONS.—If a
 12 notification submitted under paragraph (1) is
 13 incomplete, the Secretary shall promptly inform
 14 the United States person that submits the notifi-
 15 cation that the notification is not complete and
 16 provide an explanation of relevant material re-
 17 spects in which the notification is not complete.

18 “(3) IDENTIFICATION OF NON-NOTIFIED ACTIV-
 19 ITY.—The Secretary shall establish a process to iden-
 20 tify covered activity for which—

21 “(A) a notification is not submitted to the
 22 Secretary under paragraph (1); and

23 “(B) information is reasonably available.

24 “(b) CONFIDENTIALITY OF INFORMATION.—

1 “(1) *IN GENERAL.*—*Except as provided in para-*
2 *graph (2), any information or documentary material*
3 *filed with the Secretary of the Treasury pursuant to*
4 *this section shall be exempt from disclosure under sec-*
5 *tion 552 of title 5, United States Code, and no such*
6 *information or documentary material may be made*
7 *public by any government agency or Member of Con-*
8 *gress.*

9 “(2) *EXCEPTIONS.*—*The exemption from disclo-*
10 *sure provided by paragraph (1) shall not prevent the*
11 *disclosure of the following:*

12 “(A) *Information relevant to any adminis-*
13 *trative or judicial action or proceeding.*

14 “(B) *Information provided to Congress or*
15 *any of the appropriate congressional committees.*

16 “(C) *Information important to the national*
17 *security analysis or actions of the President to*
18 *any domestic governmental entity, or to any for-*
19 *ign governmental entity of an ally or partner of*
20 *the United States, under the direction and au-*
21 *thorization of the President or the Secretary,*
22 *only to the extent necessary for national security*
23 *purposes, and subject to appropriate confiden-*
24 *tiality and classification requirements.*

1 “(D) Information that the parties have con-
2 sented to be disclosed to third parties.

3 **“SEC. 804. REPORTING REQUIREMENTS.**

4 “(a) *IN GENERAL.*—Not later than 360 days after the
5 date on which the regulations prescribed under section 806
6 take effect, and not less frequently than annually thereafter,
7 the Secretary of the Treasury shall submit to the appro-
8 priate congressional committees a report that—

9 “(1) lists all notifications submitted under sec-
10 tion 803(a) during the year preceding submission of
11 the report and includes, with respect to each such no-
12 tification—

13 “(A) basic information on each party to the
14 covered activity with respect to which the notifi-
15 cation was submitted; and

16 “(B) the nature of the covered activity that
17 was the subject to the notification, including the
18 elements of the covered activity that necessitated
19 a notification;

20 “(2) includes a summary of those notifications,
21 disaggregated by sector, by covered activity, and by
22 country of concern;

23 “(3) provides additional context and information
24 regarding trends in the sectors, the types of covered

1 *activities, and the countries involved in those notifi-*
2 *cations;*

3 *“(4) includes a description of the national secu-*
4 *rity risks associated with—*

5 *“(A) the covered activities with respect to*
6 *which those notifications were submitted; or*

7 *“(B) categories of such activities; and*

8 *“(5) assesses the overall impact of those notifica-*
9 *tions, including recommendations for—*

10 *“(A) expanding existing Federal programs*
11 *to support the production or supply of covered*
12 *sectors in the United States, including the poten-*
13 *tial of existing authorities to address any related*
14 *national security concerns;*

15 *“(B) investments needed to enhance covered*
16 *sectors and reduce dependence on countries of*
17 *concern regarding those sectors; and*

18 *“(C) the continuation, expansion, or modi-*
19 *fication of the implementation and administra-*
20 *tion of this title, including recommendations*
21 *with respect to whether the definition of ‘country*
22 *of concern’ under section 801(2) should be*
23 *amended to add or remove countries.*

1 “(b) *FORM OF REPORT.*—Each report required by this
 2 section shall be submitted in unclassified form, but may in-
 3 clude a classified annex.

4 “(c) *TESTIMONY REQUIRED.*—Not later than one year
 5 after the date of enactment of this title, and annually there-
 6 after, the Secretary of the Treasury and the Secretary of
 7 Commerce shall each provide to the Committee on Banking,
 8 Housing, and Urban Affairs of the Senate and the Com-
 9 mittee on Financial Services of the House of Representa-
 10 tives testimony with respect to the national security threats
 11 relating to investments by the United States persons in
 12 countries of concern and broader international capital
 13 flows.

14 **“SEC. 805. PENALTIES AND ENFORCEMENT.**

15 “(a) *PENALTIES WITH RESPECT TO UNLAWFUL*
 16 *ACTS.*—Subject to regulations prescribed in accordance
 17 with section 806, it shall be unlawful—

18 “(1) to fail to submit a notification under sub-
 19 section (a) of section 803 with respect to a covered ac-
 20 tivity or to submit other information as required by
 21 the Secretary of the Treasury; or

22 “(2) to make a material misstatement or to omit
 23 a material fact in any information submitted to the
 24 Secretary under this title.

1 “(b) *ENFORCEMENT.*—*The President may direct the*
 2 *Attorney General to seek appropriate relief in the district*
 3 *courts of the United States, in order to implement and en-*
 4 *force this title.*

5 **“SEC. 806. REQUIREMENT FOR REGULATIONS.**

6 “(a) *IN GENERAL.*—*Not later than 360 days after the*
 7 *date of the enactment of this title, the Secretary of the*
 8 *Treasury shall finalize regulations to carry out this title.*

9 “(b) *ELEMENTS.*—*Regulations prescribed to carry out*
 10 *this title shall include specific examples of the types of—*

11 “(1) *activities that will be considered to be cov-*
 12 *ered activities; and*

13 “(2) *the specific sectors and subsectors that may*
 14 *be considered to be covered sectors.*

15 “(c) *REQUIREMENTS FOR CERTAIN REGULATIONS.*—
 16 *The Secretary of the Treasury shall prescribe regulations*
 17 *further defining the terms used in this title, including ‘cov-*
 18 *ered activity’, ‘covered foreign entity’, and ‘party’, in ac-*
 19 *cordance with subchapter II of chapter 5 and chapter 7 of*
 20 *title 5 (commonly known as the ‘Administrative Procedure*
 21 *Act’).*

22 “(d) *PUBLIC PARTICIPATION IN RULEMAKING.*—*The*
 23 *provisions of section 709 shall apply to any regulations*
 24 *issued under this title.*

1 “(e) *LOW-BURDEN REGULATIONS.*—*In prescribing reg-*
 2 *ulations under this section, the Secretary of the Treasury*
 3 *shall structure the regulations—*

4 “(1) *to minimize the cost and complexity of com-*
 5 *pliance for affected parties;*

6 “(2) *to ensure the benefits of the regulations out-*
 7 *weigh their costs;*

8 “(3) *to adopt the least burdensome alternative*
 9 *that achieves regulatory objectives;*

10 “(4) *to prioritize transparency and stakeholder*
 11 *involvement in the process of prescribing the regula-*
 12 *tions; and*

13 “(5) *to regularly review and streamline existing*
 14 *regulations to reduce redundancy and complexity.*

15 **“SEC. 807. MULTILATERAL ENGAGEMENT AND COORDINA-**
 16 **TION.**

17 “(a) *IN GENERAL.*—*The President shall delegate the*
 18 *authorities and functions under this section to the Secretary*
 19 *of State.*

20 “(b) *AUTHORITIES.*—*The Secretary of State, in coordi-*
 21 *nation with the Secretary of the Treasury, the Secretary*
 22 *of Commerce, the United States Trade Representative, and*
 23 *the Director of National Intelligence, shall—*

24 “(1) *conduct bilateral and multilateral engage-*
 25 *ment with the governments of countries that are allies*

1 *and partners of the United States to ensure coordina-*
 2 *tion of protocols and procedures with respect to cov-*
 3 *ered activities with countries of concern and covered*
 4 *foreign entities; and*

5 *“(2) upon adoption of protocols and procedures*
 6 *described in paragraph (1), work with those govern-*
 7 *ments to establish mechanisms for sharing informa-*
 8 *tion, including trends, with respect to such activities.*

9 *“(c) STRATEGY FOR DEVELOPMENT OF OUTBOUND IN-*
 10 *VESTMENT SCREENING MECHANISMS.—The Secretary of*
 11 *State, in coordination with the Secretary of the Treasury*
 12 *and in consultation with the Attorney General, shall—*

13 *“(1) develop a strategy to work with countries*
 14 *that are allies and partners of the United States to*
 15 *develop mechanisms comparable to this title for the*
 16 *notification of covered activities; and*

17 *“(2) provide technical assistance to those coun-*
 18 *tries with respect to the development of those mecha-*
 19 *nisms.*

20 *“(d) REPORT.—Not later than 90 days after the devel-*
 21 *opment of the strategy required by subsection (b), and an-*
 22 *nually thereafter for a period of 5 years, the Secretary of*
 23 *State shall submit to the appropriate congressional commit-*
 24 *tees a report that includes the strategy, the status of imple-*
 25 *menting the strategy, and a description of any impediments*

1 *to the establishment of mechanisms comparable to this title*
 2 *by allies and partners,*

3 **“SEC. 808. AUTHORIZATION OF APPROPRIATIONS.**

4 “(a) *IN GENERAL.*—*There are authorized to be appro-*
 5 *priated such sums as may be necessary to carry out this*
 6 *title, including to provide outreach to industry and persons*
 7 *affected by this title.*

8 “(b) *HIRING AUTHORITY.*—*The head of any agency*
 9 *designated as a lead agency under section 802(b) may ap-*
 10 *point, without regard to the provisions of sections 3309*
 11 *through 3318 of title 5, United States Code, not more than*
 12 *25 candidates directly to positions in the competitive serv-*
 13 *ice (as defined in section 2102 of that title) in that agency.*
 14 *The primary responsibility of individuals in positions au-*
 15 *thorized under the preceding sentence shall be to administer*
 16 *this title.*

17 **“SEC. 809. RULE OF CONSTRUCTION WITH RESPECT TO**
 18 ***FREE AND FAIR COMMERCE.***

19 “*Nothing in this title may be construed to restrain or*
 20 *deter foreign investment in the United States, United States*
 21 *investment abroad, or trade in goods or services, if such*
 22 *investment and trade do not pose a risk to the national*
 23 *security of the United States.”.*

1 **SEC. 1086. REVIEW OF AGRICULTURE-RELATED TRANS-**
 2 **ACTIONS BY COMMITTEE ON FOREIGN IN-**
 3 **VESTMENT IN THE UNITED STATES.**

4 *Section 721 of the Defense Production Act of 1950 (50*
 5 *U.S.C. 4565) is amended—*

6 *(1) in subsection (a)—*

7 *(A) in paragraph (4)—*

8 *(i) in subparagraph (A)—*

9 *(I) in clause (i), by striking “;*
 10 *and” and inserting a semicolon;*

11 *(II) in clause (ii), by striking the*
 12 *period at the end and inserting “;*
 13 *and”; and*

14 *(III) by adding at the end the fol-*
 15 *lowing:*

16 *“(iii) any transaction described in*
 17 *clause (vi) or (vii) of subparagraph (B)*
 18 *proposed or pending on or after the date of*
 19 *the enactment of this clause.”;*

20 *(ii) in subparagraph (B), by adding at*
 21 *the end the following:*

22 *“(vi) Any other investment, subject to*
 23 *regulations prescribed under subparagraphs*
 24 *(D) and (E), by a foreign person in any*
 25 *unaffiliated United States business that is*

engaged in agriculture or biotechnology related to agriculture.

“(vii) Subject to subparagraphs (C) and (E), the purchase or lease by, or a concession to, a foreign person of private real estate that is—

“(I) located in the United States;

“(II) used in agriculture; and

“(III) more than 320 acres or valued in excess of \$5,000,000.”;

(iii) in subparagraph (C)(i), by striking “subparagraph (B)(ii)” and inserting “clause (ii) or (vii) of subparagraph (B)”;

(iv) in subparagraph (D)—

(I) in clause (i), by striking “subparagraph (B)(iii)” and inserting “clauses (iii) and (vi) of subparagraph (B)”;

(II) in clause (iii)(I), by striking “subparagraph (B)(iii)” and inserting “clauses (iii) and (vi) of subparagraph (B)”;

(III) in clause (iv)(I), by striking “subparagraph (B)(iii)” each place it

1 appears and inserting “clauses (iii)
 2 and (vi) of subparagraph (B)”;
 3 and (IV) in clause (v), by striking
 4 “subparagraph (B)(iii)” and inserting
 5 “clauses (iii) and (vi) of subparagraph
 6 (B)”;
 7 and (v) in subparagraph (E), by striking
 8 “clauses (ii) and (iii)” and inserting
 9 “clauses (ii), (iii), (iv), and (vii)”;
 10 and (B) by adding at the end the following:
 11 “(14) AGRICULTURE.—The term ‘agriculture’
 12 has the meaning given such term in section 3 of the
 13 Fair Labor Standards Act of 1938 (29 U.S.C. 203).”;
 14 (2) in subsection (k)(2)—
 15 (A) by redesignating subparagraphs (H),
 16 (I), and (J), as subparagraphs (I), (J), and (K),
 17 respectively;
 18 and (B) inserting after subparagraph (G) the
 19 following new subparagraph:
 20 “(H) The Secretary of Agriculture (non-
 21 voting, *ex officio*).”;
 22 and (3) by adding at the end the following:
 23 “(r) PROHIBITION WITH RESPECT TO AGRICULTURAL
 24 COMPANIES AND REAL ESTATE.—

1 “(1) *IN GENERAL.*—Notwithstanding any other
 2 provision of this section, if the Committee, in con-
 3 ducting a review and investigation under this section,
 4 determines that a transaction described in clause (i),
 5 (vi), or (vii) of subsection (a)(4)(B) would result in
 6 control by a covered foreign person of or investment
 7 by a covered foreign person in a United States busi-
 8 ness engaged in agriculture or private real estate used
 9 in agriculture, the President shall prohibit such
 10 transaction.

11 “(2) *WAIVER.*—The President may waive, on a
 12 case-by-case basis, the requirement to prohibit a
 13 transaction under paragraph (1), not less than 30
 14 days after the President determines and reports to the
 15 relevant committees of jurisdiction that it is vital to
 16 the national security interests of the United States to
 17 waive such prohibition.

18 “(3) *DEFINED TERMS.*—In this subsection:

19 “(A) *COVERED PERSON.*—

20 “(i) *IN GENERAL.*—Except as provided
 21 by clause (ii), the term ‘covered person’—

22 “(I) has the meaning given the
 23 term ‘a person owned by, controlled by,
 24 or subject to the jurisdiction or direc-
 25 tion of a foreign adversary’ in section

1 7.2 of title 15, Code of Federal Regula-
 2 tions (as in effect on the date of the en-
 3 actment of the National Defense Au-
 4 thorization Act for Fiscal Year 2024),
 5 except that each reference to ‘foreign
 6 adversary’ in that definition shall be
 7 deemed to be a reference to the govern-
 8 ment of a covered country; and

9 “(II) includes an entity that—

10 “(aa) is registered in or or-
 11 ganized under the laws of a cov-
 12 ered country;

13 “(bb) has a principal place
 14 of business in a covered country;
 15 or

16 “(cc) has a subsidiary with a
 17 principal place of business in a
 18 covered country.

19 “(ii) *EXCLUSIONS.*—The term ‘covered
 20 person’ does not include a United States
 21 citizen or an alien lawfully admitted for
 22 permanent residence to the United States.

23 “(B) *COVERED COUNTRY.*—The term ‘cov-
 24 ered country’ means any of the following:

25 “(i) The People’s Republic of China.

1 “(ii) *The Russian Federation.*

2 “(iii) *The Islamic Republic of Iran.*

3 “(iv) *The Democratic People’s Republic*
4 *of Korea.*”.

5 **SEC. 1087. 9/11 RESPONDER AND SURVIVOR HEALTH FUND-**
6 **ING CORRECTION ACT OF 2023.**

7 (a) *DEPARTMENT OF DEFENSE, ARMED FORCES, OR*
8 *OTHER FEDERAL WORKER RESPONDERS TO THE SEP-*
9 *TEMBER 11 ATTACKS AT THE PENTAGON AND*
10 *SHANKSVILLE, PENNSYLVANIA.—Title XXXIII of the Public*
11 *Health Service Act (42 U.S.C. 300mm et seq.) is amended—*

12 (1) *in section 3306 (42 U.S.C. 300mm–5)—*

13 (A) *by redesignating paragraphs (5)*
14 *through (11) and paragraphs (12) through (17)*
15 *as paragraphs (6) through (12) and paragraphs*
16 *(14) through (19), respectively;*

17 (B) *by inserting after paragraph (4) the fol-*
18 *lowing:*

19 “(5) *The term ‘Federal agency’ means an agen-*
20 *cy, office, or other establishment in the executive, leg-*
21 *islative, or judicial branch of the Federal Govern-*
22 *ment.*”; and

23 (C) *by inserting after paragraph (12), as so*
24 *redesignated, the following:*

1 “(13) The term ‘uniformed services’ has the
2 meaning given the term in section 101(a) of title 10,
3 United States Code.”; and

4 (2) in section 3311(a) (42 U.S.C. 300mm–
5 21(a))—

6 (A) in paragraph (2)(C)(i)—

7 (i) in subclause (I), by striking “; or”
8 and inserting a semicolon;

9 (ii) in subclause (II), by striking “;
10 and” and inserting a semicolon; and

11 (iii) by adding at the end the fol-
12 lowing:

13 “(III) was an employee of the Depart-
14 ment of Defense or any other Federal agen-
15 cy, worked during the period beginning on
16 September 11, 2001, and ending on Sep-
17 tember 18, 2001, for a contractor of the De-
18 partment of Defense or any other Federal
19 agency, or was a member of a regular or re-
20 serve component of the uniformed services;
21 and performed rescue, recovery, demolition,
22 debris cleanup, or other related services at
23 the Pentagon site of the terrorist-related air-
24 craft crash of September 11, 2001, during
25 the period beginning on September 11,

2001, and ending on the date on which the
cleanup of the site was concluded, as deter-
mined by the WTC Program Administrator;
or

“(IV) was an employee of the Depart-
ment of Defense or any other Federal agen-
cy, worked during the period beginning on
September 11, 2001, and ending on Sep-
tember 18, 2001, for a contractor of the De-
partment of Defense or any other Federal
agency, or was a member of a regular or re-
serve component of the uniformed services;
and performed rescue, recovery, demolition,
debris cleanup, or other related services at
the Shanksville, Pennsylvania, site of the
terrorist-related aircraft crash of September
11, 2001, during the period beginning on
September 11, 2001, and ending on the date
on which the cleanup of the site was con-
cluded, as determined by the WTC Program
Administrator; and”; and

(B) in paragraph (4)(A)—

(i) by striking “(A) IN GENERAL.—
The” and inserting the following:

“(A) LIMIT.—

1 “(i) *IN GENERAL.—The*”;
 2 *(ii) by inserting “or subclause (III) or*
 3 *(IV) of paragraph (2)(C)(i)” after “or*
 4 *(2)(A)(ii)”*; and
 5 *(iii) by adding at the end the fol-*
 6 *lowing:*

7 “(ii) *CERTAIN RESPONDERS TO THE*
 8 *SEPTEMBER 11 ATTACKS AT THE PENTAGON*
 9 *AND SHANKSVILLE, PENNSYLVANIA.—The*
 10 *total number of individuals who may be en-*
 11 *rolled under paragraph (3)(A)(ii) based on*
 12 *eligibility criteria described in subclause*
 13 *(III) or (IV) of paragraph (2)(C)(i) shall*
 14 *not exceed 500 at any time.”.*

15 *(b) ADDITIONAL FUNDING FOR THE WORLD TRADE*
 16 *CENTER HEALTH PROGRAM.—Title XXXIII of the Public*
 17 *Health Service Act (42 U.S.C. 300mm et seq.) is amended*
 18 *by adding at the end the following:*

19 **“SEC. 3353. SPECIAL FUND.**

20 “(a) *IN GENERAL.—There is established a fund to be*
 21 *known as the World Trade Center Health Program Special*
 22 *Fund (referred to in this section as the ‘Special Fund’),*
 23 *consisting of amounts deposited into the Special Fund*
 24 *under subsection (b).*

1 “(b) *AMOUNT.*—*Out of any money in the Treasury not*
 2 *otherwise appropriated, there is appropriated for fiscal year*
 3 *2024 \$444,000,000 for deposit into the Special Fund, which*
 4 *amounts shall remain available in such Fund through fiscal*
 5 *year 2033.*

6 “(c) *USES OF FUNDS.*—*Amounts deposited into the*
 7 *Special Fund under subsection (b) shall be available, with-*
 8 *out further appropriation and without regard to any spend-*
 9 *ing limitation under section 3351(c), to the WTC Program*
 10 *Administrator as needed at the discretion of such Adminis-*
 11 *trator, for carrying out any provision in this title (includ-*
 12 *ing sections 3303 and 3341(c)).*

13 “(d) *REMAINING AMOUNTS.*—*Any amounts that re-*
 14 *main in the Special Fund on September 30, 2033, shall*
 15 *be deposited into the Treasury as miscellaneous receipts.*

16 **“SEC. 3354. PENTAGON/SHANKSVILLE FUND.**

17 “(a) *IN GENERAL.*—*There is established a fund to be*
 18 *known as the World Trade Center Health Program Fund*
 19 *for Certain WTC Responders at the Pentagon and*
 20 *Shanksville, Pennsylvania (referred to in this section as the*
 21 *‘Pentagon/Shanksville Fund’), consisting of amounts depos-*
 22 *ited into the Pentagon/Shanksville Fund under subsection*
 23 *(b).*

24 “(b) *AMOUNT.*—*Out of any money in the Treasury not*
 25 *otherwise appropriated, there is appropriated for fiscal year*

1 2024 \$232,000,000 for deposit into the Pentagon/
2 Shanksville Fund, which amounts shall remain available
3 in such Fund through fiscal year 2033.

4 “(c) *USES OF FUNDS.*—

5 “(1) *IN GENERAL.*—Amounts deposited into the
6 Pentagon/Shanksville Fund under subsection (b) shall
7 be available, without further appropriation and with-
8 out regard to any spending limitation under section
9 3351(c), to the WTC Program Administrator for the
10 purpose of carrying out section 3312 with regard to
11 WTC responders enrolled in the WTC Program based
12 on eligibility criteria described in subclause (III) or
13 (IV) of section 3311(a)(2)(C)(i).

14 “(2) *LIMITATION ON OTHER FUNDING.*—Notwith-
15 standing sections 3331(a), 3351(b)(1), 3352(c), and
16 3353(c), and any other provision in this title, for the
17 period of fiscal years 2024 through 2033, no amounts
18 made available under this title other than those
19 amounts appropriated under subsection (b) may be
20 available for the purpose described in paragraph (1).

21 “(d) *REMAINING AMOUNTS.*—Any amounts that re-
22 main in the Pentagon/Shanksville Fund on September 30,
23 2033, shall be deposited into the Treasury as miscellaneous
24 receipts.”.

1 (c) *CONFORMING AMENDMENTS.*—*Title XXXIII of the*
 2 *Public Health Service Act (42 U.S.C. 300mm et seq.) is*
 3 *amended—*

4 (1) *in section 3311(a)(4)(B)(i)(II) (42 U.S.C.*
 5 *300mm–21(a)(4)(B)(i)(II)), by striking “sections*
 6 *3351 and 3352” and inserting “this title”;*

7 (2) *in section 3321(a)(3)(B)(i)(II) (42 U.S.C.*
 8 *300mm–31(a)(3)(B)(i)(II)), by striking “sections*
 9 *3351 and 3352” and inserting “this title”;*

10 (3) *in section 3331 (42 U.S.C. 300mm–41)—*

11 (A) *in subsection (a), by striking “the*
 12 *World Trade Center Health Program Fund and*
 13 *the World Trade Center Health Program Supple-*
 14 *mental Fund” and inserting “(as applicable) the*
 15 *Funds established under sections 3351, 3352,*
 16 *3353, and 3354”;* and

17 (B) *in subsection (d)—*

18 (i) *in paragraph (1)(A), by inserting*
 19 *“or the World Trade Center Health Pro-*
 20 *gram Special Fund under section 3353”*
 21 *after “section 3351”;*

22 (ii) *in paragraph (1)(B), by inserting*
 23 *“or the World Trade Center Health Pro-*
 24 *gram Fund for Certain WTC Responders at*
 25 *the Pentagon and Shanksville, Pennsyl-*

1 *vania under section 3354” after “section*
 2 *3352”; and*

3 *(iii) in paragraph (2), in the flush text*
 4 *following subparagraph (C), by inserting*
 5 *“or the World Trade Center Health Pro-*
 6 *gram Fund for Certain WTC Responders at*
 7 *the Pentagon and Shanksville, Pennsyl-*
 8 *vania under section 3354” after “section*
 9 *3352”; and*

10 *(4) in section 3351(b) (42 U.S.C. 300mm–*
 11 *61(b))—*

12 *(A) in paragraph (2), by inserting “, the*
 13 *World Trade Center Health Program Special*
 14 *Fund under section 3353, or the World Trade*
 15 *Center Health Program Fund for Certain WTC*
 16 *Responders at the Pentagon and Shanksville,*
 17 *Pennsylvania under section 3354” before the pe-*
 18 *riod at the end; and*

19 *(B) in paragraph (3), by inserting “, the*
 20 *World Trade Center Health Program Special*
 21 *Fund under section 3353, or the World Trade*
 22 *Center Health Program Fund for Certain WTC*
 23 *Responders at the Pentagon and Shanksville,*
 24 *Pennsylvania under section 3354” before the pe-*
 25 *riod at the end.*

1 (d) *ENSURING TIMELY ACCESS TO GENERICS*.—Sec-
 2 tion 505(q) of the Federal Food, Drug, and Cosmetic Act
 3 (21 U.S.C. 355(q)) is amended—

4 (1) in paragraph (1)—

5 (A) in subparagraph (A)(i), by inserting “,
 6 10.31,” after “10.30”;

7 (B) in subparagraph (E)—

8 (i) by striking “application and” and
 9 inserting “application or”;

10 (ii) by striking “If the Secretary” and
 11 inserting the following:

12 “(i) *IN GENERAL*.—If the Secretary”;
 13 and

14 (iii) by striking the second sentence
 15 and inserting the following:

16 “(ii) *PRIMARY PURPOSE OF DELAY-*
 17 *ING*.—

18 “(I) *IN GENERAL*.—In deter-
 19 mining whether a petition was sub-
 20 mitted with the primary purpose of de-
 21 laying an application, the Secretary
 22 may consider the following factors:

23 “(aa) Whether the petition
 24 was submitted in accordance with
 25 paragraph (2)(B), based on when

1 *the petitioner knew the relevant*
2 *information relied upon to form*
3 *the basis of such petition.*

4 “(bb) *When the petition was*
5 *submitted in relation to when the*
6 *petitioner reasonably should have*
7 *known the relevant information*
8 *relied upon to form the basis of*
9 *such petition.*

10 “(cc) *Whether the petitioner*
11 *has submitted multiple or serial*
12 *petitions or supplements to peti-*
13 *tions raising issues that reason-*
14 *ably could have been known to the*
15 *petitioner at the time of submis-*
16 *sion of the earlier petition or peti-*
17 *tions.*

18 “(dd) *Whether the petition*
19 *was submitted close in time to a*
20 *known, first date upon which an*
21 *application under subsection*
22 *(b)(2) or (j) of this section or sec-*
23 *tion 351(k) of the Public Health*
24 *Service Act could be approved.*

1 “(ee) Whether the petition
2 was submitted without relevant
3 data or information in support of
4 the scientific positions forming the
5 basis of such petition.

6 “(ff) Whether the petition
7 raises the same or substantially
8 similar issues as a prior petition
9 to which the Secretary has re-
10 sponded substantively already, in-
11 cluding if the subsequent submis-
12 sion follows such response from
13 the Secretary closely in time.

14 “(gg) Whether the petition
15 requests changing the applicable
16 standards that other applicants
17 are required to meet, including re-
18 questing testing, data, or labeling
19 standards that are more onerous
20 or rigorous than the standards the
21 Secretary has determined to be
22 applicable to the listed drug, ref-
23 erence product, or petitioner’s
24 version of the same drug.

1 “(hh) The petitioner’s record
 2 of submitting petitions to the
 3 Food and Drug Administration
 4 that have been determined by the
 5 Secretary to have been submitted
 6 with the primary purpose of
 7 delay.

8 “(ii) Other relevant and ap-
 9 propriate factors, which the Sec-
 10 retary shall describe in guidance.

11 “(II) GUIDANCE.—The Secretary
 12 may issue or update guidance, as ap-
 13 propriate, to describe factors the Sec-
 14 retary considers in accordance with
 15 subclause (I).”;

16 (C) by striking subparagraph (F);

17 (D) by redesignating subparagraphs (G)
 18 through (I) as subparagraphs (F) through (H),
 19 respectively; and

20 (E) in subparagraph (H), as so redesign-
 21 ated, by striking “submission of this petition”
 22 and inserting “submission of this document”;

23 (2) in paragraph (2)—

1 (A) by redesignating subparagraphs (A)
 2 through (C) as subparagraphs (C) through (E),
 3 respectively;

4 (B) by inserting before subparagraph (C),
 5 as so redesignated, the following:

6 “(A) *IN GENERAL*.—A person shall submit a
 7 petition to the Secretary under paragraph (1)
 8 before filing a civil action in which the person
 9 seeks to set aside, delay, rescind, withdraw, or
 10 prevent submission, review, or approval of an
 11 application submitted under subsection (b)(2) or
 12 (j) of this section or section 351(k) of the Public
 13 Health Service Act. Such petition and any sup-
 14 plement to such a petition shall describe all in-
 15 formation and arguments that form the basis of
 16 the relief requested in any civil action described
 17 in the previous sentence.

18 “(B) *TIMELY SUBMISSION OF CITIZEN PETI-*
 19 *TION*.—A petition and any supplement to a peti-
 20 tion shall be submitted within 180 days after the
 21 person knew the information that forms the basis
 22 of the request made in the petition or supple-
 23 ment.”;

24 (C) in subparagraph (C), as so redesign-
 25 ated—

1 (i) in the heading, by striking “WITHIN
2 150 DAYS”;

3 (ii) in clause (i), by striking “during
4 the 150-day period referred to in paragraph
5 (1)(F),”; and

6 (iii) by amending clause (ii) to read as
7 follows:

8 “(ii) on or after the date that is 151
9 days after the date of submission of the peti-
10 tion, the Secretary approves or has ap-
11 proved the application that is the subject of
12 the petition without having made such a
13 final decision.”;

14 (D) by amending subparagraph (D), as so
15 redesignated, to read as follows:

16 “(D) *DISMISSAL OF CERTAIN CIVIL AC-*
17 *TIONS.—*

18 “(i) *PETITION.—If a person files a*
19 *civil action against the Secretary in which*
20 *a person seeks to set aside, delay, rescind,*
21 *withdraw, or prevent submission, review, or*
22 *approval of an application submitted under*
23 *subsection (b)(2) or (j) of this section or sec-*
24 *tion 351(k) of the Public Health Service Act*
25 *without complying with the requirements of*

1 subparagraph (A), the court shall dismiss
2 without prejudice the action for failure to
3 exhaust administrative remedies.

4 “(ii) *TIMELINESS*.—If a person files a
5 civil action against the Secretary in which
6 a person seeks to set aside, delay, rescind,
7 withdraw, or prevent submission, review, or
8 approval of an application submitted under
9 subsection (b)(2) or (j) of this section or sec-
10 tion 351(k) of the Public Health Service Act
11 without complying with the requirements of
12 subparagraph (B), the court shall dismiss
13 with prejudice the action for failure to time-
14 ly file a petition.

15 “(iii) *FINAL RESPONSE*.—If a civil ac-
16 tion is filed against the Secretary with re-
17 spect to any issue raised in a petition time-
18 ly filed under paragraph (1) in which the
19 petitioner requests that the Secretary take
20 any form of action that could, if taken, set
21 aside, delay, rescind, withdraw, or prevent
22 submission, review, or approval of an appli-
23 cation submitted under subsection (b)(2) or
24 (j) of this section or section 351(k) of the
25 Public Health Service Act before the Sec-

1 retary has taken final agency action on the
 2 petition within the meaning of subpara-
 3 graph (C), the court shall dismiss without
 4 prejudice the action for failure to exhaust
 5 administrative remedies.”; and

6 (E) in clause (iii) of subparagraph (E), as
 7 so redesignated, by striking “as defined under
 8 subparagraph (2)(A)” and inserting “within the
 9 meaning of subparagraph (C)”;
 10 (3) in paragraph (4)—

11 (A) by striking “EXCEPTIONS” in the para-
 12 graph heading and all that follows through “This
 13 subsection does” and inserting “EXCEPTIONS.—
 14 This subsection does”;

15 (B) by striking subparagraph (B); and

16 (C) by redesignating clauses (i) and (ii) as
 17 subparagraphs (A) and (B), respectively, and
 18 adjusting the margins accordingly.

19 **SEC. 1088. REAUTHORIZATION OF VOLUNTARY REGISTRY**
 20 **FOR FIREFIGHTER CANCER INCIDENCE.**

21 Section 2(h) of the Firefighter Cancer Registry Act of
 22 2018 (42 U.S.C. 280e–5(h)) is amended by striking
 23 “\$2,500,000 for each of the fiscal years 2018 through 2022”
 24 and inserting “\$5,500,000 for each of fiscal years 2024
 25 through 2028”.

1 **SEC. 1089. REQUIREMENT FOR UNQUALIFIED OPINION ON**
2 **FINANCIAL STATEMENT.**

3 *The Secretary of Defense shall ensure that the Depart-*
4 *ment of Defense has received an unqualified opinion on its*
5 *financial statements by October 1, 2027.*

6 **SEC. 1090. BRIEFING ON AIR NATIONAL GUARD ACTIVE AS-**
7 **SOCIATIONS.**

8 *Not later than November 1, 2023, the Secretary of the*
9 *Air Force shall brief the Committee on Armed Services of*
10 *the Senate and the Committee on Armed Services of the*
11 *House of Representatives on the potential increase in air*
12 *refueling capacity and cost savings, including manpower,*
13 *to be achieved by making all Air National Guard KC-135*
14 *units active associations.*

15 **SEC. 1090A. INFORMING CONSUMERS ABOUT SMART DE-**
16 **VICES ACT.**

17 *(a) REQUIRED DISCLOSURE OF A CAMERA OR RE-*
18 *CORDING CAPABILITY IN CERTAIN INTERNET-CONNECTED*
19 *DEVICES.—Each manufacturer of a covered device shall*
20 *disclose, clearly and conspicuously and prior to purchase,*
21 *whether the covered device manufactured by the manufac-*
22 *turer contains a camera or microphone as a component of*
23 *the covered device.*

24 *(b) ENFORCEMENT BY THE FEDERAL TRADE COMMIS-*
25 *SION.—*

1 (1) *UNFAIR OR DECEPTIVE ACTS OR PRAC-*
 2 *TICES.*—*A violation of subsection (a) shall be treated*
 3 *as a violation of a rule defining an unfair or decep-*
 4 *tive act or practice prescribed under section*
 5 *18(a)(1)(B) of the Federal Trade Commission Act (15*
 6 *U.S.C. 57a(a)(1)(B)).*

7 (2) *ACTIONS BY THE COMMISSION.*—

8 (A) *IN GENERAL.*—*The Federal Trade Com-*
 9 *mission (in this section referred to as the “Com-*
 10 *mission”) shall enforce this section in the same*
 11 *manner, by the same means, and with the same*
 12 *jurisdiction, powers, and duties as though all ap-*
 13 *plicable terms and provisions of the Federal*
 14 *Trade Commission Act (15 U.S.C. 41 et seq.)*
 15 *were incorporated into and made a part of this*
 16 *section.*

17 (B) *PENALTIES AND PRIVILEGES.*—*Any*
 18 *person who violates this section or a regulation*
 19 *promulgated under this section shall be subject to*
 20 *the penalties and entitled to the privileges and*
 21 *immunities provided in the Federal Trade Com-*
 22 *mission Act (15 U.S.C. 41 et seq.).*

23 (C) *SAVINGS CLAUSE.*—*Nothing in this sec-*
 24 *tion shall be construed to limit the authority of*

1 *the Commission under any other provision of*
2 *law.*

3 (3) *COMMISSION GUIDANCE.*—*Not later than 180*
4 *days after the date of enactment of this section, the*
5 *Commission, through outreach to relevant private en-*
6 *tities, shall issue guidance to assist manufacturers in*
7 *complying with the requirements of this section, in-*
8 *cluding guidance about best practices for making the*
9 *disclosure required by subsection (a) as clear and con-*
10 *spicuous and age appropriate as practicable and*
11 *about best practices for the use of a pictorial (as de-*
12 *fined in section 2(a) of the Consumer Review Fair-*
13 *ness Act of 2016 (15 U.S.C. 45b(a))) visual represen-*
14 *tation of the information to be disclosed.*

15 (4) *TAILORED GUIDANCE.*—*A manufacturer of a*
16 *covered device may petition the Commission for tai-*
17 *lored guidance as to how to meet the requirements of*
18 *subsection (a) consistent with existing rules of prac-*
19 *tice or any successor rules.*

20 (5) *LIMITATION ON COMMISSION GUIDANCE.*—*No*
21 *guidance issued by the Commission with respect to*
22 *this section shall confer any rights on any person,*
23 *State, or locality, nor shall operate to bind the Com-*
24 *mission or any person to the approach recommended*
25 *in such guidance. In any enforcement action brought*

1 *pursuant to this section, the Commission shall allege*
 2 *a specific violation of a provision of this section. The*
 3 *Commission may not base an enforcement action on,*
 4 *or execute a consent order based on, practices that are*
 5 *alleged to be inconsistent with any such guidelines,*
 6 *unless the practices allegedly violate subsection (a).*

7 *(c) DEFINITION OF COVERED DEVICE.—In this sec-*
 8 *tion, the term “covered device”—*

9 *(1) means a consumer product, as defined by sec-*
 10 *tion 3(a) of the Consumer Product Safety Act (15*
 11 *U.S.C. 2052(a)) that is capable of connecting to the*
 12 *internet, a component of which is a camera or micro-*
 13 *phone; and*

14 *(2) does not include—*

15 *(A) a telephone (including a mobile phone),*
 16 *a laptop, tablet, or any device that a consumer*
 17 *would reasonably expect to have a microphone or*
 18 *camera;*

19 *(B) any device that is specifically marketed*
 20 *as a camera, telecommunications device, or*
 21 *microphone; or*

22 *(C) any device or apparatus described in*
 23 *sections 255, 716, and 718, and subsections (aa)*
 24 *and (bb) of section 303 of the Communications*
 25 *Act of 1934 (47 U.S.C. 255; 617; 619; and*

1 303(aa) and (bb)), and any regulations promul-
 2 gated thereunder.

3 (d) *EFFECTIVE DATE.*—This section shall apply to all
 4 covered devices manufactured after the date that is 180 days
 5 after the date on which guidance is issued by the Commis-
 6 sion under subsection (b)(3), and shall not apply to covered
 7 devices manufactured or sold before such date, or otherwise
 8 introduced into interstate commerce before such date.

9 **SEC. 1090B. IMPROVING PROCESSING BY DEPARTMENT OF**
 10 **VETERANS AFFAIRS OF DISABILITY CLAIMS**
 11 **FOR POST-TRAUMATIC STRESS DISORDER**
 12 **THROUGH IMPROVED TRAINING.**

13 (a) *SHORT TITLE.*—This section may be cited as the
 14 “Department of Veterans Affairs Post-Traumatic Stress
 15 Disorder Processing Claims Improvement Act of 2023”.

16 (b) *FORMAL PROCESS FOR CONDUCT OF ANNUAL*
 17 *ANALYSIS OF TRAINING NEEDS BASED ON TRENDS.*—Not
 18 later than 180 days after the date of the enactment of this
 19 Act, the Secretary of Veterans Affairs, acting through the
 20 Under Secretary for Benefits, shall establish a formal proc-
 21 ess to analyze, on an annual basis, training needs of em-
 22 ployees of the Department who review claims for disability
 23 compensation for service-connected post-traumatic stress
 24 disorder, based on identified processing error trends.

1 (c) *FORMAL PROCESS FOR CONDUCT OF ANNUAL*
 2 *STUDIES TO SUPPORT ANNUAL ANALYSIS.*—

3 (1) *IN GENERAL.*—*Not later than 180 days after*
 4 *the date of the enactment of this Act, the Secretary,*
 5 *acting through the Under Secretary, shall establish a*
 6 *formal process to conduct, on an annual basis, studies*
 7 *to help guide the process established under subsection*
 8 *(b).*

9 (2) *ELEMENTS.*—*Each study conducted under*
 10 *paragraph (1) shall cover the following:*

11 (A) *Military post-traumatic stress disorder*
 12 *stressors.*

13 (B) *Decision-making claims for claims*
 14 *processors.*

15 **SEC. 1090C. U.S. HOSTAGE AND WRONGFUL DETAINEE DAY**
 16 **ACT OF 2023.**

17 (a) *SHORT TITLE.*—*This section may be cited as the*
 18 *“U.S. Hostage and Wrongful Detainee Day Act of 2023”.*

19 (b) *DESIGNATION.*—

20 (1) *HOSTAGE AND WRONGFUL DETAINEE DAY.*—

21 (A) *IN GENERAL.*—*Chapter 1 of title 36,*
 22 *United States Code, is amended—*

23 (i) *by redesignating the second section*
 24 *146 (relating to Choose Respect Day) as sec-*
 25 *tion 147; and*

1 (ii) by adding at the end the following:

2 **“§ 148. U.S. Hostage and Wrongful Detainee Day**

3 “(a) *DESIGNATION.*—March 9 is U.S. Hostage and
4 *Wrongful Detainee Day.*

5 “(b) *PROCLAMATION.*—The President is requested to
6 issue each year a proclamation calling on the people of the
7 United States to observe U.S. Hostage and Wrongful De-
8 tainee Day with appropriate ceremonies and activities.”.

9 (B) *TECHNICAL AND CONFORMING AMEND-*
10 *MENT.*—The table of sections for chapter 1 of
11 title 36, United States Code, is amended by
12 striking the item relating to the second section
13 146 and inserting the following new items:

“147. Choose Respect Day.

“148. U.S. Hostage and Wrongful Detainee Day.”.

14 (2) *HOSTAGE AND WRONGFUL DETAINEE*
15 *FLAG.*—

16 (A) *IN GENERAL.*—Chapter 9 of title 36,
17 United States Code, is amended by adding at the
18 end the following new section:

19 **“§ 904. Hostage and Wrongful Detainee flag**

20 “(a) *DESIGNATION.*—The Hostage and Wrongful De-
21 tainee flag championed by the Bring Our Families Home
22 Campaign is designated as the symbol of the commitment
23 of the United States to recognizing, and prioritizing the
24 freedom of, citizens and lawful permanent residents of the

1 *United States held as hostages or wrongfully detained*
 2 *abroad.*

3 “(b) *REQUIRED DISPLAY.*—

4 “(1) *IN GENERAL.*—*The Hostage and Wrongful*
 5 *Detainee flag shall be displayed at the locations speci-*
 6 *fied in paragraph (3) on the days specified in para-*
 7 *graph (2).*

8 “(2) *DAYS SPECIFIED.*—*The days specified in*
 9 *this paragraph are the following:*

10 “(A) *U.S. Hostage and Wrongful Detainee*
 11 *Day, March 9.*

12 “(B) *Flag Day, June 14.*

13 “(C) *Independence Day, July 4.*

14 “(D) *Any day on which a citizen or lawful*
 15 *permanent resident of the United States—*

16 “(i) *returns to the United States from*
 17 *being held hostage or wrongfully detained*
 18 *abroad; or*

19 “(ii) *dies while being held hostage or*
 20 *wrongfully detained abroad.*

21 “(3) *LOCATIONS SPECIFIED.*—*The locations spec-*
 22 *ified in this paragraph are the following:*

23 “(A) *The Capitol.*

24 “(B) *The White House.*

1 “(C) *The buildings containing the official*
 2 *office of—*

3 “(i) *the Secretary of State; and*

4 “(ii) *the Secretary of Defense.*

5 “(c) *DISPLAY TO BE IN A MANNER VISIBLE TO THE*
 6 *PUBLIC.—Display of the Hostage and Wrongful Detainee*
 7 *flag pursuant to this section shall be in a manner designed*
 8 *to ensure visibility to the public.*

9 “(d) *LIMITATION.—This section may not be construed*
 10 *or applied so as to require any employee to report to work*
 11 *solely for the purpose of providing for the display of the*
 12 *Hostage and Wrongful Detainee flag.”.*

13 (B) *TECHNICAL AND CONFORMING AMEND-*
 14 *MENT.—The table of sections for chapter 9 of*
 15 *title 36, United States Code, is amended by add-*
 16 *ing at the end the following:*

 “904. *Hostage and Wrongful Detainee flag.”.*

17 **SEC. 1090D. PROHIBITION ON PROVISION OF AIRPORT IM-**
 18 **PROVEMENT GRANT FUNDS TO CERTAIN EN-**
 19 **TITIES THAT HAVE VIOLATED INTELLECTUAL**
 20 **PROPERTY RIGHTS OF UNITED STATES ENTI-**
 21 **TIES.**

22 (a) *IN GENERAL.—During the period beginning on the*
 23 *date that is 30 days after the date of the enactment of this*
 24 *section, amounts provided as project grants under sub-*
 25 *chapter I of chapter 471 of title 49, United States Code,*

1 *may not be used to enter into a contract described in sub-*
 2 *section (b) with any entity on the list required by subsection*
 3 *(c).*

4 *(b) CONTRACT DESCRIBED.—A contract described in*
 5 *this subsection is a contract or other agreement for the pro-*
 6 *curement of infrastructure or equipment for a passenger*
 7 *boarding bridge at an airport.*

8 *(c) LIST REQUIRED.—*

9 *(1) IN GENERAL.—Not later than 30 days after*
 10 *the date of enactment of this Act, and thereafter as re-*
 11 *quired by paragraph (2), the United States Trade*
 12 *Representative, and the Administrator of the Federal*
 13 *Aviation Administration shall make available to the*
 14 *Administrator of the Federal Aviation Administra-*
 15 *tion a publicly-available a list of entities manufac-*
 16 *turing airport passenger boarding infrastructure or*
 17 *equipment that—*

18 *(A) are owned, directed by, or subsidized in*
 19 *whole, or in part by the People’s Republic of*
 20 *China;*

21 *(B) have been determined by a Federal*
 22 *court to have misappropriated intellectual prop-*
 23 *erty or trade secrets from an entity organized*
 24 *under the laws of the United States or any juris-*
 25 *isdiction within the United States;*

1 (C) own or control, are owned or controlled
 2 by, are under common ownership or control
 3 with, or are successors to, an entity described in
 4 subparagraph (A);

5 (D) own or control, are under common own-
 6 ership or control with, or are successors to, an
 7 entity described in subparagraph (A); or

8 (E) have entered into an agreement with or
 9 accepted funding from, whether in the form of
 10 minority investment interest or debt, have en-
 11 tered into a partnership with, or have entered
 12 into another contractual or other written ar-
 13 rangement with, an entity described in subpara-
 14 graph (A).

15 (2) *UPDATES TO LIST.*—The United States
 16 Trade Representative shall update the list required by
 17 paragraph (1), based on information provided by the
 18 Administrator of the Federal Aviation Administra-
 19 tion, in consultation with the Attorney General—

20 (A) not less frequently than every 90 days
 21 during the 180-day period following the initial
 22 publication of the list under paragraph (1); and

23 (B) not less frequently than annually there-
 24 after.

1 (d) *DEFINITIONS.*—*In this section, the definitions in*
 2 *section 47102 of title 49, United States Code, shall apply.*

3 **SEC. 1090E. CONDUCT OF WINTER SEASON RECONNAIS-**
 4 **SANCE OF ATMOSPHERIC RIVERS IN THE**
 5 **WESTERN UNITED STATES.**

6 (a) *CONDUCT OF RECONNAISSANCE.*—

7 (1) *IN GENERAL.*—*Subject to the availability of*
 8 *appropriations, the 53rd Weather Reconnaissance*
 9 *Squadron of the Air Force Reserve Command and the*
 10 *Administrator of the National Oceanic and Atmos-*
 11 *pheric Administration may use aircraft, personnel,*
 12 *and equipment necessary to meet the mission require-*
 13 *ments of the 53rd Weather Reconnaissance Squadron*
 14 *of the Air Force Reserve Command and the National*
 15 *Oceanic and Atmospheric Administration if those air-*
 16 *craft, personnel, and equipment are not otherwise*
 17 *needed for hurricane monitoring and response.*

18 (2) *ACTIVITIES.*—*In carrying out paragraph (1),*
 19 *the 53rd Weather Reconnaissance Squadron of the Air*
 20 *Force Reserve Command, in consultation with the Ad-*
 21 *ministrator of the National Oceanic and Atmospheric*
 22 *Administration and appropriate line offices of the*
 23 *National Oceanic and Atmospheric Administration,*
 24 *may—*

1 (A) improve the accuracy and timeliness of
2 observations to support the forecast and warning
3 services of the National Weather Service for the
4 coasts of the United States;

5 (B) collect data in data-sparse regions
6 where conventional, upper-air observations are
7 lacking;

8 (C) support water management decisions
9 and flood forecasting through the execution of
10 targeted airborne dropsonde, buoys, autonomous
11 platform observations, satellite observations, re-
12 mote sensing observations, and other observation
13 platforms as appropriate, including enhanced
14 assimilation of the data from those observations
15 over the eastern, central, and western north Pa-
16 cific Ocean, the Gulf of Mexico, and the western
17 Atlantic Ocean to improve forecasts of large
18 storms for civil authorities and military decision
19 makers;

20 (D) participate in the research and oper-
21 ations partnership that guides flight planning
22 and uses research methods to improve and ex-
23 pand the capabilities and effectiveness of weather
24 reconnaissance over time; and

(E) undertake such other additional activities as the Administrator of the National Oceanic and Atmospheric Administration, in collaboration with the 53rd Weather Reconnaissance Squadron, considers appropriate to further prediction of dangerous weather events.

(b) *REPORTS.*—

(1) *AIR FORCE.*—

(A) *IN GENERAL.*—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Air Force, in consultation with the Administrator of the National Oceanic and Atmospheric Administration, shall submit to the appropriate committees of Congress a comprehensive report on the resources necessary for the 53rd Weather Reconnaissance Squadron of the Air Force Reserve Command to continue to support, through December 31, 2035—

(i) the National Hurricane Operations Plan;

(ii) the National Winter Season Operations Plan; and

(iii) any other operational requirements relating to weather reconnaissance.

1 (B) *APPROPRIATE COMMITTEES OF CON-*
 2 *GRESS.—In this paragraph, the term “appro-*
 3 *priate committees of Congress” means—*

4 *(i) the Committee on Armed Services of*
 5 *the Senate;*

6 *(ii) the Subcommittee on Defense of the*
 7 *Committee on Appropriations of the Senate;*

8 *(iii) the Committee on Commerce,*
 9 *Science, and Transportation of the Senate;*

10 *(iv) the Committee on Science, Space,*
 11 *and Technology of the House of Representa-*
 12 *tives;*

13 *(v) the Committee on Armed Services*
 14 *of the House of Representatives; and*

15 *(vi) the Subcommittee on Defense of*
 16 *the Committee on Appropriations of the*
 17 *House of Representatives.*

18 (2) *COMMERCE.—Not later than 90 days after*
 19 *the date of the enactment of this Act, the Secretary of*
 20 *Commerce shall submit to the Committee on Com-*
 21 *merce, Science, and Transportation of the Senate and*
 22 *the Committee on Science, Space, and Technology of*
 23 *the House of Representatives a comprehensive report*
 24 *on the resources necessary for the National Oceanic*

1 *and Atmospheric Administration to continue to sup-*
 2 *port, through December 31, 2035—*

3 *(A) the National Hurricane Operations*
 4 *Plan;*

5 *(B) the National Winter Season Operations*
 6 *Plan; and*

7 *(C) any other operational requirements re-*
 8 *lating to weather reconnaissance.*

9 **SEC. 1090F. NATIONAL COLD WAR CENTER DESIGNATION.**

10 *(a) PURPOSES.—The purposes of this section are—*

11 *(1) to designate the museum located at Blythe-*
 12 *ville/Eaker Air Force Base in Blytheville, Arkansas,*
 13 *including its future and expanded exhibits, collec-*
 14 *tions, and educational programs, as a “National Cold*
 15 *War Center”;*

16 *(2) to recognize the preservation, maintenance,*
 17 *and interpretation of the artifacts, documents, im-*
 18 *ages, and history collected by the Center;*

19 *(3) to enhance the knowledge of the American*
 20 *people of the experience of the United States during*
 21 *the Cold War years; and*

22 *(4) to ensure that all future generations under-*
 23 *stand the sacrifices made to preserve freedom and de-*
 24 *mocracy, and the benefits of peace for all future gen-*
 25 *erations in the 21st century and beyond.*

1 (b) *DESIGNATION.*—

2 (1) *IN GENERAL.*—*The museum located at*
 3 *Blytheville/Eaker Air Force Base in Blytheville, Ar-*
 4 *kansas, is designated as a “National Cold War Cen-*
 5 *ter”.*

6 (2) *RULE OF CONSTRUCTION.*—*Nothing in this*
 7 *section shall preclude the designation of other na-*
 8 *tional centers or museums in the United States inter-*
 9 *preting the Cold War.*

10 (c) *EFFECT OF DESIGNATION.*—*The National Cold*
 11 *War Center designated by this section is not a unit of the*
 12 *National Park System, and the designation of the center*
 13 *as a National Cold War Center shall not be construed to*
 14 *require or permit Federal funds to be expended for any pur-*
 15 *pose related to the designation made by this section.*

16 **SEC. 1090G. SEMICONDUCTOR PROGRAM.**

17 *Title XCIX of division H of the William M. (Mac)*
 18 *Thornberry National Defense Authorization Act for Fiscal*
 19 *Year 2021 (15 U.S.C. 4651 et seq.) is amended—*

20 (1) *in section 9902 (15 U.S.C. 4652)—*

21 (A) *by redesignating subsections (h) and (i)*
 22 *as subsections (i) and (j), respectively; and*

23 (B) *by inserting after subsection (g) the fol-*
 24 *lowing:*

1 “(h) *AUTHORITY RELATING TO ENVIRONMENTAL RE-*
2 *VIEW.*—

3 “(1) *IN GENERAL.*—*Notwithstanding any other*
4 *provision of law, the provision by the Secretary of*
5 *Federal financial assistance for a project described in*
6 *this section that satisfies the requirements under sub-*
7 *section (a)(2)(C)(i) of this section shall not be consid-*
8 *ered to be a major Federal action under NEPA or an*
9 *undertaking for the purposes of division A of subtitle*
10 *III of title 54, United States Code, if—*

11 “(A) *the activity described in the applica-*
12 *tion for that project has commenced not later*
13 *than 1 year after the date of enactment of the*
14 *National Defense Authorization Act for Fiscal*
15 *Year 2024;*

16 “(B) *the Federal financial assistance pro-*
17 *vided is in the form of a loan or loan guarantee;*
18 *or*

19 “(C) *the Federal financial assistance pro-*
20 *vided, excluding any loan or loan guarantee,*
21 *comprises not more than 10 percent of the total*
22 *estimated cost of the project.*

23 “(2) *SAVINGS CLAUSE.*—*Nothing in this sub-*
24 *section may be construed as altering whether an ac-*
25 *tivity described in subparagraph (A), (B), or (C) of*

1 *paragraph (1) is considered to be a major Federal ac-*
 2 *tion under NEPA, or an undertaking under division*
 3 *A of subtitle III of title 54, United States Code, for*
 4 *a reason other than that the activity is eligible for*
 5 *Federal financial assistance provided under this sec-*
 6 *tion.”; and*

7 *(2) in section 9909 (15 U.S.C. 4659), by adding*
 8 *at the end the following:*

9 *“(c) LEAD FEDERAL AGENCY AND COOPERATING*
 10 *AGENCIES.—*

11 *“(1) DEFINITION.—In this subsection, the term*
 12 *‘lead agency’ has the meaning given the term in sec-*
 13 *tion 111 of NEPA.*

14 *“(2) OPTION TO SERVE AS LEAD AGENCY.—With*
 15 *respect to a covered activity that is a major Federal*
 16 *action under NEPA, and with respect to which the*
 17 *Department of Commerce is authorized or required by*
 18 *law to issue an authorization or take action for or re-*
 19 *lating to that covered activity, the Department of*
 20 *Commerce shall have the first right to serve as the*
 21 *lead agency with respect to that covered activity*
 22 *under NEPA.*

23 *“(d) CATEGORICAL EXCLUSIONS.—*

24 *“(1) ESTABLISHMENT OF CATEGORICAL EXCLU-*
 25 *SIONS.—Each of the following categorical exclusions*

1 *is established for the National Institute of Standards*
2 *and Technology with respect to a covered activity*
3 *and, beginning on the date of enactment of this sub-*
4 *section, is available for use by the Secretary with re-*
5 *spect to a covered activity:*

6 *“(A) Categorical exclusion 17.04.d (relating*
7 *to the acquisition of machinery and equipment)*
8 *in the document entitled ‘EDA Program to Im-*
9 *plement the National Environmental Policy Act*
10 *of 1969 and Other Federal Environmental Man-*
11 *dates As Required’ (Directive No. 17.02–2; effec-*
12 *tive date October 14, 1992).*

13 *“(B) Categorical exclusion A9 in Appendix*
14 *A to subpart D of part 1021 of title 10, Code of*
15 *Federal Regulations, or any successor regulation.*

16 *“(C) Categorical exclusions B1.24, B1.31,*
17 *B2.5, and B5.1 in Appendix B to subpart D of*
18 *part 1021 of title 10, Code of Federal Regula-*
19 *tions, or any successor regulation.*

20 *“(D) The categorical exclusions described in*
21 *paragraphs (4) and (13) of section 50.19(b) of*
22 *title 24, Code of Federal Regulations, or any suc-*
23 *cessor regulation.*

1 “(E) Categorical exclusion (c)(1) in Appen-
 2 dix B to part 651 of title 32, Code of Federal
 3 Regulations, or any successor regulation.

4 “(F) Categorical exclusions A2.3.8 and
 5 A2.3.14 in Appendix B to part 989 of title 32,
 6 Code of Federal Regulations, or any successor
 7 regulation.

8 “(2) ADDITIONAL CATEGORICAL EXCLUSIONS.—
 9 Notwithstanding any other provision of law, each of
 10 the following shall be treated as a category of action
 11 categorically excluded from the requirements relating
 12 to environmental assessments and environmental im-
 13 pact statements under section 1501.4 of title 40, Code
 14 of Federal Regulations, or any successor regulation:

15 “(A) The provision by the Secretary of any
 16 Federal financial assistance for a project de-
 17 scribed in section 9902, if the facility that is the
 18 subject of the project is on or adjacent to a site—

19 “(i) that is owned or leased by the cov-
 20 ered entity to which Federal financial as-
 21 sistance is provided for that project; and

22 “(ii) on which, as of the date on which
 23 the Secretary provides that Federal finan-
 24 cial assistance, substantially similar con-
 25 struction, expansion, or modernization is

1 *being or has been carried out, such that the*
 2 *facility would not more than double existing*
 3 *developed acreage or on-site supporting in-*
 4 *frastructure.*

5 “(B) *The provision by the Secretary of De-*
 6 *fense of any Federal financial assistance relating*
 7 *to—*

8 “(i) *the creation, expansion, or mod-*
 9 *ernization of one or more facilities described*
 10 *in the second sentence of section 9903(a)(1);*
 11 *or*

12 “(ii) *carrying out section 9903(b), as*
 13 *in effect on the date of enactment of this*
 14 *subsection.*

15 “(C) *Any activity undertaken by the Sec-*
 16 *retary relating to carrying out section 9906, as*
 17 *in effect on the date of enactment of this sub-*
 18 *section.*

19 “(e) *INCORPORATION OF PRIOR PLANNING DECI-*
 20 *SIONS.—*

21 “(1) *DEFINITION.—In this subsection, the term*
 22 *‘prior studies and decisions’ means baseline data,*
 23 *planning documents, studies, analyses, decisions, and*
 24 *documentation that a Federal agency has completed*
 25 *for a project (or that have been completed under the*

1 *laws and procedures of a State or Indian Tribe), in-*
2 *cluding for determining the reasonable range of alter-*
3 *natives for that project.*

4 “(2) *RELIANCE ON PRIOR STUDIES AND DECI-*
5 *SIONS.—In completing an environmental review*
6 *under NEPA for a covered activity, the Secretary*
7 *may consider and, as appropriate, rely on or adopt*
8 *prior studies and decisions, if the Secretary deter-*
9 *mines that—*

10 “(A) *those prior studies and decisions meet*
11 *the standards for an adequate statement, assess-*
12 *ment, or determination under applicable proce-*
13 *dures of the Department of Commerce imple-*
14 *menting the requirements of NEPA;*

15 “(B) *in the case of prior studies and deci-*
16 *sions completed under the laws and procedures of*
17 *a State or Indian Tribe, those laws and proce-*
18 *dures are of equal or greater rigor than those of*
19 *each applicable Federal law, including NEPA,*
20 *implementing procedures of the Department of*
21 *Commerce; or*

22 “(C) *if applicable, the prior studies and de-*
23 *cisions are informed by other analysis or docu-*
24 *mentation that would have been prepared if the*

1 *prior studies and decisions were prepared by the*
 2 *Secretary under NEPA.*

3 “(f) *DEFINITIONS.—In this section:*

4 “(1) *COVERED ACTIVITY.—The term ‘covered ac-*
 5 *tivity’ means any activity relating to the construc-*
 6 *tion, expansion, or modernization of a facility, the*
 7 *investment in which is eligible for Federal financial*
 8 *assistance under section 9902 or 9906.*

9 “(2) *NEPA.—The term ‘NEPA’ means the Na-*
 10 *tional Environmental Policy Act of 1969 (42 U.S.C.*
 11 *4321 et seq.).”.*

12 **SEC. 1090H. PROHIBITION OF DEMAND FOR BRIBE.**

13 *Section 201 of title 18, United States Code, is amend-*
 14 *ed—*

15 *(1) in subsection (a)—*

16 *(A) in paragraph (2), by striking “and” at*
 17 *the end;*

18 *(B) in paragraph (3), by striking the period*
 19 *at the end and inserting a semicolon; and*

20 *(C) by adding at the end the following:*

21 “(4) *the term ‘foreign official’ means—*

22 *“(A)(i) any official or employee of a foreign*
 23 *government or any department, agency, or in-*
 24 *strumentality thereof; or*

1 “(ii) any senior foreign political figure, as
2 defined in section 1010.605 of title 31, Code of
3 Federal Regulations, or any successor regulation;

4 “(B) any official or employee of a public
5 international organization;

6 “(C) any person acting in an official capac-
7 ity for or on behalf of—

8 “(i) a government, department, agency,
9 or instrumentality described in subpara-
10 graph (A)(i); or

11 “(ii) a public international organiza-
12 tion; or

13 “(D) any person acting in an unofficial ca-
14 pacity for or on behalf of—

15 “(i) a government, department, agency,
16 or instrumentality described in subpara-
17 graph (A)(i); or

18 “(ii) a public international organiza-
19 tion; and

20 “(5) the term ‘public international organization’
21 means—

22 “(A) an organization that is designated by
23 Executive order pursuant to section 1 of the
24 International Organizations Immunities Act (22
25 U.S.C. 288); or

1 “(B) any other international organization
 2 that is designated by the President by Executive
 3 order for the purposes of this section, effective as
 4 of the date of publication of such order in the
 5 Federal Register.”; and

6 (2) by adding at the end the following:

7 “(f) *PROHIBITION OF DEMAND FOR A BRIBE.*—

8 “(1) *OFFENSE.*—It shall be unlawful for any for-
 9 eign official or person selected to be a foreign official
 10 to corruptly demand, seek, receive, accept, or agree to
 11 receive or accept, directly or indirectly, anything of
 12 value personally or for any other person or non-
 13 governmental entity, by making use of the mails or
 14 any means or instrumentality of interstate commerce,
 15 from any person (as defined in section 104A of the
 16 Foreign Corrupt Practices Act of 1977 (15 U.S.C.
 17 78dd–3), except that that definition shall be applied
 18 without regard to whether the person is an offender)
 19 while in the territory of the United States, from an
 20 issuer (as defined in section 3(a) of the Securities Ex-
 21 change Act of 1934 (15 U.S.C. 78c(a))), or from a do-
 22 mestic concern (as defined in section 104 of the For-
 23 eign Corrupt Practices Act of 1977 (15 U.S.C. 78dd–
 24 2)), in return for—

1 “(A) being influenced in the performance of
2 any official act;

3 “(B) being induced to do or omit to do any
4 act in violation of the official duty of such for-
5 eign official or person; or

6 “(C) conferring any improper advantage,
7 in connection with obtaining or retaining business for
8 or with, or directing business to, any person.

9 “(2) *PENALTIES.*—Any person who violates
10 paragraph (1) shall be fined not more than \$250,000
11 or 3 times the monetary equivalent of the thing of
12 value, imprisoned for not more than 15 years, or
13 both.

14 “(3) *JURISDICTION.*—An offense under para-
15 graph (1) shall be subject to extraterritorial Federal
16 jurisdiction.

17 “(4) *REPORT.*—Not later than 1 year after the
18 date of enactment of the Foreign Extortion Prevention
19 Act, and annually thereafter, the Attorney General, in
20 consultation with the Secretary of State as relevant,
21 shall submit to the Committee on the Judiciary and
22 the Committee on Foreign Relations of the Senate and
23 the Committee on the Judiciary and the Committee
24 on Foreign Affairs of the House of Representatives,

1 *and post on the publicly available website of the De-*
2 *partment of Justice, a report—*

3 *“(A) focusing, in part, on demands by for-*
4 *foreign officials for bribes from entities domiciled or*
5 *incorporated in the United States, and the efforts*
6 *of foreign governments to prosecute such cases;*

7 *“(B) addressing United States diplomatic*
8 *efforts to protect entities domiciled or incor-*
9 *porated in the United States from foreign brib-*
10 *ery, and the effectiveness of those efforts in pro-*
11 *tecting such entities;*

12 *“(C) summarizing major actions taken*
13 *under this section in the previous year, includ-*
14 *ing enforcement actions taken and penalties im-*
15 *posed;*

16 *“(D) evaluating the effectiveness of the De-*
17 *partment of Justice in enforcing this section;*
18 *and*

19 *“(E) detailing what resources or legislative*
20 *action the Department of Justice needs to ensure*
21 *adequate enforcement of this section.*

22 *“(5) RULE OF CONSTRUCTION.—This subsection*
23 *shall not be construed as encompassing conduct that*
24 *would violate section 30A of the Securities Exchange*
25 *Act of 1934 (15 U.S.C. 78dd–1) or section 104 or*

1 104A of the Foreign Corrupt Practices Act of 1977
 2 (15 U.S.C. 78dd–2; 15 U.S.C. 78dd–3) whether pur-
 3 suant to a theory of direct liability, conspiracy, com-
 4 plicity, or otherwise.”.

5 **SEC. 1090I. STUDIES AND REPORTS ON TREATMENT OF**
 6 **SERVICE OF CERTAIN MEMBERS OF THE**
 7 **ARMED FORCES WHO SERVED IN FEMALE**
 8 **CULTURAL SUPPORT TEAMS.**

9 (a) *FINDINGS.*—Congress finds the following:

10 (1) *In 2010, the Commander of United States*
 11 *Special Operations Command established the Cultural*
 12 *Support Team Program to overcome significant intel-*
 13 *ligence gaps during the Global War on Terror.*

14 (2) *From 2010 through 2021, approximately 310*
 15 *female members, from every Armed Force, passed and*
 16 *were selected as members of female cultural support*
 17 *teams, and deployed with special operations forces.*

18 (3) *Members of female cultural support teams*
 19 *served honorably, demonstrated commendable courage,*
 20 *overcame such intelligence gaps, engaged in direct ac-*
 21 *tion, and suffered casualties during the Global War*
 22 *on Terror.*

23 (4) *The Federal Government has a duty to recog-*
 24 *nize members and veterans of female cultural support*
 25 *teams who volunteered to join the Armed Forces, to*

1 *undergo arduous training for covered service, and to*
2 *execute dangerous and classified missions in the*
3 *course of such covered service.*

4 *(5) Members who performed covered service have*
5 *sought treatment from the Department of Veterans Af-*
6 *fairs for traumatic brain injuries, post-traumatic*
7 *stress, and disabling physical trauma incurred in the*
8 *course of such covered service, but have been denied*
9 *such care.*

10 *(b) SENSE OF CONGRESS.—It is the Sense of Congress*
11 *that—*

12 *(1) individuals who performed covered service*
13 *performed exceptional service to the United States;*
14 *and*

15 *(2) the Secretary of Defense should ensure that*
16 *the performance of covered service is included in the*
17 *military service record of each individual who per-*
18 *formed covered service so that those with service-con-*
19 *nected injuries can receive proper care and benefits*
20 *for their service.*

21 *(c) SECRETARY OF DEFENSE STUDY AND REPORT.—*

22 *(1) IN GENERAL.—Not later than March 31,*
23 *2024, the Secretary of Defense shall—*

1 (A) carry out a study on the treatment of
 2 covered service for purposes of retired pay under
 3 laws administered by the Secretary; and

4 (B) submit to the appropriate committees of
 5 Congress a report on the findings of the Sec-
 6 retary with respect to the study carried out
 7 under paragraph (1).

8 (2) *LIST.*—The report submitted under para-
 9 graph (1)(B) shall include a list of each individual
 10 who performed covered service whose military service
 11 record should be modified on account of covered serv-
 12 ice.

13 (d) *SECRETARY OF VETERANS AFFAIRS STUDY AND*
 14 *REPORT.*—

15 (1) *IN GENERAL.*—Not later than March 31,
 16 2024, the Secretary of Veterans Affairs shall—

17 (A) carry out a study on the treatment of
 18 covered service for purposes of compensation
 19 under laws administered by the Secretary; and

20 (B) submit to the appropriate committees of
 21 Congress a report on the findings of the Sec-
 22 retary with respect to the study carried out
 23 under paragraph (1).

24 (2) *CONTENTS.*—The report submitted under
 25 paragraph (1)(B) shall include the following:

1 (A) *A list of each veteran who performed*
 2 *covered service whose claim for disability com-*
 3 *ensation under a law administered by the Sec-*
 4 *retary was denied due to the inability of the De-*
 5 *partment of Veterans Affairs to determine the in-*
 6 *jury was service-connected.*

7 (B) *An estimate of the cost that would be*
 8 *incurred by the Department to provide veterans*
 9 *described in subparagraph (A) with the health*
 10 *care and benefits they are entitled to under the*
 11 *laws administered by the Secretary on account of*
 12 *their covered service.*

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

14 (1) *APPROPRIATE COMMITTEES OF CONGRESS.—*
 15 *The term “appropriate committees of Congress”*
 16 *means—*

17 (A) *the Committee on Armed Services and*
 18 *the Committee on Veterans’ Affairs of the Senate;*
 19 *and*

20 (B) *the Committee on Armed Services and*
 21 *the Committee on Veterans’ Affairs of the House*
 22 *of Representatives.*

23 (2) *COVERED SERVICE.—The term “covered serv-*
 24 *ice” means service—*

25 (A) *as a member of the Armed Forces;*

1 (B) in a female cultural support team;

2 (C) with the personnel development skill
 3 identifier of R2J or 5DK, or any other valida-
 4 tion methods, such as valid sworn statements, of-
 5 ficer and enlisted performance evaluations,
 6 training certificates, or records of an award
 7 from completion of tour with a cultural support
 8 team; and

9 (D) during the period beginning on Janu-
 10 ary 1, 2010, and ending on August 31, 2021.

11 **SEC. 1090J. GLOBAL COOPERATIVE FRAMEWORK TO END**
 12 **HUMAN RIGHTS ABUSES IN SOURCING CRIT-**
 13 **ICAL MINERALS.**

14 (a) *IN GENERAL.*—The Secretary of State shall seek
 15 to convene a meeting of foreign leaders to establish a multi-
 16 lateral framework to end human rights abuses, including
 17 the exploitation of forced labor and child labor, related to
 18 the mining and sourcing of critical minerals.

19 (b) *IMPLEMENTATION REPORT.*—The Secretary shall
 20 lead the development of an annual global report on the im-
 21 plementation of the framework under subsection (a), includ-
 22 ing progress and recommendations to fully end human
 23 rights abuses, including the exploitation of forced labor and
 24 child labor, related to the extraction of critical minerals
 25 around the world.

1 (c) *CONSULTATIONS.*—*The Secretary shall consult*
 2 *closely on a timely basis with the following with respect*
 3 *to developing and implementing the framework under sub-*
 4 *section (a):*

5 (1) *The Forced Labor Enforcement Task Force*
 6 *established under section 741 of the United States-*
 7 *Mexico-Canada Agreement Implementation Act (19*
 8 *U.S.C. 4681); and*

9 (2) *Congress.*

10 (d) *RELATIONSHIP TO UNITED STATES LAW.*—*Noth-*
 11 *ing in the framework under subsection (a) shall be con-*
 12 *strued—*

13 (1) *to amend or modify any law of the United*
 14 *States; or*

15 (2) *to limit any authority conferred under any*
 16 *law of the United States.*

17 (e) *EXTRACTIVE INDUSTRIES TRANSPARENCY INITIA-*
 18 *TIVE AND CERTAIN PROVISIONS OF THE DODD-FRANK*
 19 *WALL STREET REFORM AND CONSUMER PROTECTION*
 20 *ACT.*—*Nothing in this section shall—*

21 (1) *affect the authority of the President to take*
 22 *any action to join and subsequently comply with the*
 23 *terms and obligations of the Extractive Industries*
 24 *Transparency Initiative (EITI); or*

1 (2) *affect section 1502 of the Dodd-Frank Wall*
 2 *Street Reform and Consumer Protection Act (15*
 3 *U.S.C. 78m note), or subsection (q) of section 13 of*
 4 *the Securities Exchange Act of 1934 (15 U.S.C. 78m),*
 5 *as added by section 1504 of the Dodd-Frank Wall*
 6 *Street Reform and Consumer Protection Act (Public*
 7 *Law 111–203; 124 Stat. 2220), or any rule prescribed*
 8 *under either such section.*

9 (f) *CRITICAL MINERAL DEFINED.—In this section, the*
 10 *term “critical mineral” has the meaning given the term in*
 11 *section 7002(a) of the Energy Act of 2020 (30 U.S.C.*
 12 *1606(a)).*

13 **SEC. 1090K. READMISSION REQUIREMENTS FOR**
 14 **SERVICEMEMBERS.**

15 *Section 484C(a) of the Higher Education Act of 1965*
 16 *(20 U.S.C. 1091c(a)) is amended to read as follows:*

17 “(a) *DEFINITION OF SERVICE IN THE UNIFORMED*
 18 *SERVICES.—In this section, the term ‘service in the uni-*
 19 *formed services’ means service (whether voluntary or invol-*
 20 *untary) on active duty in the Armed Forces, including such*
 21 *service by a member of the National Guard or Reserve.”.*

22 **Subtitle H—Drone Security**

23 **SEC. 1091. SHORT TITLE.**

24 *This subtitle may be cited as the “American Security*
 25 *Drone Act of 2023”.*

1 **SEC. 1092. DEFINITIONS.**

2 *In this subtitle:*

3 (1) *COVERED FOREIGN ENTITY.*—*The term “cov-*
4 *ered foreign entity” means an entity included on a*
5 *list developed and maintained by the Federal Acquisi-*
6 *tion Security Council and published in the System*
7 *for Award Management (SAM). This list will include*
8 *entities in the following categories:*

9 (A) *An entity included on the Consolidated*
10 *Screening List.*

11 (B) *Any entity that is subject to*
12 *extrajudicial direction from a foreign govern-*
13 *ment, as determined by the Secretary of Home-*
14 *land Security.*

15 (C) *Any entity the Secretary of Homeland*
16 *Security, in coordination with the Attorney Gen-*
17 *eral, Director of National Intelligence, and the*
18 *Secretary of Defense, determines poses a national*
19 *security risk.*

20 (D) *Any entity domiciled in the People’s*
21 *Republic of China or subject to influence or con-*
22 *trol by the Government of the People’s Republic*
23 *of China or the Communist Party of the People’s*
24 *Republic of China, as determined by the Sec-*
25 *retary of Homeland Security.*

1 (E) Any subsidiary or affiliate of an entity
2 described in subparagraphs (A) through (D).

3 (2) COVERED UNMANNED AIRCRAFT SYSTEM.—
4 The term “covered unmanned aircraft system” has the
5 meaning given the term “unmanned aircraft system”
6 in section 44801 of title 49, United States Code.

7 (3) INTELLIGENCE; INTELLIGENCE COMMU-
8 NITY.—The terms “intelligence” and “intelligence
9 community” have the meanings given those terms in
10 section 3 of the National Security Act of 1947 (50
11 U.S.C. 3003).

12 **SEC. 1093. PROHIBITION ON PROCUREMENT OF COVERED**
13 **UNMANNED AIRCRAFT SYSTEMS FROM COV-**
14 **ERED FOREIGN ENTITIES.**

15 (a) IN GENERAL.—Except as provided under sub-
16 sections (b) through (f), the head of an executive agency may
17 not procure any covered unmanned aircraft system that is
18 manufactured or assembled by a covered foreign entity,
19 which includes associated elements related to the collection
20 and transmission of sensitive information (consisting of
21 communication links and the components that control the
22 unmanned aircraft) that enable the operator to operate the
23 aircraft in the National Airspace System. The Federal Ac-
24 quisition Security Council, in coordination with the Sec-

1 *retary of Transportation, shall develop and update a list*
 2 *of associated elements.*

3 *(b) EXEMPTION.—The Secretary of Homeland Secu-*
 4 *city, the Secretary of Defense, the Director of National In-*
 5 *telligence, and the Attorney General are exempt from the*
 6 *restriction under subsection (a) if the procurement is re-*
 7 *quired in the national interest of the United States and—*

8 *(1) is for the sole purposes of research, evalua-*
 9 *tion, training, testing, or analysis for electronic war-*
 10 *fare, information warfare operations, cybersecurity,*
 11 *or development of unmanned aircraft system or*
 12 *counter-unmanned aircraft system technology;*

13 *(2) is for the sole purposes of conducting counter-*
 14 *terrorism or counterintelligence activities, protective*
 15 *missions, or Federal criminal or national security in-*
 16 *vestigations, including forensic examinations, or for*
 17 *electronic warfare, information warfare operations,*
 18 *cybersecurity, or development of an unmanned air-*
 19 *craft system or counter-unmanned aircraft system*
 20 *technology; or*

21 *(3) is an unmanned aircraft system that, as pro-*
 22 *cured or as modified after procurement but before*
 23 *operational use, can no longer transfer to, or*
 24 *download data from, a covered foreign entity and oth-*

1 *erwise poses no national security cybersecurity risks*
 2 *as determined by the exempting official.*

3 *(c) DEPARTMENT OF TRANSPORTATION AND FEDERAL*
 4 *AVIATION ADMINISTRATION EXEMPTION.—The Secretary of*
 5 *Transportation is exempt from the restriction under sub-*
 6 *section (a) if the operation or procurement is deemed to*
 7 *support the safe, secure, or efficient operation of the Na-*
 8 *tional Airspace System or maintenance of public safety, in-*
 9 *cluding activities carried out under the Federal Aviation*
 10 *Administration’s Alliance for System Safety of UAS*
 11 *through Research Excellence (ASSURE) Center of Excel-*
 12 *lence (COE) and any other activity deemed to support the*
 13 *safe, secure, or efficient operation of the National Airspace*
 14 *System or maintenance of public safety, as determined by*
 15 *the Secretary or the Secretary’s designee.*

16 *(d) NATIONAL TRANSPORTATION SAFETY BOARD EX-*
 17 *EMPTION.—The National Transportation Safety Board, in*
 18 *consultation with the Secretary of Homeland Security, is*
 19 *exempt from the restriction under subsection (a) if the oper-*
 20 *ation or procurement is necessary for the sole purpose of*
 21 *conducting safety investigations.*

22 *(e) NATIONAL OCEANIC AND ATMOSPHERIC ADMINIS-*
 23 *TRATION EXEMPTION.—The Administrator of the National*
 24 *Oceanic and Atmospheric Administration (NOAA), in con-*
 25 *sultation with the Secretary of Homeland Security, is ex-*

1 *empt from the restriction under subsection (a) if the pro-*
 2 *curement is necessary for the purpose of meeting NOAA's*
 3 *science or management objectives or operational mission.*

4 (f) *WAIVER.—The head of an executive agency may*
 5 *waive the prohibition under subsection (a) on a case-by-*
 6 *case basis—*

7 (1) *with the approval of the Director of the Of-*
 8 *fice of Management and Budget, after consultation*
 9 *with the Federal Acquisition Security Council; and*

10 (2) *upon notification to—*

11 (A) *the Committee on Homeland Security*
 12 *and Governmental Affairs of the Senate;*

13 (B) *the Committee on Oversight and Reform*
 14 *in the House of Representatives; and*

15 (C) *other appropriate congressional com-*
 16 *mittees of jurisdiction.*

17 **SEC. 1094. PROHIBITION ON OPERATION OF COVERED UN-**
 18 **MANNED AIRCRAFT SYSTEMS FROM COVERED**
 19 **FOREIGN ENTITIES.**

20 (a) *PROHIBITION.—*

21 (1) *IN GENERAL.—Beginning on the date that is*
 22 *two years after the date of the enactment of this Act,*
 23 *no Federal department or agency may operate a cov-*
 24 *ered unmanned aircraft system manufactured or as-*
 25 *sembled by a covered foreign entity.*

1 (2) *APPLICABILITY TO CONTRACTED SERVICES.*—

2 *The prohibition under paragraph (1) applies to any*
3 *covered unmanned aircraft systems that are being*
4 *used by any executive agency through the method of*
5 *contracting for the services of covered unmanned air-*
6 *craft systems.*

7 (b) *EXEMPTION.*—*The Secretary of Homeland Secu-*
8 *urity, the Secretary of Defense, the Director of National In-*
9 *telligence, and the Attorney General are exempt from the*
10 *restriction under subsection (a) if the operation is required*
11 *in the national interest of the United States and—*

12 (1) *is for the sole purposes of research, evalua-*
13 *tion, training, testing, or analysis for electronic war-*
14 *fare, information warfare operations, cybersecurity,*
15 *or development of unmanned aircraft system or*
16 *counter-unmanned aircraft system technology;*

17 (2) *is for the sole purposes of conducting counter-*
18 *terrorism or counterintelligence activities, protective*
19 *missions, or Federal criminal or national security in-*
20 *vestigations, including forensic examinations, or for*
21 *electronic warfare, information warfare operations,*
22 *cybersecurity, or development of an unmanned air-*
23 *craft system or counter-unmanned aircraft system*
24 *technology; or*

1 (3) is an unmanned aircraft system that, as pro-
 2 cured or as modified after procurement but before
 3 operational use, can no longer transfer to, or
 4 download data from, a covered foreign entity and oth-
 5 erwise poses no national security cybersecurity risks
 6 as determined by the exempting official.

7 (c) *DEPARTMENT OF TRANSPORTATION AND FEDERAL*
 8 *AVIATION ADMINISTRATION EXEMPTION.*—*The Secretary of*
 9 *Transportation is exempt from the restriction under sub-*
 10 *section (a) if the operation is deemed to support the safe,*
 11 *secure, or efficient operation of the National Airspace Sys-*
 12 *tem or maintenance of public safety, including activities*
 13 *carried out under the Federal Aviation Administration’s*
 14 *Alliance for System Safety of UAS through Research Excel-*
 15 *lence (ASSURE) Center of Excellence (COE) and any other*
 16 *activity deemed to support the safe, secure, or efficient oper-*
 17 *ation of the National Airspace System or maintenance of*
 18 *public safety, as determined by the Secretary or the Sec-*
 19 *retary’s designee.*

20 (d) *NATIONAL TRANSPORTATION SAFETY BOARD EX-*
 21 *EMPTION.*—*The National Transportation Safety Board, in*
 22 *consultation with the Secretary of Homeland Security, is*
 23 *exempt from the restriction under subsection (a) if the oper-*
 24 *ation is necessary for the sole purpose of conducting safety*
 25 *investigations.*

1 (e) *NATIONAL OCEANIC AND ATMOSPHERIC ADMINIS-*
 2 *TRATION EXEMPTION.*—*The Administrator of the National*
 3 *Oceanic and Atmospheric Administration (NOAA), in con-*
 4 *sultation with the Secretary of Homeland Security, is ex-*
 5 *empt from the restriction under subsection (a) if the pro-*
 6 *curement is necessary for the purpose of meeting NOAA's*
 7 *science or management objectives or operational mission.*

8 (f) *WAIVER.*—*The head of an executive agency may*
 9 *waive the prohibition under subsection (a) on a case-by-*
 10 *case basis—*

11 (1) *with the approval of the Director of the Of-*
 12 *fice of Management and Budget, after consultation*
 13 *with the Federal Acquisition Security Council; and*

14 (2) *upon notification to—*

15 (A) *the Committee on Homeland Security*
 16 *and Governmental Affairs of the Senate;*

17 (B) *the Committee on Oversight and Reform*
 18 *in the House of Representatives; and*

19 (C) *other appropriate congressional com-*
 20 *mittees of jurisdiction.*

21 (g) *REGULATIONS AND GUIDANCE.*—*Not later than*
 22 *180 days after the date of the enactment of this Act, the*
 23 *Secretary of Homeland Security, in consultation with the*
 24 *Attorney General and the Secretary of Transportation, shall*
 25 *prescribe regulations or guidance to implement this section.*

1 **SEC. 1095. PROHIBITION ON USE OF FEDERAL FUNDS FOR**
2 **PROCUREMENT AND OPERATION OF COV-**
3 **ERED UNMANNED AIRCRAFT SYSTEMS FROM**
4 **COVERED FOREIGN ENTITIES.**

5 (a) *IN GENERAL.*—Beginning on the date that is two
6 years after the date of the enactment of this Act, except as
7 provided in subsection (b), no Federal funds awarded
8 through a contract, grant, or cooperative agreement, or oth-
9 erwise made available may be used—

10 (1) *to procure a covered unmanned aircraft sys-*
11 *tem that is manufactured or assembled by a covered*
12 *foreign entity; or*

13 (2) *in connection with the operation of such a*
14 *drone or unmanned aircraft system.*

15 (b) *EXEMPTION.*—The Secretary of Homeland Secu-
16 rity, the Secretary of Defense, the Director of National In-
17 telligence, and the Attorney General are exempt from the
18 restriction under subsection (a) if the procurement or oper-
19 ation is required in the national interest of the United
20 States and—

21 (1) *is for the sole purposes of research, evalua-*
22 *tion, training, testing, or analysis for electronic war-*
23 *fare, information warfare operations, cybersecurity,*
24 *or development of unmanned aircraft system or*
25 *counter-unmanned aircraft system technology;*

1 (2) *is for the sole purposes of conducting counter-*
 2 *terrorism or counterintelligence activities, protective*
 3 *missions, or Federal criminal or national security in-*
 4 *vestigations, including forensic examinations, or for*
 5 *electronic warfare, information warfare operations,*
 6 *cybersecurity, or development of an unmanned air-*
 7 *craft system or counter-unmanned aircraft system*
 8 *technology; or*

9 (3) *is an unmanned aircraft system that, as pro-*
 10 *cured or as modified after procurement but before*
 11 *operational use, can no longer transfer to, or*
 12 *download data from, a covered foreign entity and oth-*
 13 *erwise poses no national security cybersecurity risks*
 14 *as determined by the exempting official.*

15 (c) *DEPARTMENT OF TRANSPORTATION AND FEDERAL*
 16 *AVIATION ADMINISTRATION EXEMPTION.—The Secretary of*
 17 *Transportation is exempt from the restriction under sub-*
 18 *section (a) if the operation or procurement is deemed to*
 19 *support the safe, secure, or efficient operation of the Na-*
 20 *tional Airspace System or maintenance of public safety, in-*
 21 *cluding activities carried out under the Federal Aviation*
 22 *Administration’s Alliance for System Safety of UAS*
 23 *through Research Excellence (ASSURE) Center of Excel-*
 24 *lence (COE) and any other activity deemed to support the*
 25 *safe, secure, or efficient operation of the National Airspace*

1 *System or maintenance of public safety, as determined by*
 2 *the Secretary or the Secretary's designee.*

3 (d) *NATIONAL OCEANIC AND ATMOSPHERIC ADMINIS-*
 4 *TRATION EXEMPTION.*—*The Administrator of the National*
 5 *Oceanic and Atmospheric Administration (NOAA), in con-*
 6 *sultation with the Secretary of Homeland Security, is ex-*
 7 *empt from the restriction under subsection (a) if the oper-*
 8 *ation or procurement is necessary for the purpose of meet-*
 9 *ing NOAA's science or management objectives or oper-*
 10 *ational mission.*

11 (e) *WAIVER.*—*The head of an executive agency may*
 12 *waive the prohibition under subsection (a) on a case-by-*
 13 *case basis—*

14 (1) *with the approval of the Director of the Of-*
 15 *fice of Management and Budget, after consultation*
 16 *with the Federal Acquisition Security Council; and*

17 (2) *upon notification to—*

18 (A) *the Committee on Homeland Security*
 19 *and Governmental Affairs of the Senate;*

20 (B) *the Committee on Oversight and Reform*
 21 *in the House of Representatives; and*

22 (C) *other appropriate congressional com-*
 23 *mittees of jurisdiction.*

24 (f) *REGULATIONS.*—*Not later than 180 days after the*
 25 *date of the enactment of this Act, the Federal Acquisition*

1 *Regulatory Council shall prescribe regulations or guidance,*
 2 *as necessary, to implement the requirements of this section*
 3 *pertaining to Federal contracts.*

4 **SEC. 1096. PROHIBITION ON USE OF GOVERNMENT-ISSUED**
 5 **PURCHASE CARDS TO PURCHASE COVERED**
 6 **UNMANNED AIRCRAFT SYSTEMS FROM COV-**
 7 **ERED FOREIGN ENTITIES.**

8 *Effective immediately, Government-issued Purchase*
 9 *Cards may not be used to procure any covered unmanned*
 10 *aircraft system from a covered foreign entity.*

11 **SEC. 1097. MANAGEMENT OF EXISTING INVENTORIES OF**
 12 **COVERED UNMANNED AIRCRAFT SYSTEMS**
 13 **FROM COVERED FOREIGN ENTITIES.**

14 *(a) IN GENERAL.—All executive agencies must account*
 15 *for existing inventories of covered unmanned aircraft sys-*
 16 *tems manufactured or assembled by a covered foreign entity*
 17 *in their personal property accounting systems, within one*
 18 *year of the date of enactment of this Act, regardless of the*
 19 *original procurement cost, or the purpose of procurement*
 20 *due to the special monitoring and accounting measures nec-*
 21 *essary to track the items' capabilities.*

22 *(b) CLASSIFIED TRACKING.—Due to the sensitive na-*
 23 *ture of missions and operations conducted by the United*
 24 *States Government, inventory data related to covered un-*
 25 *manned aircraft systems manufactured or assembled by a*

1 covered foreign entity may be tracked at a classified level,
 2 as determined by the Secretary of Homeland Security or
 3 the Secretary's designee.

4 (c) *EXCEPTIONS.*—The Department of Defense, the De-
 5 partment of Homeland Security, the Department of Justice,
 6 the Department of Transportation, and the National Oce-
 7 anic and Atmospheric Administration may exclude from
 8 the full inventory process, covered unmanned aircraft sys-
 9 tems that are deemed expendable due to mission risk such
 10 as recovery issues, or that are one-time-use covered un-
 11 manned aircraft due to requirements and low cost.

12 **SEC. 1098. COMPTROLLER GENERAL REPORT.**

13 Not later than 275 days after the date of the enactment
 14 of this Act, the Comptroller General of the United States
 15 shall submit to Congress a report on the amount of commer-
 16 cial off-the-shelf drones and covered unmanned aircraft sys-
 17 tems procured by Federal departments and agencies from
 18 covered foreign entities.

19 **SEC. 1099. GOVERNMENT-WIDE POLICY FOR PROCUREMENT**
 20 **OF UNMANNED AIRCRAFT SYSTEMS.**

21 (a) *IN GENERAL.*—Not later than 180 days after the
 22 date of the enactment of this Act, the Director of the Office
 23 of Management and Budget, in coordination with the De-
 24 partment of Homeland Security, Department of Transpor-
 25 tation, the Department of Justice, and other Departments

1 *as determined by the Director of the Office of Management*
2 *and Budget, and in consultation with the National Insti-*
3 *tute of Standards and Technology, shall establish a govern-*
4 *ment-wide policy for the procurement of an unmanned air-*
5 *craft system—*

6 (1) *for non-Department of Defense and non-in-*
7 *telligence community operations; and*

8 (2) *through grants and cooperative agreements*
9 *entered into with non-Federal entities.*

10 (b) *INFORMATION SECURITY.—The policy developed*
11 *under subsection (a) shall include the following specifica-*
12 *tions, which to the extent practicable, shall be based on in-*
13 *dustry standards and technical guidance from the National*
14 *Institute of Standards and Technology, to address the risks*
15 *associated with processing, storing, and transmitting Fed-*
16 *eral information in an unmanned aircraft system:*

17 (1) *Protections to ensure controlled access to an*
18 *unmanned aircraft system.*

19 (2) *Protecting software, firmware, and hardware*
20 *by ensuring changes to an unmanned aircraft system*
21 *are properly managed, including by ensuring an un-*
22 *manned aircraft system can be updated using a se-*
23 *ecure, controlled, and configurable mechanism.*

24 (3) *Cryptographically securing sensitive col-*
25 *lected, stored, and transmitted data, including proper*

1 *handling of privacy data and other controlled unclas-*
2 *sified information.*

3 (4) *Appropriate safeguards necessary to protect*
4 *sensitive information, including during and after use*
5 *of an unmanned aircraft system.*

6 (5) *Appropriate data security to ensure that*
7 *data is not transmitted to or stored in non-approved*
8 *locations.*

9 (6) *The ability to opt out of the uploading,*
10 *downloading, or transmitting of data that is not re-*
11 *quired by law or regulation and an ability to choose*
12 *with whom and where information is shared when it*
13 *is required.*

14 (c) *REQUIREMENT.—The policy developed under sub-*
15 *section (a) shall reflect an appropriate risk-based approach*
16 *to information security related to use of an unmanned air-*
17 *craft system.*

18 (d) *REVISION OF ACQUISITION REGULATIONS.—Not*
19 *later than 180 days after the date on which the policy re-*
20 *quired under subsection (a) is issued—*

21 (1) *the Federal Acquisition Regulatory Council*
22 *shall revise the Federal Acquisition Regulation, as*
23 *necessary, to implement the policy; and*

24 (2) *any Federal department or agency or other*
25 *Federal entity not subject to, or not subject solely to,*

1 *the Federal Acquisition Regulation shall revise appli-*
2 *cable policy, guidance, or regulations, as necessary, to*
3 *implement the policy.*

4 *(e) EXEMPTION.—In developing the policy required*
5 *under subsection (a), the Director of the Office of Manage-*
6 *ment and Budget shall—*

7 *(1) incorporate policies to implement the exemp-*
8 *tions contained in this subtitle; and*

9 *(2) incorporate an exemption to the policy in the*
10 *case of a head of the procuring department or agency*
11 *determining, in writing, that no product that com-*
12 *plies with the information security requirements de-*
13 *scribed in subsection (b) is capable of fulfilling mis-*
14 *sion critical performance requirements, and such de-*
15 *termination—*

16 *(A) may not be delegated below the level of*
17 *the Deputy Secretary, or Administrator, of the*
18 *procuring department or agency;*

19 *(B) shall specify—*

20 *(i) the quantity of end items to which*
21 *the waiver applies and the procurement*
22 *value of those items; and*

23 *(ii) the time period over which the*
24 *waiver applies, which shall not exceed three*
25 *years;*

1 (C) shall be reported to the Office of Man-
 2 agement and Budget following issuance of such a
 3 determination; and

4 (D) not later than 30 days after the date on
 5 which the determination is made, shall be pro-
 6 vided to the Committee on Homeland Security
 7 and Governmental Affairs of the Senate and the
 8 Committee on Oversight and Reform of the
 9 House of Representatives.

10 **SEC. 1099A. STATE, LOCAL, AND TERRITORIAL LAW EN-**
 11 **FORCEMENT AND EMERGENCY SERVICE EX-**
 12 **EMPTION.**

13 (a) *RULE OF CONSTRUCTION.*—Nothing in this subtitle
 14 shall prevent a State, local, or territorial law enforcement
 15 or emergency service agency from procuring or operating
 16 a covered unmanned aircraft system purchased with non-
 17 Federal dollars.

18 (b) *CONTINUITY OF ARRANGEMENTS.*—The Federal
 19 Government may continue entering into contracts, grants,
 20 and cooperative agreements or other Federal funding in-
 21 struments with State, local, or territorial law enforcement
 22 or emergency service agencies under which a covered un-
 23 manned aircraft system will be purchased or operated if
 24 the agency has received approval or waiver to purchase or

1 *operate a covered unmanned aircraft system pursuant to*
2 *section 1095.*

3 **SEC. 1099B. STUDY.**

4 *(a) STUDY ON THE SUPPLY CHAIN FOR UNMANNED*
5 *AIRCRAFT SYSTEMS AND COMPONENTS.—*

6 *(1) REPORT REQUIRED.—Not later than one*
7 *year after the date of the enactment of this Act, the*
8 *Under Secretary of Defense for Acquisition and*
9 *Sustainment shall provide to the appropriate congres-*
10 *sional committees a report on the supply chain for*
11 *covered unmanned aircraft systems, including a dis-*
12 *cussion of current and projected future demand for*
13 *covered unmanned aircraft systems.*

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

16 *(A) A description of the current and future*
17 *global and domestic market for covered un-*
18 *manned aircraft systems that are not widely*
19 *commercially available except from a covered for-*
20 *ign entity.*

21 *(B) A description of the sustainability,*
22 *availability, cost, and quality of secure sources of*
23 *covered unmanned aircraft systems domestically*
24 *and from sources in allied and partner coun-*
25 *tries.*

1 (C) *The plan of the Secretary of Defense to*
2 *address any gaps or deficiencies identified in*
3 *subparagraph (B), including through the use of*
4 *funds available under the Defense Production*
5 *Act of 1950 (50 U.S.C. 4501 et seq.) and part-*
6 *nerships with the National Aeronautics and*
7 *Space Administration and other interested per-*
8 *sons.*

9 (D) *Such other information as the Under*
10 *Secretary of Defense for Acquisition and*
11 *Sustainment determines to be appropriate.*

12 (3) *APPROPRIATE CONGRESSIONAL COMMITTEES*
13 *DEFINED.—In this section the term “appropriate con-*
14 *gressional committees” means:*

15 (A) *The Committees on Armed Services of*
16 *the Senate and the House of Representatives.*

17 (B) *The Committee on Homeland Security*
18 *and Governmental Affairs of the Senate and the*
19 *Committee on Oversight and Reform of the*
20 *House of Representatives.*

21 (C) *The Committee on Commerce, Science,*
22 *and Transportation of the Senate and the Com-*
23 *mittee on Science, Space, and Technology of the*
24 *House of Representatives.*

1 (D) *The Select Committee on Intelligence of*
2 *the Senate and the Permanent Select Committee*
3 *on Intelligence of the House of Representatives.*

4 (E) *The Committee on Transportation and*
5 *Infrastructure of the House of Representatives.*

6 (F) *The Committee on Homeland Security*
7 *of the House of Representatives.*

8 **SEC. 1099C. EXCEPTIONS.**

9 (a) *EXCEPTION FOR WILDFIRE MANAGEMENT OPER-*
10 *ATIONS AND SEARCH AND RESCUE OPERATIONS.—The ap-*
11 *propriate Federal agencies, in consultation with the Sec-*
12 *retary of Homeland Security, are exempt from the procure-*
13 *ment and operation restrictions under sections 1093, 1094,*
14 *and 1095 to the extent the procurement or operation is nec-*
15 *essary for the purpose of supporting the full range of wild-*
16 *fire management operations or search and rescue oper-*
17 *ations.*

18 (b) *EXCEPTION FOR INTELLIGENCE ACTIVITIES.—The*
19 *elements of the intelligence community, in consultation with*
20 *the Director of National Intelligence, are exempt from the*
21 *procurement and operation restrictions under sections*
22 *1093, 1094, and 1095 to the extent the procurement or oper-*
23 *ation is necessary for the purpose of supporting intelligence*
24 *activities.*

1 (c) *EXCEPTION FOR TRIBAL LAW ENFORCEMENT OR*
 2 *EMERGENCY SERVICE AGENCY.*—*Tribal law enforcement or*
 3 *Tribal emergency service agencies, in consultation with the*
 4 *Secretary of Homeland Security, are exempt from the pro-*
 5 *curement, operation, and purchase restrictions under sec-*
 6 *tions 1093, 1094, and 1095 to the extent the procurement*
 7 *or operation is necessary for the purpose of supporting the*
 8 *full range of law enforcement operations or search and res-*
 9 *cue operations on Indian lands.*

10 **SEC. 1099D. SUNSET.**

11 *Sections 1093, 1094, and 1095 shall cease to have effect*
 12 *on the date that is five years after the date of the enactment*
 13 *of this Act.*

14 ***Subtitle I—Radiation Exposure***
 15 ***Compensation Act***

16 ***PART I—MANHATTAN PROJECT WASTE***

17 **SEC. 1099AA. CLAIMS RELATING TO MANHATTAN PROJECT**
 18 **WASTE.**

19 (a) *SHORT TITLE.*—*This section may be cited as the*
 20 *“Radiation Exposure Compensation Expansion Act”.*

21 (b) *CLAIMS RELATING TO MANHATTAN PROJECT*
 22 *WASTE.*—*The Radiation Exposure Compensation Act (Pub-*
 23 *lic Law 101–426; 42 U.S.C. 2210 note) is amended by in-*
 24 *serting after section 5 the following:*

1 **“SEC. 5A. CLAIMS RELATING TO MANHATTAN PROJECT**
 2 **WASTE.**

3 “(a) *IN GENERAL.*—A claimant shall receive com-
 4 pensation for a claim made under this Act, as described
 5 in subsection (b) or (c), if—

6 “(1) a claim for compensation is filed with the
 7 Attorney General—

8 “(A) by an individual described in para-
 9 graph (2); or

10 “(B) on behalf of that individual by an au-
 11 thorized agent of that individual, if the indi-
 12 vidual is deceased or incapacitated, such as—

13 “(i) an executor of estate of that indi-
 14 vidual; or

15 “(ii) a legal guardian or conservator of
 16 that individual;

17 “(2) that individual, or if applicable, an author-
 18 ized agent of that individual, demonstrates that the
 19 individual—

20 “(A) was physically present in an affected
 21 area for a period of at least 2 years after Janu-
 22 ary 1, 1949; and

23 “(B) contracted a specified disease after
 24 such period of physical presence;

25 “(3) the Attorney General certifies that the iden-
 26 tity of that individual, and if applicable, the author-

1 *ized agent of that individual, is not fraudulent or oth-*
 2 *erwise misrepresented; and*

3 *“(4) the Attorney General determines that the*
 4 *claimant has satisfied the applicable requirements of*
 5 *this Act.*

6 *“(b) LOSSES AVAILABLE TO LIVING AFFECTED INDI-*
 7 *VIDUALS.—*

8 *“(1) IN GENERAL.—In the event of a claim*
 9 *qualifying for compensation under subsection (a) that*
 10 *is submitted to the Attorney General to be eligible for*
 11 *compensation under this section at a time when the*
 12 *individual described in subsection (a)(2) is living, the*
 13 *amount of compensation under this section shall be in*
 14 *an amount that is the greater of \$50,000 or the total*
 15 *amount of compensation for which the individual is*
 16 *eligible under paragraph (2).*

17 *“(2) LOSSES DUE TO MEDICAL EXPENSES.—A*
 18 *claimant described in paragraph (1) shall be eligible*
 19 *to receive, upon submission of contemporaneous writ-*
 20 *ten medical records, reports, or billing statements cre-*
 21 *ated by or at the direction of a licensed medical pro-*
 22 *fessional who provided contemporaneous medical care*
 23 *to the claimant, additional compensation in the*
 24 *amount of all documented out-of-pocket medical ex-*
 25 *penses incurred as a result of the specified disease suf-*

1 *ferred by that claimant, such as any medical expenses*
 2 *not covered, paid for, or reimbursed through—*

3 *“(A) any public or private health insur-*
 4 *ance;*

5 *“(B) any employee health insurance;*

6 *“(C) any workers’ compensation program;*
 7 *or*

8 *“(D) any other public, private, or employee*
 9 *health program or benefit.*

10 *“(c) PAYMENTS TO BENEFICIARIES OF DECEASED IN-*
 11 *DIVIDUALS.—In the event that an individual described in*
 12 *subsection (a)(2) who qualifies for compensation under sub-*
 13 *section (a) is deceased at the time of submission of the*
 14 *claim—*

15 *“(1) a surviving spouse may, upon submission of*
 16 *a claim and records sufficient to satisfy the require-*
 17 *ments of subsection (a) with respect to the deceased*
 18 *individual, receive compensation in the amount of*
 19 *\$25,000; or*

20 *“(2) in the event that there is no surviving*
 21 *spouse, the surviving children, minor or otherwise, of*
 22 *the deceased individual may, upon submission of a*
 23 *claim and records sufficient to satisfy the require-*
 24 *ments of subsection (a) with respect to the deceased*
 25 *individual, receive compensation in the total amount*

1 of \$25,000, paid in equal shares to each surviving
2 child.

3 “(d) *AFFECTED AREA*.—For purposes of this section,
4 the term ‘affected area’ means, in the State of Missouri, the
5 ZIP Codes of 63031, 63033, 63034, 63042, 63045, 63074,
6 63114, 63135, 63138, 63044, 63140, 63145, 63147, 63102,
7 63304, 63134, 63043, 63341, 63368, and 63367.

8 “(e) *SPECIFIED DISEASE*.—For purposes of this sec-
9 tion, the term ‘specified disease’ means any of the following:

10 “(1) Any leukemia, other than chronic
11 lymphocytic leukemia, provided that the initial expo-
12 sure occurred after the age of 20 and the onset of the
13 disease was at least 2 years after first exposure.

14 “(2) Any of the following diseases, provided that
15 the onset was at least 2 years after the initial expo-
16 sure:

17 “(A) Multiple myeloma.

18 “(B) Lymphoma, other than Hodgkin’s dis-
19 ease.

20 “(C) Type 1 or type 2 diabetes.

21 “(D) Systemic lupus erythematosus.

22 “(E) Multiple sclerosis.

23 “(F) Hashimoto’s disease.

24 “(G) Primary cancer of the—

25 “(i) thyroid;

- 1 “(ii) male or female breast;
 - 2 “(iii) esophagus;
 - 3 “(iv) stomach;
 - 4 “(v) pharynx;
 - 5 “(vi) small intestine;
 - 6 “(vii) pancreas;
 - 7 “(viii) bile ducts;
 - 8 “(ix) gall bladder;
 - 9 “(x) salivary gland;
 - 10 “(xi) urinary bladder;
 - 11 “(xii) brain;
 - 12 “(xiii) colon;
 - 13 “(xiv) ovary;
 - 14 “(xv) liver, except if cirrhosis or hepa-
 - 15 titis B is indicated;
 - 16 “(xvi) lung;
 - 17 “(xvii) bone; or
 - 18 “(xviii) kidney.
- 19 “(f) *PHYSICAL PRESENCE.*—For purposes of this sec-
- 20 tion, the Attorney General shall not determine that a claim-
- 21 ant has satisfied the requirements of subsection (a) unless
- 22 demonstrated by submission of contemporaneous written
- 23 residential documentation and at least one additional em-
- 24 ployer-issued or government-issued document or record that

1 *the claimant, for a period of at least 2 years after January*
 2 *1, 1949, was physically present in an affected area.*

3 “(g) *DISEASE CONTRACTION IN AFFECTED AREAS.—*
 4 *For purposes of this section, the Attorney General shall not*
 5 *determine that a claimant has satisfied the requirements*
 6 *of subsection (a) unless demonstrated by submission of con-*
 7 *temporaneous written medical records or reports created by*
 8 *or at the direction of a licensed medical professional who*
 9 *provided contemporaneous medical care to the claimant,*
 10 *that the claimant, after such period of physical presence,*
 11 *contracted a specified disease.”.*

12 ***PART II—COMPENSATION FOR WORKERS***
 13 ***INVOLVED IN URANIUM MINING***

14 ***SEC. 1099BB. SHORT TITLE.***

15 *This part may be cited as the “Radiation Exposure*
 16 *Compensation Act Amendments of 2023”.*

17 ***SEC. 1099CC. REFERENCES.***

18 *Except as otherwise specifically provided, whenever in*
 19 *this part an amendment or repeal is expressed in terms of*
 20 *an amendment to or repeal of a section or other provision*
 21 *of law, the reference shall be considered to be made to a*
 22 *section or other provision of the Radiation Exposure Com-*
 23 *pensation Act (Public Law 101–426; 42 U.S.C. 2210 note).*

24 ***SEC. 1099DD. EXTENSION OF FUND.***

25 *Section 3(d) is amended—*

- 1 (1) *by striking the first sentence and inserting*
 2 *“The Fund shall terminate 19 years after the date of*
 3 *the enactment of the Radiation Exposure Compensa-*
 4 *tion Act Amendments of 2023.”; and*
- 5 (2) *by striking “2-year” and inserting “19-*
 6 *year”.*

7 **SEC. 1099EE. CLAIMS RELATING TO ATMOSPHERIC TEST-**
 8 **ING.**

9 (a) *LEUKEMIA CLAIMS RELATING TO TRINITY TEST*
 10 *IN NEW MEXICO AND TESTS AT THE NEVADA SITE AND*
 11 *IN THE PACIFIC.—Section 4(a)(1)(A) is amended—*

12 (1) *in clause (i)—*

13 (A) *in subclause (I), by striking “October*
 14 *31, 1958” and inserting “November 6, 1962”;*

15 (B) *in subclause (II)—*

16 (i) *by striking “in the affected area”*
 17 *and inserting “in an affected area”; and*

18 (ii) *by striking “or” after the semi-*
 19 *colon;*

20 (C) *by redesignating subclause (III) as sub-*
 21 *clause (V); and*

22 (D) *by inserting after subclause (II) the fol-*
 23 *lowing:*

24 *“(III) was physically present in an af-*
 25 *ected area for a period of at least 1 year*

1 *during the period beginning on September*
 2 *24, 1944, and ending on November 6, 1962;*

3 *“(IV) was physically present in an af-*
 4 *ected area—*

5 *“(aa) for a period of at least 1*
 6 *year during the period beginning on*
 7 *July 1, 1946, and ending on November*
 8 *6, 1962; or*

9 *“(bb) for the period beginning on*
 10 *April 25, 1962, and ending on Novem-*
 11 *ber 6, 1962; or”;* and

12 *(2) in clause (ii)(I), by striking “physical pres-*
 13 *ence described in subclause (I) or (II) of clause (i) or*
 14 *onsite participation described in clause (i)(III)” and*
 15 *inserting “physical presence described in subclause*
 16 *(I), (II), (III), or (IV) of clause (i) or onsite partici-*
 17 *pation described in clause (i)(V)”.*

18 *(b) AMOUNTS FOR CLAIMS RELATED TO LEUKEMIA.—*

19 *Section 4(a)(1) is amended—*

20 *(1) in subparagraph (A), by striking “an*
 21 *amount” and inserting “the amount”; and*

22 *(2) by striking subparagraph (B) and inserting*
 23 *the following:*

24 *“(B) AMOUNT.—If the conditions described*
 25 *in subparagraph (C) are met, an individual who*

1 *is described in subparagraph (A) shall receive*
 2 *\$150,000.”.*

3 (c) *CONDITIONS FOR CLAIMS RELATED TO LEU-*
 4 *KEMIA.—Section 4(a)(1)(C) is amended—*

5 (1) *by striking clause (i); and*

6 (2) *by redesignating clauses (ii) and (iii) as*
 7 *clauses (i) and (ii), respectively.*

8 (d) *SPECIFIED DISEASES CLAIMS RELATING TO TRIN-*
 9 *ITY TEST IN NEW MEXICO AND TESTS AT THE NEVADA*
 10 *SITE AND IN THE PACIFIC.—Section 4(a)(2) is amended—*

11 (1) *in subparagraph (A)—*

12 (A) *by striking “in the affected area” and*
 13 *inserting “in an affected area”;*

14 (B) *by striking “2 years” and inserting “1*
 15 *year”;* and

16 (C) *by striking “October 31, 1958” and in-*
 17 *serting “November 6, 1962”;*

18 (2) *in subparagraph (B)—*

19 (A) *by striking “in the affected area” and*
 20 *inserting “in an affected area”; and*

21 (B) *by striking “or” at the end;*

22 (3) *by redesignating subparagraph (C) as sub-*
 23 *paragraph (E); and*

24 (4) *by inserting after subparagraph (B) the fol-*
 25 *lowing:*

1 “(C) *was physically present in an affected*
 2 *area for a period of at least 1 year during the*
 3 *period beginning on September 24, 1944, and*
 4 *ending on November 6, 1962;*

5 “(D) *was physically present in an affected*
 6 *area—*

7 *“(i) for a period of at least 1 year dur-*
 8 *ing the period beginning on July 1, 1946,*
 9 *and ending on November 6, 1962; or*

10 *“(ii) for the period beginning on April*
 11 *25, 1962, and ending on November 6, 1962;*
 12 *or”.*

13 (e) *AMOUNTS FOR CLAIMS RELATED TO SPECIFIED*
 14 *DISEASES.—Section 4(a)(2) is amended in the matter fol-*
 15 *lowing subparagraph (E) (as redesignated by subsection (d)*
 16 *of this section) by striking “\$50,000 (in the case of an indi-*
 17 *vidual described in subparagraph (A) or (B)) or \$75,000*
 18 *(in the case of an individual described in subparagraph*
 19 *(C)),” and inserting “\$150,000”.*

20 (f) *MEDICAL BENEFITS.—Section 4(a) is amended by*
 21 *adding at the end the following:*

22 *“(5) MEDICAL BENEFITS.—An individual receiv-*
 23 *ing a payment under this section shall be eligible to*
 24 *receive medical benefits in the same manner and to*
 25 *the same extent as an individual eligible to receive*

1 *medical benefits under section 3629 of the Energy*
 2 *Employees Occupational Illness Compensation Pro-*
 3 *gram Act of 2000 (42 U.S.C. 7384t).”.*

4 *(g) DOWNWIND STATES.—Section 4(b)(1) is amended*
 5 *to read as follows:*

6 *“(1) ‘affected area’ means—*

7 *“(A) except as provided under subpara-*
 8 *graphs (B) and (C), Arizona, Colorado, Idaho,*
 9 *Montana, Nevada, New Mexico, Utah, and*
 10 *Guam;*

11 *“(B) with respect to a claim by an indi-*
 12 *vidual under subsection (a)(1)(A)(i)(III) or sub-*
 13 *section (a)(2)(C), only New Mexico; and*

14 *“(C) with respect to a claim by an indi-*
 15 *vidual under subsection (a)(1)(A)(i)(IV) or sub-*
 16 *section (a)(2)(D), only Guam.”.*

17 *(h) CHRONIC LYMPHOCYTIC LEUKEMIA AS A SPECI-*
 18 *FIED DISEASE.—Section 4(b)(2) is amended by striking*
 19 *“other than chronic lymphocytic leukemia” and inserting*
 20 *“including chronic lymphocytic leukemia”.*

21 **SEC. 1099FF. CLAIMS RELATING TO URANIUM MINING.**

22 *(a) EMPLOYEES OF MINES AND MILLS.—Section*
 23 *5(a)(1)(A)(i) is amended—*

24 *(1) by inserting “(I)” after “(i)”;*

1 (2) *by striking “December 31, 1971; and” and*
 2 *inserting “December 31, 1990; or”; and*

3 (3) *by adding at the end the following:*

4 *“(II) was employed as a core driller in*
 5 *a State referred to in subclause (I) during*
 6 *the period described in such subclause;*
 7 *and”.*

8 (b) *MINERS.—Section 5(a)(1)(A)(ii)(I) is amended by*
 9 *inserting “or renal cancer or any other chronic renal dis-*
 10 *ease, including nephritis and kidney tubal tissue injury”*
 11 *after “nonmalignant respiratory disease”.*

12 (c) *MILLERS, CORE DRILLERS, AND ORE TRANS-*
 13 *PORTERS.—Section 5(a)(1)(A)(ii)(II) is amended—*

14 (1) *by inserting “, core driller,” after “was a*
 15 *millar”;*

16 (2) *by inserting “, or was involved in remedi-*
 17 *ation efforts at such a uranium mine or uranium*
 18 *mill,” after “ore transporter”;*

19 (3) *by inserting “(I)” after “clause (i)”;* and

20 (4) *by striking all that follows “nonmalignant*
 21 *respiratory disease” and inserting “or renal cancer or*
 22 *any other chronic renal disease, including nephritis*
 23 *and kidney tubal tissue injury; or”.*

24 (d) *COMBINED WORK HISTORIES.—Section*
 25 *5(a)(1)(A)(ii) is further amended—*

1 (1) *by striking “or” at the end of subclause (I);*

2 *and*

3 (2) *by adding at the end the following:*

4 *“(III)(aa) does not meet the conditions*
 5 *of subclause (I) or (II);*

6 *“(bb) worked, during the period de-*
 7 *scribed in clause (i)(I), in two or more of*
 8 *the following positions: miner, miller, core*
 9 *driller, and ore transporter;*

10 *“(cc) meets the requirements of para-*
 11 *graph (4) or (5), or both; and*

12 *“(dd) submits written medical docu-*
 13 *mentation that the individual developed*
 14 *lung cancer or a nonmalignant respiratory*
 15 *disease or renal cancer or any other chronic*
 16 *renal disease, including nephritis and kid-*
 17 *ney tubal tissue injury after exposure to ra-*
 18 *diation through work in one or more of the*
 19 *positions referred to in item (bb);”.*

20 (e) *DATES OF OPERATION OF URANIUM MINE.—Sec-*
 21 *tion 5(a)(2)(A) is amended by striking “December 31,*
 22 *1971” and inserting “December 31, 1990”.*

23 (f) *SPECIAL RULES RELATING TO COMBINED WORK*
 24 *HISTORIES.—Section 5(a) is amended by adding at the end*
 25 *the following:*

1 “(4) *SPECIAL RULE RELATING TO COMBINED*
 2 *WORK HISTORIES FOR INDIVIDUALS WITH AT LEAST*
 3 *ONE YEAR OF EXPERIENCE.*—*An individual meets the*
 4 *requirements of this paragraph if the individual*
 5 *worked in one or more of the positions referred to in*
 6 *paragraph (1)(A)(ii)(III)(bb) for a period of at least*
 7 *one year during the period described in paragraph*
 8 *(1)(A)(i)(I).*

9 “(5) *SPECIAL RULE RELATING TO COMBINED*
 10 *WORK HISTORIES FOR MINERS.*—*An individual meets*
 11 *the requirements of this paragraph if the individual,*
 12 *during the period described in paragraph (1)(A)(i)(I),*
 13 *worked as a miner and was exposed to such number*
 14 *of working level months that the Attorney General de-*
 15 *termines, when combined with the exposure of such*
 16 *individual to radiation through work as a miller, core*
 17 *driller, or ore transporter during the period described*
 18 *in paragraph (1)(A)(i)(I), results in such individual*
 19 *being exposed to a total level of radiation that is*
 20 *greater or equal to the level of exposure of an indi-*
 21 *vidual described in paragraph (4).”.*

22 *(g) DEFINITION OF CORE DRILLER.*—*Section 5(b) is*
 23 *amended—*

24 *(1) by striking “and” at the end of paragraph*
 25 *(7);*

1 (2) *by striking the period at the end of para-*
 2 *graph (8) and inserting “; and”; and*

3 (3) *by adding at the end the following:*

4 “(9) *the term ‘core driller’ means any individual*
 5 *employed to engage in the act or process of obtaining*
 6 *cylindrical rock samples of uranium or vanadium by*
 7 *means of a borehole drilling machine for the purpose*
 8 *of mining uranium or vanadium.”.*

9 **SEC. 1099GG. EXPANSION OF USE OF AFFIDAVITS IN DETER-**
 10 **MINATION OF CLAIMS; REGULATIONS.**

11 (a) *AFFIDAVITS.*—Section 6(b) *is amended by adding*
 12 *at the end the following:*

13 “(3) *AFFIDAVITS.*—

14 “(A) *EMPLOYMENT HISTORY.*—*For purposes*
 15 *of this Act, the Attorney General shall accept a*
 16 *written affidavit or declaration as evidence to*
 17 *substantiate the employment history of an indi-*
 18 *vidual as a miner, miller, core driller, or ore*
 19 *transporter if the affidavit—*

20 “(i) *is provided in addition to other*
 21 *material that may be used to substantiate*
 22 *the employment history of the individual;*

23 “(ii) *attests to the employment history*
 24 *of the individual;*

1 “(iii) is made subject to penalty for
2 perjury; and

3 “(iv) is made by a person other than
4 the individual filing the claim.

5 “(B) *PHYSICAL PRESENCE IN AFFECTED*
6 *AREA.*—For purposes of this Act, the Attorney
7 General shall accept a written affidavit or dec-
8 laration as evidence to substantiate an individ-
9 ual’s physical presence in an affected area dur-
10 ing a period described in section 4(a)(1)(A)(i) or
11 section 4(a)(2) if the affidavit—

12 “(i) is provided in addition to other
13 material that may be used to substantiate
14 the individual’s presence in an affected area
15 during that time period;

16 “(ii) attests to the individual’s pres-
17 ence in an affected area during that period;

18 “(iii) is made subject to penalty for
19 perjury; and

20 “(iv) is made by a person other than
21 the individual filing the claim.

22 “(C) *PARTICIPATION AT TESTING SITE.*—
23 For purposes of this Act, the Attorney General
24 shall accept a written affidavit or declaration as
25 evidence to substantiate an individual’s partici-

1 *pation onsite in a test involving the atmospheric*
 2 *detonation of a nuclear device if the affidavit—*

3 *“(i) is provided in addition to other*
 4 *material that may be used to substantiate*
 5 *the individual’s participation onsite in a*
 6 *test involving the atmospheric detonation of*
 7 *a nuclear device;*

8 *“(ii) attests to the individual’s partici-*
 9 *pation onsite in a test involving the atmos-*
 10 *pheric detonation of a nuclear device;*

11 *“(iii) is made subject to penalty for*
 12 *perjury; and*

13 *“(iv) is made by a person other than*
 14 *the individual filing the claim.”.*

15 *(b) TECHNICAL AND CONFORMING AMENDMENTS.—*

16 *Section 6 is amended—*

17 *(1) in subsection (b)(2)(C), by striking “section*
 18 *4(a)(2)(C)” and inserting “section 4(a)(2)(E)”;*

19 *(2) in subsection (c)(2)—*

20 *(A) in subparagraph (A)—*

21 *(i) in the matter preceding clause (i),*
 22 *by striking “subsection (a)(1), (a)(2)(A), or*
 23 *(a)(2)(B) of section 4” and inserting “sub-*
 24 *section (a)(1), (a)(2)(A), (a)(2)(B),*
 25 *(a)(2)(C), or (a)(2)(D) of section 4”; and*

1 (ii) in clause (i), by striking “sub-
 2 section (a)(1), (a)(2)(A), or (a)(2)(B) of sec-
 3 tion 4” and inserting “subsection (a)(1),
 4 (a)(2)(A), (a)(2)(B), (a)(2)(C), or (a)(2)(D)
 5 of section 4”; and

6 (B) in subparagraph (B), by striking “sec-
 7 tion 4(a)(2)(C)” and inserting “section
 8 4(a)(2)(E)”; and

9 (3) in subsection (e), by striking “subsection
 10 (a)(1), (a)(2)(A), or (a)(2)(B) of section 4” and in-
 11 serting “subsection (a)(1), (a)(2)(A), (a)(2)(B),
 12 (a)(2)(C), or (a)(2)(D) of section 4”.

13 (c) *REGULATIONS.*—

14 (1) *IN GENERAL.*—Section 6(k) is amended by
 15 adding at the end the following: “Not later than 180
 16 days after the date of enactment of the Radiation Ex-
 17 posure Compensation Act Amendments of 2023, the
 18 Attorney General shall issue revised regulations to
 19 carry out this Act.”.

20 (2) *CONSIDERATIONS IN REVISIONS.*—In issuing
 21 revised regulations under section 6(k) of the Radi-
 22 ation Exposure Compensation Act (Public Law 101–
 23 426; 42 U.S.C. 2210 note), as amended under para-
 24 graph (1), the Attorney General shall ensure that pro-
 25 cedures with respect to the submission and processing

1 *of claims under such Act take into account and make*
 2 *allowances for the law, tradition, and customs of In-*
 3 *dian tribes, including by accepting as a record of*
 4 *proof of physical presence for a claimant a grazing*
 5 *permit, a homesite lease, a record of being a holder*
 6 *of a post office box, a letter from an elected leader of*
 7 *an Indian tribe, or a record of any recognized tribal*
 8 *association or organization.*

9 **SEC. 1099HH. LIMITATION ON CLAIMS.**

10 *(a) EXTENSION OF FILING TIME.—Section 8(a) is*
 11 *amended—*

12 *(1) by striking “2 years” and inserting “19*
 13 *years”; and*

14 *(2) by striking “2022” and inserting “2023”.*

15 *(b) RESUBMITTAL OF CLAIMS.—Section 8(b) is*
 16 *amended to read as follows:*

17 *“(b) RESUBMITTAL OF CLAIMS.—*

18 *“(1) DENIED CLAIMS.—After the date of enact-*
 19 *ment of the Radiation Exposure Compensation Act*
 20 *Amendments of 2023, any claimant who has been de-*
 21 *nied compensation under this Act may resubmit a*
 22 *claim for consideration by the Attorney General in*
 23 *accordance with this Act not more than three times.*
 24 *Any resubmittal made before the date of the enact-*
 25 *ment of the Radiation Exposure Compensation Act*

1 *Amendments of 2023 shall not be applied to the limi-*
2 *tation under the preceding sentence.*

3 “(2) *PREVIOUSLY SUCCESSFUL CLAIMS.*—

4 “(A) *IN GENERAL.*—*After the date of enact-*
5 *ment of the Radiation Exposure Compensation*
6 *Act Amendments of 2023, any claimant who re-*
7 *ceived compensation under this Act may submit*
8 *a request to the Attorney General for additional*
9 *compensation and benefits. Such request shall*
10 *contain—*

11 “(i) *the claimant’s name, social secu-*
12 *rity number, and date of birth;*

13 “(ii) *the amount of award received*
14 *under this Act before the date of enactment*
15 *of the Radiation Exposure Compensation*
16 *Act Amendments of 2023;*

17 “(iii) *any additional benefits and com-*
18 *penetration sought through such request; and*

19 “(iv) *any additional information re-*
20 *quired by the Attorney General.*

21 “(B) *ADDITIONAL COMPENSATION.*—*If the*
22 *claimant received compensation under this Act*
23 *before the date of enactment of the Radiation Ex-*
24 *posure Compensation Act Amendments of 2023*

1 *and submits a request under subparagraph (A),*
 2 *the Attorney General shall—*

3 “(i) *pay the claimant the amount that*
 4 *is equal to any excess of—*

5 “(I) *the amount the claimant is*
 6 *eligible to receive under this Act (as*
 7 *amended by the Radiation Exposure*
 8 *Compensation Act Amendments of*
 9 *2023); minus*

10 “(II) *the aggregate amount paid*
 11 *to the claimant under this Act before*
 12 *the date of enactment of the Radiation*
 13 *Exposure Compensation Act Amend-*
 14 *ments of 2023; and*

15 “(ii) *in any case in which the claim-*
 16 *ant was compensated under section 4, pro-*
 17 *vide the claimant with medical benefits*
 18 *under section 4(a)(5).”.*

19 **SEC. 1099II. GRANT PROGRAM ON EPIDEMIOLOGICAL IM-**
 20 **PACTS OF URANIUM MINING AND MILLING.**

21 (a) *DEFINITIONS.—In this section—*

22 (1) *the term “institution of higher education”*
 23 *has the meaning given under section 101 of the High-*
 24 *er Education Act of 1965 (20 U.S.C. 1001);*

1 (2) *the term “program” means the grant pro-*
2 *gram established under subsection (b); and*

3 (3) *the term “Secretary” means the Secretary of*
4 *Health and Human Services.*

5 (b) *ESTABLISHMENT.—The Secretary shall establish a*
6 *grant program relating to the epidemiological impacts of*
7 *uranium mining and milling. Grants awarded under the*
8 *program shall be used for the study of the epidemiological*
9 *impacts of uranium mining and milling among non-occu-*
10 *pationally exposed individuals, including family members*
11 *of uranium miners and millers.*

12 (c) *ADMINISTRATION.—The Secretary shall administer*
13 *the program through the National Institute of Environ-*
14 *mental Health Sciences.*

15 (d) *ELIGIBILITY AND APPLICATION.—Any institution*
16 *of higher education or nonprofit private entity shall be eli-*
17 *gible to apply for a grant. To apply for a grant an eligible*
18 *institution or entity shall submit to the Secretary an appli-*
19 *cation at such time, in such manner, and containing or*
20 *accompanied by such information as the Secretary may*
21 *reasonably require.*

22 (e) *AUTHORIZATION OF APPROPRIATIONS.—There are*
23 *authorized to be appropriated to carry out this section*
24 *\$3,000,000 for each of fiscal years 2024 through 2026.*

1 **SEC. 1099JJ. ENERGY EMPLOYEES OCCUPATIONAL ILLNESS**
2 **COMPENSATION PROGRAM.**

3 (a) *COVERED EMPLOYEES WITH CANCER.*—Section
4 3621(9) of the Energy Employees Occupational Illness
5 Compensation Program Act of 2000 (42 U.S.C. 7384l(9))
6 is amended by striking subparagraph (A) and inserting the
7 following:

8 “(A) An individual with a specified cancer
9 who is a member of the Special Exposure Cohort,
10 if and only if—

11 “(i) that individual contracted that
12 specified cancer after beginning employment
13 at a Department of Energy facility (in the
14 case of a Department of Energy employee or
15 Department of Energy contractor employee)
16 or at an atomic weapons employer facility
17 (in the case of an atomic weapons em-
18 ployee); or

19 “(ii) that individual—

20 “(I) contracted that specified can-
21 cer after beginning employment in a
22 uranium mine or uranium mill de-
23 scribed under section 5(a)(1)(A)(i) of
24 the Radiation Exposure Compensation
25 Act (42 U.S.C. 2210 note) (including
26 any individual who was employed in

1 *core drilling or the transport of ura-*
 2 *nium ore or vanadium-uranium ore*
 3 *from such mine or mill) located in Col-*
 4 *orado, New Mexico, Arizona, Wyoming,*
 5 *South Dakota, Washington, Utah,*
 6 *Idaho, North Dakota, Oregon, Texas,*
 7 *or any State the Attorney General*
 8 *makes a determination under section*
 9 *5(a)(2) of that Act for inclusion of eli-*
 10 *gibility under section 5(a)(1) of that*
 11 *Act; and*

12 *“(II) was employed in a uranium*
 13 *mine or uranium mill described under*
 14 *subclause (I) (including any indi-*
 15 *vidual who was employed in core drill-*
 16 *ing or the transport of uranium ore or*
 17 *vanadium-uranium ore from such*
 18 *mine or mill) at any time during the*
 19 *period beginning on January 1, 1942,*
 20 *and ending on December 31, 1990.”.*

21 **(b) MEMBERS OF SPECIAL EXPOSURE COHORT.**—*Sec-*
 22 *tion 3626 of the Energy Employees Occupational Illness*
 23 *Compensation Program Act of 2000 (42 U.S.C. 7384q) is*
 24 *amended—*

1 (1) in subsection (a), by striking paragraph (1)
2 and inserting the following:

3 “(1) *The Advisory Board on Radiation and*
4 *Worker Health under section 3624 shall advise the*
5 *President whether there is a class of employees—*

6 “(A) *at any Department of Energy facility*
7 *who likely were exposed to radiation at that fa-*
8 *cility but for whom it is not feasible to estimate*
9 *with sufficient accuracy the radiation dose they*
10 *received; and*

11 “(B) *employed in a uranium mine or ura-*
12 *nium mill described under section 5(a)(1)(A)(i)*
13 *of the Radiation Exposure Compensation Act (42*
14 *U.S.C. 2210 note) (including any individual*
15 *who was employed in core drilling or the trans-*
16 *port of uranium ore or vanadium-uranium ore*
17 *from such mine or mill) located in Colorado,*
18 *New Mexico, Arizona, Wyoming, South Dakota,*
19 *Washington, Utah, Idaho, North Dakota, Oregon,*
20 *Texas, and any State the Attorney General*
21 *makes a determination under section 5(a)(2) of*
22 *that Act for inclusion of eligibility under section*
23 *5(a)(1) of that Act, at any time during the pe-*
24 *riod beginning on January 1, 1942, and ending*
25 *on December 31, 1990, who likely were exposed*

1 *to radiation at that mine or mill but for whom*
 2 *it is not feasible to estimate with sufficient accu-*
 3 *racy the radiation dose they received.”; and*
 4 *(2) by striking subsection (b) and inserting the*
 5 *following:*

6 “(b) *DESIGNATION OF ADDITIONAL MEMBERS.—*

7 *“(1) Subject to the provisions of section*
 8 *3621(14)(C), the members of a class of employees at*
 9 *a Department of Energy facility, or at an atomic*
 10 *weapons employer facility, may be treated as mem-*
 11 *bers of the Special Exposure Cohort for purposes of*
 12 *the compensation program if the President, upon rec-*
 13 *ommendation of the Advisory Board on Radiation*
 14 *and Worker Health, determines that—*

15 *“(A) it is not feasible to estimate with suffi-*
 16 *cient accuracy the radiation dose that the class*
 17 *received; and*

18 *“(B) there is a reasonable likelihood that*
 19 *such radiation dose may have endangered the*
 20 *health of members of the class.*

21 *“(2) Subject to the provisions of section*
 22 *3621(14)(C), the members of a class of employees em-*
 23 *ployed in a uranium mine or uranium mill described*
 24 *under section 5(a)(1)(A)(i) of the Radiation Exposure*
 25 *Compensation Act (42 U.S.C. 2210 note) (including*

1 *any individual who was employed in core drilling or*
 2 *the transport of uranium ore or vanadium-uranium*
 3 *ore from such mine or mill) located in Colorado, New*
 4 *Mexico, Arizona, Wyoming, South Dakota, Wash-*
 5 *ington, Utah, Idaho, North Dakota, Oregon, Texas,*
 6 *and any State the Attorney General makes a deter-*
 7 *mination under section 5(a)(2) of that Act for inclu-*
 8 *sion of eligibility under section 5(a)(1) of that Act, at*
 9 *any time during the period beginning on January 1,*
 10 *1942, and ending on December 31, 1990, may be*
 11 *treated as members of the Special Exposure Cohort for*
 12 *purposes of the compensation program if the Presi-*
 13 *dent, upon recommendation of the Advisory Board on*
 14 *Radiation and Worker Health, determines that—*

15 “(A) it is not feasible to estimate with suffi-
 16 cient accuracy the radiation dose that the class
 17 received; and

18 “(B) there is a reasonable likelihood that
 19 such radiation dose may have endangered the
 20 health of members of the class.”.

21 ***Subtitle J—Crypto Assets***

22 ***SEC. 1099AAA. CRYPTO ASSET ANTI-MONEY LAUNDERING*** 23 ***EXAMINATION STANDARDS.***

24 *Not later than 2 years after the date of enactment of*
 25 *this Act, the Secretary of the Treasury, in consultation with*

1 *the Conference of State Bank Supervisors and Federal func-*
 2 *tional regulators, as defined in section 1010.100 of title 31,*
 3 *Code of Federal Regulations, shall establish a risk-focused*
 4 *examination and review process for financial institutions,*
 5 *as defined in that section, to assess the following relating*
 6 *to crypto assets, as determined by the Secretary:*

7 (1) *The adequacy of reporting obligations and*
 8 *anti-money laundering programs under subsections*
 9 *(g) and (h) of section 5318 of title 31, United States*
 10 *Code, respectively as applied to those institutions.*

11 (2) *Compliance of those institutions with anti-*
 12 *money laundering and countering the financing of*
 13 *terrorism requirements under subchapter II of chapter*
 14 *53 of title 31, United States Code.*

15 **SEC. 1099BBB. COMBATING ANONYMOUS CRYPTO ASSET**
 16 **TRANSACTIONS.**

17 *Not later than 1 year after the date of enactment of*
 18 *this Act, the Secretary of the Treasury shall submit a report*
 19 *and provide a briefing, as determined by the Secretary, to*
 20 *the Committee on Banking, Housing and Urban Affairs of*
 21 *the Senate and the Committee on Financial Services of the*
 22 *House of Representatives that assess the following issues:*

23 (1) *Categories of anonymity-enhancing tech-*
 24 *nologies or services used in connection with crypto as-*

1 *sets, such as mixers and tumblers, in use as of the*
2 *date on which the report is submitted.*

3 *(2) As data are available, estimates of the mag-*
4 *nitude of transactions related to the categories in*
5 *paragraph (1) that are believed to be connected, di-*
6 *rectly or indirectly, to illicit finance, including*
7 *crypto asset transaction volumes associated with*
8 *sanctioned entities and entities subject to special*
9 *measures pursuant to section 5318A of title 31,*
10 *United States Code, and a description of any limita-*
11 *tions applicable to the data used in such estimates.*

12 *(3) Categories of privacy-enhancing technologies*
13 *or services used in connection with crypto assets in*
14 *use as of the date on which the report is submitted.*

15 *(4) Legislative and regulatory approaches em-*
16 *ployed by other jurisdictions relating to the tech-*
17 *nologies and services described in paragraphs (1) and*
18 *(3).*

19 *(5) Recommendations for legislation or regula-*
20 *tion relating to the technologies and services described*
21 *in paragraphs (1) and (3).*

1 ***Subtitle K—Combating Cartels on***
 2 ***Social Media Act of 2023***

3 ***SEC. 1099AAAA. SHORT TITLE.***

4 *This subtitle may be cited as the “Combating Cartels*
 5 *on Social Media Act of 2023”.*

6 ***SEC. 1099BBBB. DEFINITIONS.***

7 *In this subtitle:*

8 (1) *APPROPRIATE CONGRESSIONAL COMMIT-*
 9 *TEES.—The term “appropriate congressional commit-*
 10 *tees” means—*

11 (A) *the Committee on Homeland Security*
 12 *and Governmental Affairs and the Committee on*
 13 *Foreign Relations of the Senate; and*

14 (B) *the Committee on Homeland Security*
 15 *and the Committee on Foreign Affairs of the*
 16 *House of Representatives.*

17 (2) *COVERED OPERATOR.—The term “covered*
 18 *operator” means the operator, developer, or publisher*
 19 *of a covered service.*

20 (3) *COVERED SERVICE.—The term “covered serv-*
 21 *ice” means—*

22 (A) *a social media platform;*

23 (B) *a mobile or desktop service with direct*
 24 *or group messaging capabilities, but not includ-*
 25 *ing text messaging services without other sub-*

1 *stantial social functionalities or electronic mail*
 2 *services, that the Secretary of Homeland Secu-*
 3 *rity determines is being or has been used by*
 4 *transnational criminal organizations in connec-*
 5 *tion with matters described in section 1093; and*

6 *(C) a digital platform, or an electronic ap-*
 7 *plication utilizing the digital platform, involving*
 8 *real-time interactive communication between*
 9 *multiple individuals, including multi-player*
 10 *gaming services and immersive technology plat-*
 11 *forms or applications, that the Secretary of*
 12 *Homeland Security determines is being or has*
 13 *been used by transnational criminal organiza-*
 14 *tions in connection with matters described in*
 15 *section 1093.*

16 *(4) CRIMINAL ENTERPRISE.—The term “crimi-*
 17 *nal enterprise” has the meaning given the term “con-*
 18 *tinuing criminal enterprise” in section 408 of the*
 19 *Controlled Substances Act (21 U.S.C. 848).*

20 *(5) ILLICIT ACTIVITIES.—The term “illicit ac-*
 21 *tivities” means the following criminal activities that*
 22 *transcend national borders:*

23 *(A) A violation of section 401 of the Con-*
 24 *trolled Substances Act (21 U.S.C. 841).*

1 (B) *Narcotics trafficking, as defined in sec-*
2 *tion 808 of the Foreign Narcotics Kingpin Des-*
3 *ignation Act (21 U.S.C. 1907).*

4 (C) *Trafficking of weapons, as defined in*
5 *section 922 of title 18, United States Code.*

6 (D) *Migrant smuggling, defined as a viola-*
7 *tion of section 274(a)(1)(A)(ii) of the Immigra-*
8 *tion and Nationality Act (8 U.S.C.*
9 *1324(a)(1)(A)(ii)).*

10 (E) *Human trafficking, defined as—*

11 (i) *a violation of section 1590, 1591, or*
12 *1592 of title 18, United States Code; or*

13 (ii) *engaging in severe forms of traf-*
14 *ficking in persons, as defined in section 103*
15 *of the Victims of Trafficking and Violence*
16 *Protection Act of 2000 (22 U.S.C. 7102).*

17 (F) *Cyber crime, defined as a violation of*
18 *section 1030 of title 18, United States Code.*

19 (G) *A violation of any provision that is*
20 *subject to intellectual property enforcement, as*
21 *defined in section 302 of the Prioritizing Re-*
22 *sources and Organization for Intellectual Prop-*
23 *erty Act of 2008 (15 U.S.C. 8112).*

1 (H) Bulk cash smuggling of currency, de-
 2 fined as a violation of section 5332 of title 31,
 3 United States Code.

4 (I) Laundering the proceeds of the criminal
 5 activities described in subparagraphs (A)
 6 through (H).

7 (6) *TRANSNATIONAL CRIMINAL ORGANIZATION.*—
 8 The term “transnational criminal organization”
 9 means groups, networks, and associated individuals
 10 who operate transnationally for the purposes of ob-
 11 taining power, influence, or monetary or commercial
 12 gain, wholly or in part by certain illegal means,
 13 while advancing their activities through a pattern of
 14 crime, corruption, or violence, and while protecting
 15 their illegal activities through a transnational organi-
 16 zational structure and the exploitation of public cor-
 17 ruption or transnational logistics, financial, or com-
 18 munication mechanisms.

19 **SEC. 1099CCCC. ASSESSMENT OF ILLICIT USAGE.**

20 Not later than 180 days after the date of enactment
 21 of this Act, the Secretary of Homeland Security and the
 22 Secretary of State shall submit to the appropriate congres-
 23 sional committees a joint assessment describing—

24 (1) the use of covered services by transnational
 25 criminal organizations, or criminal enterprises acting

1 *on behalf of transnational criminal organizations, to*
2 *engage in recruitment efforts, including the recruit-*
3 *ment of individuals, including individuals under the*
4 *age of 18, located in the United States to engage in*
5 *or provide support with respect to illicit activities oc-*
6 *curring in the United States, Mexico, or otherwise in*
7 *proximity to an international boundary of the United*
8 *States;*

9 *(2) the use of covered services by transnational*
10 *criminal organizations to engage in illicit activities*
11 *or conduct in support of illicit activities, including—*

12 *(A) smuggling or trafficking involving nar-*
13 *cotics, other controlled substances, precursors*
14 *thereof, or other items prohibited under the laws*
15 *of the United States, Mexico, or another relevant*
16 *jurisdiction, including firearms;*

17 *(B) human smuggling or trafficking, in-*
18 *cluding the exploitation of children; and*

19 *(C) transportation of bulk currency or mon-*
20 *etary instruments in furtherance of smuggling*
21 *activity; and*

22 *(3) the existing efforts of the Secretary of Home-*
23 *land Security, the Secretary of State, and relevant*
24 *government and law enforcement entities to counter,*

1 *monitor, or otherwise respond to the usage of covered*
 2 *services described in paragraphs (1) and (2).*

3 **SEC. 1099DDDD. STRATEGY TO COMBAT CARTEL RECRUIT-**
 4 **MENT ON SOCIAL MEDIA AND ONLINE PLAT-**
 5 **FORMS.**

6 (a) *IN GENERAL.*—Not later than 1 year after the date
 7 of enactment of this Act, the Secretary of Homeland Secu-
 8 rity and the Secretary of State shall submit to the appro-
 9 priate congressional committees a joint strategy, to be
 10 known as the National Strategy to Combat Illicit Recruit-
 11 ment Activity by Transnational Criminal Organizations on
 12 Social Media and Online Platforms, to combat the use of
 13 covered services by transnational criminal organizations, or
 14 criminal enterprises acting on behalf of transnational
 15 criminal organizations, to recruit individuals located in the
 16 United States to engage in or provide support with respect
 17 to illicit activities occurring in the United States, Mexico,
 18 or otherwise in proximity to an international boundary of
 19 the United States.

20 (b) *ELEMENTS.*—

21 (1) *IN GENERAL.*—The strategy required under
 22 subsection (a) shall, at a minimum, include the fol-
 23 lowing:

24 (A) *A proposal to improve cooperation and*
 25 thereafter maintain cooperation between the Sec-

1 *retary of Homeland Security, the Secretary of*
2 *State, and relevant law enforcement entities with*
3 *respect to the matters described in subsection (a).*

4 *(B) Recommendations to implement a proc-*
5 *ess for the voluntary reporting of information re-*
6 *garding the recruitment efforts of transnational*
7 *criminal organizations in the United States in-*
8 *volving covered services.*

9 *(C) A proposal to improve*
10 *intragovernmental coordination with respect to*
11 *the matters described in subsection (a), including*
12 *between the Department of Homeland Security,*
13 *the Department of State, and State, Tribal, and*
14 *local governments.*

15 *(D) A proposal to improve coordination*
16 *within the Department of Homeland Security*
17 *and the Department of State and between the*
18 *components of those Departments with respect to*
19 *the matters described in subsection (a).*

20 *(E) Activities to facilitate increased intel-*
21 *ligence analysis for law enforcement purposes of*
22 *efforts of transnational criminal organizations to*
23 *utilize covered services for recruitment to engage*
24 *in or provide support with respect to illicit ac-*
25 *tivities.*

1 (F) *Activities to foster international part-*
2 *nerships and enhance collaboration with foreign*
3 *governments and, as applicable, multilateral in-*
4 *stitutions with respect to the matters described*
5 *in subsection (a).*

6 (G) *Activities to specifically increase en-*
7 *gagement and outreach with youth in border*
8 *communities, including regarding the recruit-*
9 *ment tactics of transnational criminal organiza-*
10 *tions and the consequences of participation in il-*
11 *licit activities.*

12 (H) *A detailed description of the measures*
13 *used to ensure—*

14 (i) *law enforcement and intelligence*
15 *activities focus on the recruitment activities*
16 *of transitional criminal organizations not*
17 *individuals the transnational criminal or-*
18 *ganizations attempt to or successfully re-*
19 *cruit; and*

20 (ii) *the privacy rights, civil rights, and*
21 *civil liberties protections in carrying out*
22 *the activities described in clause (i), with a*
23 *particular focus on the protections in place*
24 *to protect minors and constitutionally pro-*
25 *ected activities.*

1 (2) *LIMITATION.*—*The strategy required under*
 2 *subsection (a) shall not include legislative rec-*
 3 *ommendations or elements predicated on the passage*
 4 *of legislation that is not enacted as of the date on*
 5 *which the strategy is submitted under subsection (a).*

6 (c) *CONSULTATION.*—*In drafting and implementing*
 7 *the strategy required under subsection (a), the Secretary of*
 8 *Homeland Security and the Secretary of State shall, at a*
 9 *minimum, consult and engage with—*

10 (1) *the heads of relevant components of the De-*
 11 *partment of Homeland Security, including—*

12 (A) *the Under Secretary for Intelligence*
 13 *and Analysis;*

14 (B) *the Under Secretary for Strategy, Pol-*
 15 *icy, and Plans;*

16 (C) *the Under Secretary for Science and*
 17 *Technology;*

18 (D) *the Commissioner of U.S. Customs and*
 19 *Border Protection;*

20 (E) *the Director of U.S. Immigration and*
 21 *Customs Enforcement;*

22 (F) *the Officer for Civil Rights and Civil*
 23 *Liberties;*

24 (G) *the Privacy Officer; and*

1 (H) the Assistant Secretary of the Office for
2 State and Local Law Enforcement;

3 (2) the heads of relevant components of the De-
4 partment of State, including—

5 (A) the Assistant Secretary for Inter-
6 national Narcotics and Law Enforcement Af-
7 fairs;

8 (B) the Assistant Secretary for Western
9 Hemisphere Affairs; and

10 (C) the Coordinator of the Global Engage-
11 ment Center;

12 (3) the Attorney General;

13 (4) the Secretary of Health and Human Serv-
14 ices; and

15 (5) the Secretary of Education; and

16 (6) as selected by the Secretary of Homeland Se-
17 curity, or his or her designee in the Office of Public
18 Engagement, representatives of border communities,
19 including representatives of—

20 (A) State, Tribal, and local governments,
21 including school districts and local law enforce-
22 ment; and

23 (B) nongovernmental experts in the fields
24 of—

25 (i) civil rights and civil liberties;

- 1 (ii) online privacy;
- 2 (iii) humanitarian assistance for mi-
- 3 grants; and
- 4 (iv) youth outreach and rehabilitation.

5 (d) IMPLEMENTATION.—

6 (1) IN GENERAL.—Not later than 90 days after
7 the date on which the strategy required under sub-
8 section (a) is submitted to the appropriate congres-
9 sional committees, the Secretary of Homeland Secu-
10 rity and the Secretary of State shall commence imple-
11 mentation of the strategy.

12 (2) REPORT.—

13 (A) IN GENERAL.—Not later than 180 days
14 after the date on which the strategy required
15 under subsection (a) is implemented under para-
16 graph (1), and semiannually thereafter for 5
17 years, the Secretary of Homeland Security and
18 the Secretary of State shall submit to the appro-
19 priate congressional committees a joint report
20 describing the efforts of the Secretary of Home-
21 land Security and the Secretary of State to im-
22 plement the strategy required under subsection
23 (a) and the progress of those efforts, which shall
24 include a description of—

1 (i) the recommendations, and cor-
 2 responding implementation of those rec-
 3 ommendations, with respect to the matters
 4 described in subsection (b)(1)(B);

5 (ii) the interagency posture with re-
 6 spect to the matters covered by the strategy
 7 required under subsection (a), which shall
 8 include a description of collaboration be-
 9 tween the Secretary of Homeland Security,
 10 the Secretary of State, other Federal enti-
 11 ties, State, local, and Tribal entities, and
 12 foreign governments; and

13 (iii) the threat landscape, including
 14 new developments related to the United
 15 States recruitment efforts of transnational
 16 criminal organizations and the use by those
 17 organizations of new or emergent covered
 18 services and recruitment methods.

19 (B) *FORM.*—Each report required under
 20 subparagraph (A) shall be submitted in unclassi-
 21 fied form, but may contain a classified annex.

22 (3) *CIVIL RIGHTS, CIVIL LIBERTIES, AND PRI-*
 23 *VACY ASSESSMENT.*—Not later than 2 years after the
 24 date on which the strategy required under subsection
 25 (a) is implemented under paragraph (1), the Office

1 *for Civil Rights and Civil Liberties and the Privacy*
 2 *Office of the Department of Homeland Security shall*
 3 *submit to the appropriate congressional committees a*
 4 *joint report that includes—*

5 *(A) a detailed assessment of the measures*
 6 *used to ensure the protection of civil rights, civil*
 7 *liberties, and privacy rights in carrying out this*
 8 *section; and*

9 *(B) recommendations to improve the imple-*
 10 *mentation of the strategy required under sub-*
 11 *section (a).*

12 *(4) RULEMAKING.—Prior to implementation of*
 13 *the strategy required under subsection (a) at the De-*
 14 *partment of Homeland Security, the Secretary of*
 15 *Homeland Security shall issue rules to carry out this*
 16 *section in accordance with section 553 of title 5,*
 17 *United States Code.*

18 **SEC. 1099EEEE. RULE OF CONSTRUCTION.**

19 *Nothing in this subtitle shall be construed to expand*
 20 *the statutory law enforcement or regulatory authority of the*
 21 *Department of Homeland Security or the Department of*
 22 *State.*

23 **SEC. 1099FFFF. NO ADDITIONAL FUNDS.**

24 *No additional funds are authorized to be appropriated*
 25 *for the purpose of carrying out this subtitle.*

1 **TITLE** **XI—CONNECTING**
 2 **OCEANIA’S NATIONS WITH**
 3 **VANGUARD EXERCISES AND**
 4 **NATIONAL EMPOWERMENT**

5 **SEC. 1101. SHORT TITLE; TABLE OF CONTENTS.**

6 (a) *SHORT TITLE.*—This title may be cited as the
 7 “Connecting Oceania’s Nations with Vanguard Exercises
 8 and National Empowerment” or the “CONVENE Act of
 9 2023”.

10 (b) *TABLE OF CONTENTS.*—The table of contents for
 11 this title is as follows:

*TITLE XI—CONNECTING OCEANIA’S NATIONS WITH VANGUARD
 EXERCISES AND NATIONAL EMPOWERMENT*

Sec. 1101. Short title; table of contents.

Sec. 1102. Definitions.

Sec. 1103. National security councils of specified countries.

12 **SEC. 1102. DEFINITIONS.**

13 *In this title:*

14 (1) *APPROPRIATE COMMITTEES OF CONGRESS.*—

15 The term “appropriate committees of Congress”
 16 means—

17 (A) the Committee on Foreign Relations
 18 and the Committee on Armed Services of the
 19 Senate; and

20 (B) the Committees on Foreign Affairs and
 21 the Committee on Armed Services of the House
 22 of Representatives.

1 (2) *CONGRESSIONAL DEFENSE COMMITTEES.*—

2 *The term “congressional defense committees” has the*
 3 *meaning given such term in section 101(a) of title 10,*
 4 *United States Code.*

5 (3) *NATIONAL SECURITY COUNCIL.*—*The term*
 6 *“national security council” means, with respect to a*
 7 *specified country, an intergovernmental body under*
 8 *the jurisdiction of the freely elected government of the*
 9 *specified country that acts as the primary coordi-*
 10 *nating entity for security cooperation, disaster re-*
 11 *sponse, and the activities described section 6103(f).*

12 (4) *SPECIFIED COUNTRY.*—*The term “specified*
 13 *country” means—*

14 (A) *the Federated States of Micronesia;*

15 (B) *the Republic of the Marshall Islands;*

16 *and*

17 (C) *the Republic of Palau.*

18 **SEC. 1103. NATIONAL SECURITY COUNCILS OF SPECIFIED**
 19 **COUNTRIES.**

20 (a) *IN GENERAL.*—*The Secretary of State, in consulta-*
 21 *tion with other relevant Federal departments and agencies,*
 22 *as appropriate, may consult and engage with each specified*
 23 *country to advise and provide assistance to a national secu-*
 24 *rity council (including by developing a national security*
 25 *council, if appropriate), or to identify a similar coordi-*

1 nating body for national security matters, comprised of
 2 citizens of the specified country—

3 (1) that enables the specified country—

4 (A) to better coordinate with the United
 5 States Government, including the Armed Forces,
 6 as appropriate;

7 (B) to increase cohesion on activities, in-
 8 cluding emergency humanitarian response, law
 9 enforcement, and maritime security activities;
 10 and

11 (C) to provide trained professionals to serve
 12 as members of the committees of the specified
 13 country established under the applicable Com-
 14 pact of Free Association; and

15 (2) for the purpose of enhancing resilience capa-
 16 bilities and protecting the people, infrastructure, and
 17 territory of the specified country from malign actions.

18 (b) COMPOSITION.—The Secretary of State, respecting
 19 the unique needs of each specified country, may seek to en-
 20 sure that the national security council, or other identified
 21 coordinating body, of the specified country is composed of
 22 sufficient staff and members to enable the activities de-
 23 scribed in subsection (f).

24 (c) ACCESS TO SENSITIVE INFORMATION.—The Sec-
 25 retary of State, with the concurrence of the Director of Na-

1 *tional Intelligence, may establish, as appropriate, for use*
 2 *by the members and staff of the national security council,*
 3 *or other identified coordinating body, of each specified*
 4 *country standards and a process for vetting and sharing*
 5 *sensitive information.*

6 (d) *STANDARDS FOR EQUIPMENT AND SERVICES.—*
 7 *The Secretary of State may work with the national security*
 8 *council, or other identified coordinating body, of each speci-*
 9 *fied country to ensure that—*

10 (1) *the equipment and services used by the na-*
 11 *tional security council or other identified coordi-*
 12 *nating body are compliant with security standards so*
 13 *as to minimize the risk of cyberattacks or espionage;*

14 (2) *the national security council or other identi-*
 15 *fied coordinating body takes all reasonable efforts not*
 16 *to procure or use systems, equipment, or software that*
 17 *originates from any entity identified under section*
 18 *1260H of the William M. (Mac) Thornberry National*
 19 *Defense Authorization Act for Fiscal Year 2021 (Pub-*
 20 *lic Law 116–283; 134 Stat. 3965; 10 U.S.C. 113*
 21 *note); and*

22 (3) *to the extent practicable, the equipment and*
 23 *services used by the national security council or other*
 24 *identified coordinating body are interoperable with*
 25 *the equipment and services used by the national secu-*

1 *city councils, or other identified coordinating bodies,*
 2 *of the other specified countries.*

3 *(e) REPORT ON IMPLEMENTATION.—*

4 *(1) IN GENERAL.—Not later than 180 days after*
 5 *the date of the enactment of this Act, and annually*
 6 *thereafter for two years, the Secretary of State shall*
 7 *submit to the appropriate committees of Congress a*
 8 *report that includes—*

9 *(A) an assessment as to whether a national*
 10 *security council or a similar formal coordinating*
 11 *body is helping or would help achieve the objec-*
 12 *tives described in subsection (a) at acceptable fi-*
 13 *nancial and opportunity cost;*

14 *(B) a description of all actions taken by the*
 15 *United States Government to assist in the identi-*
 16 *fication or maintenance of a national security*
 17 *council, or other identified coordinating body, in*
 18 *each specified country;*

19 *(C) with respect to each specified country,*
 20 *an assessment as to whether—*

21 *(i) the specified country has appro-*
 22 *priately staffed its national security council*
 23 *or other identified coordinating body; and*

24 *(ii) the extent to which the national se-*
 25 *curity council, or other identified coordi-*

1 nating body, of the specified country is ca-
2 pable of carrying out the activities described
3 in subsection (f);

4 (D) an assessment of—

5 (i) any challenge to cooperation and
6 coordination with the national security
7 council, or other identified coordinating
8 body, of any specified country;

9 (ii) current efforts by the Secretary of
10 State to coordinate with the specified coun-
11 tries on the activities described in sub-
12 section (f); and

13 (iii) existing governmental entities
14 within each specified country that are capa-
15 ble of supporting such activities;

16 (E) a description of any challenge with re-
17 spect to—

18 (i) the implementation of the national
19 security council, or other identified coordi-
20 nating body, of any specified country; and

21 (ii) the implementation of subsections
22 (a) through (d);

23 (F) an assessment of any attempt or cam-
24 paign by a malign actor to influence the polit-
25 ical, security, or economic policy of a specified

1 country, a member of a national security council
 2 or other identified coordinating body, or an im-
 3 mediate family member of such a member; and

4 (G) any other matter the Secretary of State
 5 considers relevant.

6 (2) *FORM.*—Each report required by paragraph
 7 (1) may be submitted in unclassified form and may
 8 include a classified annex.

9 (f) *ACTIVITIES DESCRIBED.*—The activities described
 10 in this subsection are the following:

11 (1) *HOMELAND SECURITY ACTIVITIES.*—

12 (A) *Coordination of—*

13 (i) *the prosecution and investigation of*
 14 *transnational criminal enterprises;*

15 (ii) *responses to national emergencies,*
 16 *such as natural disasters;*

17 (iii) *counterintelligence and counter-*
 18 *coercion responses to foreign threats; and*

19 (iv) *efforts to combat illegal, unre-*
 20 *ported, or unregulated fishing.*

21 (B) *Coordination with United States Gov-*
 22 *ernment officials on humanitarian response,*
 23 *military exercises, law enforcement, and other*
 24 *issues of security concern.*

1 (C) Identification and development of an
 2 existing governmental entity to support home-
 3 land defense and civil support activities.

4 **TITLE XII—CIVILIAN**
 5 **PERSONNEL MATTERS**

6 **SEC. 1201. ONE-YEAR EXTENSION OF AUTHORITY TO WAIVE**
 7 **ANNUAL LIMITATION ON PREMIUM PAY AND**
 8 **AGGREGATE LIMITATION ON PAY FOR FED-**
 9 **ERAL CIVILIAN EMPLOYEES WORKING OVER-**
 10 **SEAS.**

11 Subsection (a) of section 1101 of the Duncan Hunter
 12 National Defense Authorization Act for Fiscal Year 2009
 13 (Public Law 110–417; 122 Stat. 4615), as most recently
 14 amended by section 1102 of the James M. Inhofe National
 15 Defense Authorization Act for Fiscal Year 2023 (Public
 16 Law 117–263), is further amended by striking “through
 17 2023” and inserting “through 2024”.

18 **SEC. 1202. ONE-YEAR EXTENSION OF TEMPORARY AUTHOR-**
 19 **ITY TO GRANT ALLOWANCES, BENEFITS, AND**
 20 **GRATUITIES TO CIVILIAN PERSONNEL ON OF-**
 21 **FICIAL DUTY IN A COMBAT ZONE.**

22 Paragraph (2) of section 1603(a) of the Emergency
 23 Supplemental Appropriations Act for Defense, the Global
 24 War on Terror, and Hurricane Recovery, 2006 (Public Law
 25 109–234; 120 Stat. 443), as added by section 1102 of the

1 *Duncan Hunter National Defense Authorization Act for*
 2 *Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4616)*
 3 *and as most recently amended by section 1103 of the James*
 4 *M. Inhofe National Defense Authorization Act for Fiscal*
 5 *Year 2023 (Public Law 117–263), is further amended by*
 6 *striking “2024” and inserting “2025”.*

7 **SEC. 1203. EXCLUSION OF POSITIONS IN NON-**
 8 **APPROPRIATED FUND INSTRUMENTALITIES**
 9 **FROM LIMITATIONS ON DUAL PAY.**

10 *Section 5531(2) of title 5, United States Code, is*
 11 *amended by striking “Government corporation and” and*
 12 *inserting “Government corporation, but excluding”.*

13 **SEC. 1204. EXCEPTION TO LIMITATION ON NUMBER OF SEN-**
 14 **IOR EXECUTIVE SERVICE POSITIONS FOR THE**
 15 **DEPARTMENT OF DEFENSE.**

16 *Section 1109(a) of the National Defense Authorization*
 17 *Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat.*
 18 *2449; 5 U.S.C. 3133 note) is amended by adding at the*
 19 *end the following new paragraph:*

20 *“(3) EXCEPTION.—The limitation under this*
 21 *subsection shall not apply to positions described in*
 22 *this subsection that are fully funded through amounts*
 23 *appropriated to an agency other than the Department*
 24 *of Defense.”.*

1 **SEC. 1205. REMOVAL OF WASHINGTON HEADQUARTERS**
 2 **SERVICES DIRECT SUPPORT FROM PER-**
 3 **SONNEL LIMITATION ON THE OFFICE OF THE**
 4 **SECRETARY OF DEFENSE.**

5 *Section 143(b) of title 10, United States Code, is*
 6 *amended by striking “(including Direct Support Activities*
 7 *of that Office and the Washington Headquarters Services*
 8 *of the Department of Defense)”.*

9 **SEC. 1206. CONSOLIDATION OF DIRECT HIRE AUTHORITIES**
 10 **FOR CANDIDATES WITH SPECIFIED DEGREES**
 11 **AT SCIENCE AND TECHNOLOGY REINVEN-**
 12 **TION LABORATORIES.**

13 *Section 4091 of title 10, United States Code, is amend-*
 14 *ed—*

15 *(1) in subsection (a)(1), by striking “bachelor’s*
 16 *degree” and inserting “bachelor’s or advanced de-*
 17 *gree”;*

18 *(2) in subsection (c)—*

19 *(A) in the subsection heading, by striking*
 20 *“CALENDAR YEAR” and inserting “FISCAL*
 21 *YEAR” ;*

22 *(B) in the matter preceding paragraph (1),*
 23 *by striking “calendar year” and inserting “fiscal*
 24 *year”;*

25 *(C) in paragraph (1), by striking “6 per-*
 26 *cent” and inserting “11 percent”; and*

1 (D) in paragraphs (1), (2), and (3), by
 2 striking “the fiscal year last ending before the
 3 start of such calendar year” and inserting “the
 4 preceding fiscal year”;
 5 (3) by striking subsection (f); and
 6 (4) by redesignating subsection (g) as subsection
 7 (f).

8 **SEC. 1207. EXPANSION AND EXTENSION OF DIRECT HIRE**
 9 **AUTHORITY FOR CERTAIN PERSONNEL OF**
 10 **THE DEPARTMENT OF DEFENSE.**

11 Section 9905 of title 5, United States Code, is amend-
 12 ed—

13 (1) in subsection (a), by adding at the end the
 14 following new paragraphs:

15 “(12) Any position in support of aircraft oper-
 16 ations for which the Secretary determines there is a
 17 critical hiring need and shortage of candidates.

18 “(13) Any position in support of the safety of the
 19 public, law enforcement, or first response for which
 20 the Secretary determines there is a critical hiring
 21 need and shortage of candidates.

22 “(14) Any position in support of the Office of the
 23 Inspector General of the Department relating to over-
 24 sight of the conflict in Ukraine for which the Sec-

1 retary determines there is a critical hiring need and
2 shortage of candidates.”; and

3 (2) in subsection (b)(1), by striking “September
4 30, 2025” and inserting “September 30, 2030”.

5 **SEC. 1208. EXTENSION OF DIRECT HIRE AUTHORITY FOR**
6 **THE DEPARTMENT OF DEFENSE FOR POST-**
7 **SECONDARY STUDENTS AND RECENT GRAD-**
8 **UATES.**

9 Section 1106(d) of the National Defense Authorization
10 Act for Fiscal Year 2017 (10 U.S.C. 1580 note prec.) is
11 amended by striking “September 30, 2025” and inserting
12 “September 30, 2030”.

13 **SEC. 1209. EXTENSION OF DIRECT HIRE AUTHORITY FOR**
14 **DOMESTIC INDUSTRIAL BASE FACILITIES**
15 **AND MAJOR RANGE AND TEST FACILITIES**
16 **BASE.**

17 Section 1125(a) of the National Defense Authorization
18 Act for Fiscal Year 2017 (10 U.S.C. 1580 note prec.; Public
19 Law 114–328) is amended by striking “through 2025,” and
20 inserting “through 2028,”.

21 **SEC. 1210. AUTHORITY TO EMPLOY CIVILIAN FACULTY MEM-**
22 **BERS AT SPACE FORCE SCHOOLS.**

23 (a) *IN GENERAL.*—Section 9371 of title 10, United
24 States Code, is amended—

1 (1) *in the section heading, by inserting “**and***
 2 ***Space Delta 13*” after “**Air University**”**

3 (2) *in subsection (a), by inserting “or of the*
 4 ***Space Delta 13*” after “**Air University**”; and**

5 (3) *in subsection (c)—*

6 (A) *in paragraphs (1), by inserting “or of*
 7 ***the Space Delta 13*” after “**Air University**”; and**

8 (B) *in paragraph (2), by inserting “or of*
 9 ***the Space Delta 13*” after “**Air University**”.**

10 (b) **CLERICAL AMENDMENT.**—*The table of sections at*
 11 *the beginning of chapter 947 of such title is amended by*
 12 *striking the item relating to section 9371 and inserting the*
 13 *following new item:*

 “9371. *Air University and Space Delta 13: civilian faculty members.*”.

14 **SEC. 1211. REPORT AND SUNSET RELATING TO INAPPLICA-**
 15 **BILITY OF CERTIFICATION OF EXECUTIVE**
 16 **QUALIFICATIONS BY QUALIFICATION REVIEW**
 17 **BOARDS OF OFFICE OF PERSONNEL MANAGE-**
 18 **MENT.**

19 *Section 1109 of the John S. McCain National Defense*
 20 *Authorization Act for Fiscal Year 2019 (5 U.S.C. 3393*
 21 *note) is amended—*

22 (1) *in subsection (d)—*

23 (A) *in paragraph (1), in the matter pre-*
 24 *ceding subparagraph (A), by striking “para-*
 25 ***graph (3)” and inserting “paragraph (4)”;***

1 (B) in paragraph (2), in the matter pre-
 2 ceding subparagraph (A), by striking “para-
 3 graph (3)” and inserting “paragraph (4)”;

4 (C) by redesignating paragraph (3) as
 5 paragraph (4); and

6 (D) by inserting after paragraph (2) the fol-
 7 lowing new paragraph (3):

8 “(3) *ADDITIONAL REPORT.*—Not later than De-
 9 cember 1, 2024, the Secretary shall submit to the com-
 10 mittees of Congress specified in paragraph (4) and
 11 the Comptroller General of the United States a report
 12 on the use of the authority provided in this section.
 13 The report shall include the following:

14 “(A) *The number and type of appointments*
 15 *made under this section between August 13,*
 16 *2018, and the date of the report.*

17 “(B) *Data on and an assessment of whether*
 18 *appointments under the authority in this section*
 19 *reduced the time to hire when compared with the*
 20 *time to hire under the review system of the Office*
 21 *of Personnel Management in use as of the date*
 22 *of the report.*

23 “(C) *An assessment of the utility of the ap-*
 24 *pointment authority and process under this sec-*
 25 *tion.*

1 “(D) *An assessment of whether the appoint-*
 2 *ments made under this section resulted in higher*
 3 *quality new executives for the Senior Executive*
 4 *Service of the Department when compared with*
 5 *the executives produced in the Department under*
 6 *the review system in use between August 13,*
 7 *2013, and August 13, 2018.*

8 “(E) *Any recommendation for the improve-*
 9 *ment of the selection and qualification process*
 10 *for the Senior Executive Service of the Depart-*
 11 *ment that the Secretary considers necessary in*
 12 *order to attract and hire highly qualified can-*
 13 *didates for service in that Senior Executive Serv-*
 14 *ice.”; and*

15 (2) *in subsection (e), by striking “August 13,*
 16 *2023” and inserting “September 30, 2025”.*

17 **SEC. 1212. EXTENSION OF DATE OF FIRST EMPLOYMENT**
 18 **FOR ACQUISITION OF COMPETITIVE STATUS**
 19 **FOR EMPLOYEES OF INSPECTORS GENERAL**
 20 **FOR OVERSEAS CONTINGENCY OPERATIONS.**

21 *Section 419(d)(5)(B) of title 5, United States Code, is*
 22 *amended by striking “2 years” and inserting “5 years”.*

1 **SEC. 1213. EXPANSION OF NONCOMPETITIVE APPOINTMENT**
 2 **ELIGIBILITY TO SPOUSES OF DEPARTMENT**
 3 **OF DEFENSE CIVILIANS.**

4 (a) *IN GENERAL.*—Section 3330d of title 5, United
 5 States Code, is amended—

6 (1) in the section heading, by inserting “**and**
 7 **Department of Defense civilian**” after “**mili-**
 8 **tary**”;

9 (2) in subsection (a), by adding at the end the
 10 following:

11 “(4) The term ‘spouse of an employee of the De-
 12 partment of Defense’ means an individual who is
 13 married to an employee of the Department of Defense
 14 who is transferred in the interest of the Government
 15 from one official station within the Department to
 16 another within the Department (that is outside of
 17 normal commuting distance) for permanent duty.”;
 18 and

19 (3) in subsection (b)—

20 (A) in paragraph (1), by striking “or” at
 21 the end;

22 (B) in paragraph (2), by striking the period
 23 at the end and inserting “; or”; and

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

25 “(3) a spouse of an employee of the Department
 26 of Defense.”.

1 (b) *TECHNICAL AND CONFORMING AMENDMENT.*—The
 2 *table of sections for subchapter I of chapter 33 of title 5,*
 3 *United States Code, is amended by striking the item relat-*
 4 *ing to section 3330d and inserting the following:*

“3330d. *Appointment of military and Department of Defense civilian spouses.*”.

5 (c) *OPM LIMITATION AND REPORTS.*—

6 (1) *RELOCATING SPOUSES.*—With respect to the
 7 *noncompetitive appointment of a relocating spouse of*
 8 *an employee of the Department of Defense under*
 9 *paragraph (3) of section 3330d(b) of title 5, United*
 10 *States Code, as added by subsection (a), the Director*
 11 *of the Office of Personnel Management shall—*

12 (A) *monitor the number of those appoint-*
 13 *ments;*

14 (B) *require the head of each agency with the*
 15 *authority to make those appointments under that*
 16 *provision to submit to the Director an annual*
 17 *report on those appointments, including infor-*
 18 *mation on the number of individuals so ap-*
 19 *pointed, the types of positions filled, and the ef-*
 20 *fectiveness of the authority for those appoint-*
 21 *ments; and*

22 (C) *not later than 18 months after the date*
 23 *of enactment of this Act, submit to the Com-*
 24 *mittee on Homeland Security and Governmental*
 25 *Affairs of the Senate and the Committee on*

1 *Oversight and Accountability of the House of*
2 *Representatives a report on the use and effective-*
3 *ness of the authority described in subparagraph*
4 *(B).*

5 (2) *NON-RELOCATING SPOUSES.*—*With respect to*
6 *the noncompetitive appointment of a spouse of an em-*
7 *ployee of the Department of Defense other than a relo-*
8 *cating spouse described in paragraph (1), the Director*
9 *of the Office of Personnel Management—*

10 *(A) shall treat the spouse as a relocating*
11 *spouse under paragraph (1); and*

12 *(B) may limit the number of those appoint-*
13 *ments.*

14 (d) *SUNSET.*—*Effective on December 31, 2028—*

15 *(1) the authority provided by this section, and*
16 *the amendments made by this section, shall expire;*
17 *and*

18 *(2) the provisions of section 3330d of title 5,*
19 *United States Code, amended or repealed by this sec-*
20 *tion are restored or revived as if this section had not*
21 *been enacted.*

1 **SEC. 1214. ELIMINATION OF GOVERNMENT ACCOUNT-**
 2 **ABILITY OFFICE REVIEW REQUIREMENT RE-**
 3 **LATING TO DEPARTMENT OF DEFENSE PER-**
 4 **SONNEL AUTHORITIES.**

5 *Section 9902(h) of title 5, United States Code, is*
 6 *amended—*

7 *(1) in paragraph (1)(B), by striking “and the*
 8 *Comptroller General,”;*

9 *(2) by striking paragraph (2); and*

10 *(3) by redesignating paragraph (3) as para-*
 11 *graph (2).*

12 **SEC. 1215. AMENDMENTS TO THE JOHN S. MCCAIN STRA-**
 13 **TEGIC DEFENSE FELLOWS PROGRAM.**

14 *(a) SELECTION OF PARTICIPANTS.—Subsection (d)(2)*
 15 *of section 932 of the John S. McCain National Defense Au-*
 16 *thorization Act for Fiscal Year 2019 (10 U.S.C. 1580 note*
 17 *prec.; Public Law 115–232) is amended to read as follows:*

18 *“(2) GEOGRAPHICAL REPRESENTATION.—Out of*
 19 *the total number of individuals selected to participate*
 20 *in the fellows program in any year, not more than*
 21 *20 percent may be from any of the following geo-*
 22 *graphic regions:*

23 *“(A) The Northeast United States.*

24 *“(B) The Southeast United States.*

25 *“(C) The Midwest United States.*

26 *“(D) The Southwest United States.*

1 “(E) *The Western United States.*

2 “(F) *Alaska, Hawaii, United States terri-*
3 *ories, and areas outside the United States.*”.

4 (b) *APPOINTMENT AND CAREER DEVELOPMENT.*—

5 *Such section is further amended—*

6 (1) *in subsection (d)(3)—*

7 (A) *by striking “assigned” and inserting*
8 *“appointed”; and*

9 (B) *by striking “assignment” and inserting*
10 *“appointment”; and*

11 (2) *by amending subsections (e) and (f) to read*
12 *as follows:*

13 “(e) *APPOINTMENT DURING PARTICIPATION IN FEL-*
14 *LOWS PROGRAM.*—

15 “(1) *IN GENERAL.*—*The Secretary of Defense*
16 *shall appoint each individual who participates in the*
17 *fellows program to an excepted service position in an*
18 *element of the Department.*

19 “(2) *PLACEMENT OPPORTUNITIES.*—*Each year,*
20 *the head of each element of the Department shall sub-*
21 *mit to the Secretary an identification of placement*
22 *opportunities for participants in the fellows program.*
23 *Such placement opportunities shall provide for leader-*
24 *ship development and potential commencement of a*

1 *career track toward a position of senior leadership in*
2 *the Department.*

3 “(3) *QUALIFICATION REQUIREMENTS.—The Sec-*
4 *retary, in coordination with the heads of elements of*
5 *the Department, shall establish qualification require-*
6 *ments for the appointment of participants under*
7 *paragraph (1).*

8 “(4) *MATCHING QUALIFICATIONS, SKILLS, AND*
9 *REQUIREMENTS.—In making appointments under*
10 *paragraph (1), the Secretary shall seek to best match*
11 *the qualifications and skills of the participants with*
12 *the requirements for positions available for appoint-*
13 *ment.*

14 “(5) *TERM.—The term of each appointment*
15 *under the fellows program shall be one year, but the*
16 *Secretary may extend a term of appointment up to*
17 *one additional year.*

18 “(6) *GRADE.—The Secretary shall appoint an*
19 *individual under paragraph (1) to a position at the*
20 *level of GS–10, GS–11, or GS–12 of the General*
21 *Schedule based on the directly related qualifications,*
22 *skills, and professional experience of the individual.*

23 “(7) *EDUCATION LOAN REPAYMENT.—To the ex-*
24 *tent that funds are provided in advance in appro-*
25 *priations Acts, the Secretary may repay a loan of a*

1 *participant in the fellows program if the loan is de-*
 2 *scribed by subparagraph (A), (B), or (C) of section*
 3 *16301(a)(1) of title 10, United States Code. Any re-*
 4 *payment of a loan under this paragraph may require*
 5 *a minimum service agreement, as determined by the*
 6 *Secretary.*

7 “(8) *ELEMENT OF THE DEPARTMENT DE-*
 8 *FINED.*—*In this subsection, the term ‘element of the*
 9 *Department’ means an element of the Department*
 10 *specified in section 111(b) of title 10, United States*
 11 *Code.*

12 “(f) *CAREER DEVELOPMENT.*—

13 “(1) *IN GENERAL.*—*The Secretary of Defense*
 14 *shall ensure that participants in the fellows pro-*
 15 *gram—*

16 “(A) *receive career development opportuni-*
 17 *ties and support appropriate for the commence-*
 18 *ment of a career track within the Department*
 19 *leading toward a future position of senior leader-*
 20 *ship within the Department, including ongoing*
 21 *mentorship support through appropriate per-*
 22 *sonnel from entities within the Department; and*

23 “(B) *are provided appropriate employment*
 24 *opportunities for excepted service positions in the*

1 *Department upon successful completion of the*
 2 *fellows program.*

3 “(2) *PUBLICATION OF SELECTION.*—*The Sec-*
 4 *retary shall publish, on an internet website of the De-*
 5 *partment available to the public, the names of the in-*
 6 *dividuals selected to participate in the fellows pro-*
 7 *gram.”.*

8 **SEC. 1216. CIVILIAN CYBERSECURITY RESERVE PILOT**
 9 **PROJECT.**

10 *(a) DEFINITION.*—*In this section, the term “temporary*
 11 *position” means a position in the competitive or excepted*
 12 *service for a period of 180 days or less.*

13 *(b) PILOT PROJECT.*—

14 *(1) IN GENERAL.*—*The Secretary of the Army*
 15 *shall carry out a pilot project to establish a Civilian*
 16 *Cybersecurity Reserve.*

17 *(2) PURPOSE.*—*The purpose of the Civilian Cy-*
 18 *bersecurity Reserve is to enable the Army to provide*
 19 *manpower to the United States Cyber Command to*
 20 *effectively—*

21 *(A) preempt, defeat, deter, or respond to*
 22 *malicious cyber activity;*

23 *(B) conduct cyberspace operations;*

1 (C) secure information and systems of the
2 Department of Defense against malicious cyber
3 activity; and

4 (D) assist in solving cyber workforce-related
5 challenges.

6 (3) *HIRING AUTHORITY.*—In carrying out this
7 section, the Secretary may use any authority other-
8 wise available to the Secretary for the recruitment,
9 employment, and retention of civilian personnel with-
10 in the Department, including authority under section
11 1599f of title 10, United States Code.

12 (4) *EMPLOYMENT PROTECTIONS.*—The Secretary
13 of Labor shall prescribe such regulations as necessary
14 to ensure the reemployment, continuation of benefits,
15 and non-discrimination in reemployment of individ-
16 uals appointed under this section, provided that such
17 regulations shall include, at a minimum, those rights
18 and obligations set forth under chapter 43 of title 38,
19 United States Code.

20 (5) *STATUS IN RESERVE.*—During the period be-
21 ginning on the date on which an individual is re-
22 cruited to serve in the Civilian Cybersecurity Reserve
23 and ending on the date on which the individual is
24 appointed under this section, and during any period

1 *in between any such appointments, the individual*
 2 *shall not be considered a Federal employee.*

3 (c) *ELIGIBILITY; APPLICATION AND SELECTION.—*

4 (1) *IN GENERAL.—Under the pilot project re-*
 5 *quired under subsection (b)(1), the Secretary of the*
 6 *Army shall establish criteria for—*

7 (A) *individuals to be eligible for the Civil-*
 8 *ian Cybersecurity Reserve; and*

9 (B) *the application and selection processes*
 10 *for the Civilian Cybersecurity Reserve.*

11 (2) *REQUIREMENTS FOR INDIVIDUALS.—The cri-*
 12 *teria established under paragraph (1)(A) with respect*
 13 *to an individual shall include—*

14 (A) *if the individual has previously served*
 15 *as a member of the Civilian Cybersecurity Re-*
 16 *serve, that the previous appointment ended not*
 17 *less than 60 days before the individual may be*
 18 *appointed for a subsequent temporary position*
 19 *in the Civilian Cybersecurity Reserve; and*

20 (B) *cybersecurity expertise.*

21 (3) *PRESCREENING.—The Secretary shall—*

22 (A) *conduct a prescreening of each indi-*
 23 *vidual prior to appointment under this section*
 24 *for any topic or product that would create a con-*
 25 *flict of interest; and*

1 (B) require each individual appointed
 2 under this section to notify the Secretary if a po-
 3 tential conflict of interest arises during the ap-
 4 pointment.

5 (4) *AGREEMENT REQUIRED.*—An individual
 6 may become a member of the Civilian Cybersecurity
 7 Reserve only if the individual enters into an agree-
 8 ment with the Secretary to become such a member,
 9 which shall set forth the rights and obligations of the
 10 individual and the Army.

11 (5) *EXCEPTION FOR CONTINUING MILITARY SERV-*
 12 *ICE COMMITMENTS.*—A member of the Selected Re-
 13 serve under section 10143 of title 10, United States
 14 Code, may not be a member of the Civilian Cyberse-
 15 curity Reserve.

16 (6) *PROHIBITION.*—Any individual who is an
 17 employee of the executive branch may not be recruited
 18 or appointed to serve in the Civilian Cybersecurity
 19 Reserve.

20 (d) *SECURITY CLEARANCES.*—

21 (1) *IN GENERAL.*—The Secretary of the Army
 22 shall ensure that all members of the Civilian Cyberse-
 23 curity Reserve undergo the appropriate personnel vet-
 24 ting and adjudication commensurate with the duties
 25 of the position, including a determination of eligi-

1 *bility for access to classified information where a se-*
 2 *curity clearance is necessary, according to applicable*
 3 *policy and authorities.*

4 (2) *COST OF SPONSORING CLEARANCES.*—*If a*
 5 *member of the Civilian Cybersecurity Reserve requires*
 6 *a security clearance in order to carry out the duties*
 7 *of the member, the Army shall be responsible for the*
 8 *cost of sponsoring the security clearance of the mem-*
 9 *ber.*

10 (e) *IMPLEMENTATION PLAN.*—

11 (1) *IN GENERAL.*—*Not later than 180 days after*
 12 *the date on which the Secretary of Defense submits to*
 13 *the Committee on Armed Services of the Senate and*
 14 *the Committee on Armed Services of the House of*
 15 *Representatives the report required under section*
 16 *1540(d)(2) of the James M. Inhofe National Defense*
 17 *Authorization Act for Fiscal Year 2023 (Public Law*
 18 *117–263) on the feasibility and advisability of cre-*
 19 *ating and maintaining a civilian cybersecurity re-*
 20 *serve corps, the Secretary of the Army shall—*

21 (A) *submit to the congressional defense com-*
 22 *mittees an implementation plan for the pilot*
 23 *project required under subsection (b)(1); and*

1 (B) provide to the congressional defense
2 committees a briefing on the implementation
3 plan.

4 (2) *PROHIBITION.*—The Secretary of the Army
5 may not take any action to begin implementation of
6 the pilot project required under subsection (b)(1) until
7 the Secretary fulfills the requirements under para-
8 graph (1).

9 (f) *PROJECT GUIDANCE.*—Not later than two years
10 after the date of the enactment of this Act, the Secretary
11 of the Army shall, in consultation with the Office of Per-
12 sonnel Management and the Office of Government Ethics,
13 issue guidance establishing and implementing the pilot
14 project required under subsection (b)(1).

15 (g) *BRIEFINGS AND REPORT.*—

16 (1) *BRIEFINGS.*—Not later than one year after
17 the date on which the guidance required under sub-
18 section (f) is issued, and every year thereafter until
19 the date on which the pilot project required under
20 subsection (b)(1) terminates under subsection (i), the
21 Secretary of the Army shall provide to the congres-
22 sional defense committees a briefing on activities car-
23 ried out under the pilot project, including—

24 (A) participation in the Civilian Cybersecu-
25 rity Reserve, including the number of partici-

1 *pants, the diversity of participants, and any*
2 *barriers to recruitment or retention of members;*

3 *(B) an evaluation of the ethical require-*
4 *ments of the pilot project;*

5 *(C) whether the Civilian Cybersecurity Re-*
6 *serve has been effective in providing additional*
7 *capacity to the Army; and*

8 *(D) an evaluation of the eligibility require-*
9 *ments for the pilot project.*

10 *(2) REPORT.—Not earlier than 180 days and not*
11 *later than 90 days before the date on which the pilot*
12 *project required under subsection (b)(1) terminates*
13 *under subsection (i), the Secretary shall submit to the*
14 *congressional defense committees a report and provide*
15 *a briefing on recommendations relating to the pilot*
16 *project, including recommendations for—*

17 *(A) whether the pilot project should be*
18 *modified, extended in duration, or established as*
19 *a permanent program, and if so, an appropriate*
20 *scope for the program;*

21 *(B) how to attract participants, ensure a*
22 *diversity of participants, and address any bar-*
23 *riers to recruitment or retention of members of*
24 *the Civilian Cybersecurity Reserve;*

1 (C) the ethical requirements of the pilot
 2 project and the effectiveness of mitigation efforts
 3 to address any conflict of interest concerns; and

4 (D) an evaluation of the eligibility require-
 5 ments for the pilot project.

6 (h) *EVALUATION.*—Not later than three years after the
 7 pilot project required under subsection (b)(1) is established,
 8 the Comptroller General of the United States shall—

9 (1) conduct a study evaluating the pilot project;
 10 and

11 (2) submit to Congress—

12 (A) a report on the results of the study; and

13 (B) a recommendation with respect to
 14 whether the pilot project should be modified.

15 (i) *SUNSET.*—The pilot project required under sub-
 16 section (b)(1) shall terminate on the date that is four years
 17 after the date on which the pilot project is established.

18 ***TITLE XIII—MATTERS RELATING***
 19 ***TO FOREIGN NATIONS***
 20 ***Subtitle A—Assistance and***
 21 ***Training***

22 ***SEC. 1301. MIDDLE EAST INTEGRATED MARITIME DOMAIN***
 23 ***AWARENESS AND INTERDICTION CAPABILITY.***

24 (a) *IN GENERAL.*—The Secretary of Defense, using ex-
 25 isting authorities, shall seek to build upon the incorporation

1 *of Israel into the area of responsibility of the United States*
 2 *Central Command to develop a Middle East integrated*
 3 *maritime domain awareness and interdiction capability for*
 4 *the purpose of protecting the people, infrastructure, and ter-*
 5 *ritory of such countries from—*

6 (1) *manned and unmanned naval systems, un-*
 7 *dersea warfare capabilities, and anti-ship missiles of*
 8 *Iran and groups affiliated with Iran; and*

9 (2) *violent extremist organizations, criminal net-*
 10 *works, and piracy activities that threaten lawful com-*
 11 *merce in the waterways within the area of responsi-*
 12 *bility of the United States Naval Forces Central Com-*
 13 *mand.*

14 (b) *STRATEGY.—*

15 (1) *IN GENERAL.—Not later than 60 days after*
 16 *the date of the enactment of this Act, the Secretary of*
 17 *Defense, in coordination with the Secretary of State,*
 18 *shall submit to the appropriate committees of Con-*
 19 *gress a strategy for the cooperation described in sub-*
 20 *section (a).*

21 (2) *MATTERS TO BE INCLUDED.—The strategy*
 22 *required by paragraph (1) shall include the following:*

23 (A) *An assessment of the threats posed to*
 24 *ally or partner countries in the Middle East*
 25 *by—*

1 (i) *manned and unmanned naval sys-*
2 *tems, undersea warfare capabilities, and*
3 *anti-ship missiles of Iran and groups affili-*
4 *ated with Iran; and*

5 (ii) *violent extremist organizations,*
6 *criminal networks, and piracy activities*
7 *that threaten lawful commerce in the water-*
8 *ways within the area of responsibility of the*
9 *United States Naval Forces Central Com-*
10 *mand.*

11 (B) *A description of existing multilateral*
12 *maritime partnerships currently led by the*
13 *United States Naval Forces Central Command,*
14 *including the Combined Maritime Forces (in-*
15 *cluding its associated Task Forces 150, 151, 152,*
16 *and 153), the International Maritime Security*
17 *Construct, and the Navy's Task Force 59, and a*
18 *discussion of the role of such partnerships in*
19 *building an integrated maritime security capa-*
20 *bility.*

21 (C) *A description of progress made in ad-*
22 *vancing the integration of Israel into the existing*
23 *multilateral maritime partnerships described in*
24 *subparagraph (B).*

1 (D) A description of efforts among countries
 2 in the Middle East to coordinate intelligence, re-
 3 connaissance, and surveillance capabilities and
 4 indicators and warnings with respect to the
 5 threats described in subparagraph (A), and a de-
 6 scription of any impediment to optimizing such
 7 efforts.

8 (E) A description of the current Depart-
 9 ment of Defense systems that, in coordination
 10 with ally and partner countries in the Middle
 11 East—

12 (i) provide awareness of and defend
 13 against such threats; and

14 (ii) address current capability gaps.

15 (F) An explanation of the manner in which
 16 an integrated maritime domain awareness and
 17 interdiction architecture would improve collec-
 18 tive security in the Middle East.

19 (G) A description of existing and planned
 20 efforts to engage ally and partner countries in
 21 the Middle East in establishing such an architec-
 22 ture.

23 (H) An identification of the elements of
 24 such an architecture that may be acquired and
 25 operated by ally and partner countries in the

1 *Middle East, and a list of such elements for each*
2 *such ally and partner.*

3 *(I) An identification of the elements of such*
4 *an architecture that may only be provided and*
5 *operated by members of the United States Armed*
6 *Forces.*

7 *(J) An identification of any challenge to op-*
8 *timizing such an architecture in the Middle*
9 *East.*

10 *(K) An assessment of progress and key chal-*
11 *lenges in the implementation of the strategy re-*
12 *quired by paragraph (1) using the metrics iden-*
13 *tified in accordance with paragraph (3).*

14 *(L) Recommendations for improvements in*
15 *the implementation of such strategy based on*
16 *such metrics.*

17 *(M) An assessment of any capabilities or*
18 *lessons from the Navy's Task Force 59 that may*
19 *be leveraged to support an integrated maritime*
20 *domain awareness and interdiction capability in*
21 *the Middle East.*

22 *(N) Any other matter the Secretary of De-*
23 *fense considers relevant.*

1 (3) *METRICS.*—*The Secretary of Defense shall*
 2 *identify metrics to assess progress in the implementa-*
 3 *tion of the strategy required by paragraph (1).*

4 (4) *FORMAT.*—*The strategy required by para-*
 5 *graph (1) shall be submitted in unclassified form but*
 6 *may include a classified annex.*

7 (c) *FEASIBILITY STUDY.*—

8 (1) *IN GENERAL.*—*The Secretary of Defense shall*
 9 *conduct a study on the feasibility and advisability of*
 10 *establishing an integrated maritime domain aware-*
 11 *ness and interdiction capability to protect the people,*
 12 *infrastructure, and territory of ally and partner*
 13 *countries in the Middle East from—*

14 (A) *manned and unmanned naval systems,*
 15 *undersea warfare capabilities, and anti-ship*
 16 *missiles of Iran and groups affiliated with Iran;*
 17 *and*

18 (B) *violent extremist organizations, crimi-*
 19 *nal networks, and piracy activities that threaten*
 20 *lawful commerce in the waterways of the Middle*
 21 *East.*

22 (2) *ELEMENTS.*—*The study required by para-*
 23 *graph (1) shall include—*

1 (A) an assessment of funds that could be
 2 contributed by ally and partner countries of the
 3 United States; and

4 (B) a cost estimate of establishing such an
 5 integrated maritime domain awareness and
 6 interdiction capability.

7 (3) *REPORT*.—Not later than 90 days after the
 8 date of the enactment of this Act, the Secretary of De-
 9 fense shall submit to the appropriate committees of
 10 Congress a report on the results of the study con-
 11 ducted under paragraph (1).

12 (d) *PROTECTION OF SENSITIVE INFORMATION*.—Any
 13 activity carried out under this section shall be conducted
 14 in a manner that appropriately protects sensitive informa-
 15 tion and the national security interests of the United States.

16 (e) *APPROPRIATE COMMITTEES OF CONGRESS DE-*
 17 *FINED*.—In this section, the term “appropriate committees
 18 of Congress” means—

19 (1) the Committee on Armed Services, the Com-
 20 mittee on Appropriations, and the Committee on For-
 21 eign Relations of the Senate; and

22 (2) the Committee on Armed Services, the Com-
 23 mittee on Appropriations, and the Committee on For-
 24 eign Affairs of the House of Representatives.

1 **SEC. 1302. AUTHORITY TO PROVIDE MISSION TRAINING**
2 **THROUGH DISTRIBUTED SIMULATION.**

3 (a) *AUTHORITY FOR TRAINING AND DISTRIBUTION.*—

4 *To enhance the interoperability and integration between the*
5 *United States Armed Forces and the military forces of*
6 *friendly foreign countries, the Secretary of Defense, with the*
7 *concurrence of the Secretary of State, is authorized—*

8 (1) *to provide to military personnel of a friendly*
9 *foreign government persistent advanced networked*
10 *training and exercise activities (in this section re-*
11 *ferred to as “mission training through distributed*
12 *simulation”); and*

13 (2) *to provide information technology, including*
14 *hardware and computer software developed for mis-*
15 *sion training through distributed simulation activi-*
16 *ties.*

17 (b) *SCOPE OF MISSION TRAINING.*—*Mission training*
18 *through distributed simulation provided under subsection*
19 *(a) may include advanced distributed network training*
20 *events and computer-assisted exercises.*

21 (c) *APPLICABILITY OF EXPORT CONTROL AUTHORI-*
22 *TIES.*—*The provision of mission training through distrib-*
23 *uted simulation and information technology under this sec-*
24 *tion shall be subject to the Arms Export Control Act (22*
25 *U.S.C. 2751 et seq.) and any other export control authority*

1 *under law relating to the transfer of military technology*
2 *to foreign countries.*

3 (d) *GUIDANCE ON USE OF AUTHORITY.*—Not later
4 *than 60 days after the date of the enactment of this Act,*
5 *the Secretary of Defense shall develop and issue guidance*
6 *on the procedures for the use of the authority provided in*
7 *this section.*

8 (e) *REPORT.*—

9 (1) *IN GENERAL.*—Not later than 120 days after
10 *the date of the enactment of this Act, the Secretary of*
11 *Defense shall submit to the appropriate committees of*
12 *Congress a report on the use of mission training*
13 *through distributed simulation by military personnel*
14 *of friendly foreign countries.*

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

17 (A) *A description of ongoing mission train-*
18 *ing through distributed simulation activities be-*
19 *tween the United States Armed Forces and the*
20 *military forces of friendly foreign countries.*

21 (B) *A description of the current capabilities*
22 *of the military forces of friendly foreign coun-*
23 *tries to support mission training through dis-*
24 *tributed simulation activities with the United*
25 *States Armed Forces.*

1 (C) *A description of the manner in which*
 2 *the Department intends to use mission training*
 3 *through distributed simulation activities to sup-*
 4 *port implementation of the National Defense*
 5 *Strategy, including in areas of responsibility of*
 6 *the United States European Command and the*
 7 *United States Indo-Pacific Command.*

8 (D) *Any recommendation of the Secretary*
 9 *of Defense for legislative proposals or policy*
 10 *guidance regarding the use of mission training*
 11 *through distributed simulation activities.*

12 (3) *APPROPRIATE COMMITTEES OF CONGRESS*
 13 *DEFINED.—In this subsection, the term “appropriate*
 14 *committees of Congress” means—*

15 (A) *the Committee on Armed Services, the*
 16 *Committee on Appropriations, and the Com-*
 17 *mittee on Foreign Relations of the Senate; and*

18 (B) *the Committee on Armed Services, the*
 19 *Committee on Appropriations, and the Com-*
 20 *mittee on Foreign Affairs of the House of Rep-*
 21 *resentatives.*

22 (f) *SUNSET.—The authority provided in this section*
 23 *shall terminate on December 31, 2025.*

1 **SEC. 1303. INCREASE IN SMALL-SCALE CONSTRUCTION**
 2 **LIMIT AND MODIFICATION OF AUTHORITY TO**
 3 **BUILD CAPACITY.**

4 (a) *DEFINITION OF SMALL-SCALE CONSTRUCTION.*—
 5 Section 301(8) of title 10, United States Code, is amended
 6 by striking “\$1,500,000” and inserting “\$2,000,000”.

7 (b) *MODIFICATION OF AUTHORITY TO BUILD CAPAC-*
 8 *ITY.*—

9 (1) *IN GENERAL.*—Subsection (a) of section 333
 10 of title 10, United States Code, is amended—

11 (A) in paragraph (3), by inserting “or other
 12 counter-illicit trafficking operations” before the
 13 period at the end; and

14 (B) by adding at the end the following new
 15 paragraph:

16 “(10) Foreign internal defense operations.”.

17 (2) *INCREASE IN THRESHOLD FOR SMALL-SCALE*
 18 *CONSTRUCTION PROJECTS REQUIRING ADDITIONAL*
 19 *DOCUMENTATION.*—Subsection (e)(8) of such section is
 20 amended by striking “\$750,000” and inserting
 21 “\$1,000,000”.

22 (3) *EQUIPMENT DISPOSITION.*—Such section is
 23 further amended by adding at the end the following
 24 new subsection:

25 “(h) *EQUIPMENT DISPOSITION.*—The Secretary of De-
 26 fense may treat as stocks of the Department of Defense—

1 “(1) equipment procured to carry out a program
 2 pursuant to subsection (a) that has not yet been
 3 transferred to a foreign country and is no longer
 4 needed to support such program or any other pro-
 5 gram carried out pursuant to such subsection; and

6 “(2) equipment that has been transferred to a
 7 foreign country to carry out a program pursuant to
 8 subsection (a) and is returned by the foreign country
 9 to the United States.”.

10 (4) *INTERNATIONAL AGREEMENTS.*—Such section
 11 is further amended by adding at the end the following
 12 new subsection:

13 “(i) *INTERNATIONAL AGREEMENTS.*—

14 “(1) *IN GENERAL.*—The Secretary of Defense,
 15 with the concurrence of the Secretary of State, may—

16 “(A) allow a foreign country to provide
 17 sole-source direction for assistance in support of
 18 a program carried out pursuant to subsection
 19 (a); and

20 “(B) enter into an agreement with a foreign
 21 country to provide such sole-source direction.

22 “(2) *NOTIFICATION.*—Not later than 72 hours
 23 after the Secretary of Defense enters into an agree-
 24 ment under paragraph (1), the Secretary shall submit

1 to the congressional defense committees a written no-
2 tification that includes the following:

3 “(A) A description of the parameters of the
4 agreement, including types of support, objectives,
5 and duration of support and cooperation under
6 the agreement.

7 “(B) A description and justification of any
8 anticipated use of sole-source direction pursuant
9 to such agreement.

10 “(C) A determination as to whether the an-
11 ticipated costs to incurred under the agreement
12 are fair and reasonable.

13 “(D) A certification that the agreement is
14 in the national security interests of the United
15 States.

16 “(E) Any other matter relating to the agree-
17 ment, as determined by the Secretary of De-
18 fense.”.

19 (5) *FOREIGN INTERNAL DEFENSE DEFINED.*—
20 Such section is further amended by adding at the end
21 of the following new subsection:

22 “(j) *FOREIGN INTERNAL DEFENSE DEFINED.*—In this
23 section, the term ‘foreign internal defense’ has the meaning
24 given such term in the publication of the Chairman of the
25 Joint Chiefs of Staff entitled ‘Joint Publication 3–22 For-

1 *eign Internal Defense’ issued on August 17, 2018 and vali-*
 2 *dated on February 2, 2021.”.*

3 **SEC. 1304. EXTENSION OF LEGAL INSTITUTIONAL CAPACITY**
 4 **BUILDING INITIATIVE FOR FOREIGN DE-**
 5 **FENSE INSTITUTIONS.**

6 *Section 1210(e) of the National Defense Authorization*
 7 *Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat.*
 8 *1626) is amended by striking “December 31, 2024” and in-*
 9 *serting “December 31, 2028”.*

10 **SEC. 1305. EXTENSION AND MODIFICATION OF AUTHORITY**
 11 **FOR REIMBURSEMENT OF CERTAIN COALI-**
 12 **TION NATIONS FOR SUPPORT PROVIDED TO**
 13 **UNITED STATES MILITARY OPERATIONS.**

14 *(a) EXTENSION.—Subsection (a) of section 1233 of the*
 15 *National Defense Authorization Act for Fiscal Year 2008*
 16 *(Public Law 110–181; 122 Stat. 393) is amended by strik-*
 17 *ing “beginning on October 1, 2022, and ending on Decem-*
 18 *ber 31, 2023” and inserting “beginning on October 1, 2023,*
 19 *and ending on December 31, 2024”.*

20 *(b) MODIFICATION TO LIMITATION.—Subsection (d)(1)*
 21 *of such section is amended—*

22 *(1) by striking “beginning on October 1, 2022,*
 23 *and ending on December 31, 2023” and inserting “be-*
 24 *ginning on October 1, 2023, and ending on December*
 25 *31, 2024”; and*

1 (2) by striking “\$30,000,000” and inserting
2 “\$15,000,000”.

3 **SEC. 1306. EXTENSION OF AUTHORITY FOR DEPARTMENT**
4 **OF DEFENSE SUPPORT FOR STABILIZATION**
5 **ACTIVITIES IN NATIONAL SECURITY INTER-**
6 **EST OF THE UNITED STATES.**

7 Section 1210A(h) of the National Defense Authoriza-
8 tion Act for Fiscal Year 2020 (Public Law 116–92; 133
9 Stat. 1626) is amended by striking “December 31, 2023”
10 and inserting “December 31, 2025”.

11 **SEC. 1307. EXTENSION OF CROSS SERVICING AGREEMENTS**
12 **FOR LOAN OF PERSONNEL PROTECTION AND**
13 **PERSONNEL SURVIVABILITY EQUIPMENT IN**
14 **COALITION OPERATIONS.**

15 Section 1207(f) of the Carl Levin and Howard P.
16 “Buck” McKeon National Defense Authorization Act for
17 Fiscal Year 2015 (Public Law 113–291; 10 U.S.C. 2342
18 note) is amended by striking “December 31, 2024” and in-
19 serting “December 31, 2029”.

20 **SEC. 1308. LIMITATION ON AVAILABILITY OF FUNDS FOR**
21 **INTERNATIONAL SECURITY COOPERATION**
22 **PROGRAM.**

23 Of the funds authorized to be appropriated by this Act
24 for fiscal year 2024 for operation and maintenance, De-
25 fense-wide, and available for the Defense Security Coopera-

1 *tion Agency for the International Security Cooperation*
 2 *Program, not more than 75 percent may be obligated or*
 3 *expended until the Secretary of Defense submits the security*
 4 *cooperation strategy for each covered combatant command*
 5 *required by section 1206 of the National Defense Authoriza-*
 6 *tion Act for Fiscal Year 2022 (Public Law 117–81; 135*
 7 *Stat. 1960).*

8 **SEC. 1309. MODIFICATION OF DEPARTMENT OF DEFENSE**
 9 **SECURITY COOPERATION WORKFORCE DE-**
 10 **VELOPMENT.**

11 *Section 384 of title 10, United States Code, is amend-*
 12 *ed—*

13 *(1) in subsection (d)—*

14 *(A) by striking “The Program” and insert-*
 15 *ing the following:*

16 *“(1) IN GENERAL.—The Program”; and*

17 *(B) by adding at the end the following new*
 18 *paragraphs:*

19 *“(2) MANAGING ENTITY.—*

20 *“(A) DESIGNATION.—The Secretary of De-*
 21 *fense, acting through the Under Secretary of De-*
 22 *fense for Policy and the Director of the Defense*
 23 *Security Cooperation Agency, shall designate an*
 24 *entity within the Department of Defense to serve*

1 *as the lead entity for managing the implementa-*
2 *tion of the Program.*

3 “(B) *DUTIES.*—*The entity designated under*
4 *subparagraph (A) shall carry out the manage-*
5 *ment and implementation of the Program, con-*
6 *sistent with objectives formulated by the Sec-*
7 *retary of Defense, which shall include the fol-*
8 *lowing:*

9 “(i) *Providing for comprehensive*
10 *tracking of and accounting for all Depart-*
11 *ment of Defense employees engaged in the*
12 *security cooperation enterprise.*

13 “(ii) *Providing training requirements*
14 *specified at the requisite proficiency levels*
15 *for each position.*

16 “(C) *REPORTING.*—*The Secretary of Defense*
17 *shall ensure that, not less frequently than annu-*
18 *ally, each military department, combatant com-*
19 *mand, defense agency, and any other entity in-*
20 *volved in managing the security cooperation*
21 *workforce submits to the entity designated under*
22 *subparagraph (A) a report containing informa-*
23 *tion necessary for the management and career*
24 *development of the security cooperation work-*

1 *force, as determined by the Director of the De-*
 2 *fense Security Cooperation Agency.*

3 “(3) *SECURITY COOPERATION WORKFORCE MAN-*
 4 *AGEMENT INFORMATION SYSTEM.—The Secretary of*
 5 *Defense, acting through the Director of the Defense*
 6 *Security Cooperation Agency, shall prescribe regula-*
 7 *tions to ensure that each military department, com-*
 8 *batant command, and defense agency provides stand-*
 9 *ardized information and data to the Secretary on*
 10 *persons serving in positions within the security co-*
 11 *operation workforce.”;*

12 *(2) in subsection (e), by adding at the end the*
 13 *following new paragraph:*

14 “(4) *UPDATED GUIDANCE.—*

15 *“(A) IN GENERAL.—Not later than 270*
 16 *days after the date of the enactment of this para-*
 17 *graph, and biannually thereafter through fiscal*
 18 *year 2028, the Secretary of Defense, in coordina-*
 19 *tion with the Secretary of State, shall issue up-*
 20 *dated guidance for the execution and adminis-*
 21 *tration of the Program.*

22 *“(B) SCOPE.—The updated guidance re-*
 23 *quired by subparagraph (A) shall—*

24 *“(i) fulfill each requirement set forth*
 25 *in paragraph (3), as appropriate; and*

1 “(ii) include an identification of the
 2 manner in which the Department of Defense
 3 shall ensure that personnel assigned to secu-
 4 rity cooperation offices within embassies of
 5 the United States are trained and managed
 6 to a level of proficiency that is at least
 7 equal to the level of proficiency provided to
 8 the attaché workforce by the Defense Attaché
 9 Service.”;

10 (3) by redesignating subsections (f) through (h)
 11 as subsections (h) through (j), respectively; and

12 (4) by inserting after subsection (e) the following
 13 new subsections (f) and (g):

14 “(f) *FOREIGN MILITARY SALES CENTER OF EXCEL-*
 15 *LENCE.*—

16 “(1) *ESTABLISHMENT.*—The Secretary of Defense
 17 shall direct an existing schoolhouse within the De-
 18 partment of Defense to serve as a Foreign Military
 19 Sales Center of Excellence to improve the training
 20 and education of personnel engaged in foreign mili-
 21 tary sales planning and execution.

22 “(2) *OBJECTIVES.*—The objectives of the Foreign
 23 Military Sales Center of Excellence shall include—

1 “(A) *conducting research on and promoting*
 2 *best practices for ensuring that foreign military*
 3 *sales are timely and effective; and*

4 “(B) *enhancing existing curricula for the*
 5 *purpose of ensuring that the foreign military*
 6 *sales workforce is fully trained and prepared to*
 7 *execute the foreign military sales program.*

8 “(g) *DEFENSE SECURITY COOPERATION UNIVER-*
 9 *SITY.—*

10 “(1) *CHARTER.—The Secretary of Defense shall*
 11 *develop and promulgate a charter for the operation of*
 12 *the Defense Security Cooperation University.*

13 “(2) *MISSION.—The charter required by para-*
 14 *graph (1) shall set forth the mission, and associated*
 15 *structures and organizations, of the Defense Security*
 16 *Cooperation University, which shall include—*

17 “(A) *management and implementation of*
 18 *international military training and education*
 19 *security cooperation programs and authorities*
 20 *executed by the Department of Defense;*

21 “(B) *management and provision of institu-*
 22 *tional capacity-building services executed by the*
 23 *Department of Defense; and*

1 “(C) *advancement of the profession of secu-*
 2 *rity cooperation through research, data collec-*
 3 *tion, analysis, publication, and learning.*

4 “(3) *COOPERATIVE RESEARCH AND DEVELOP-*
 5 *MENT ARRANGEMENTS.—*

6 “(A) *IN GENERAL.—In engaging in research*
 7 *and development projects pursuant to subsection*
 8 *(a) of section 4001 of this title by a contract, co-*
 9 *operative agreement, or grant pursuant to sub-*
 10 *section (b)(1) of such section, the Secretary of*
 11 *Defense may enter into such contract or coopera-*
 12 *tive agreement, or award such grant, through the*
 13 *Defense Security Cooperation University.*

14 “(B) *TREATMENT AS GOVERNMENT-OPER-*
 15 *ATED FEDERAL LABORATORY.—The Defense Se-*
 16 *curity Cooperation University shall be consid-*
 17 *ered a Government-operated Federal laboratory*
 18 *for purposes of section 12 of the Stevenson-*
 19 *Wylder Technology Innovation Act of 1980 (15*
 20 *U.S.C. 3710a).*

21 “(4) *ACCEPTANCE OF RESEARCH GRANTS.—*

22 “(A) *IN GENERAL.—The Secretary of De-*
 23 *fense, through the Under Secretary of Defense for*
 24 *Policy, may authorize the President of the De-*
 25 *fense Security Cooperation University to accept*

1 *qualifying research grants. Any such grant may*
2 *only be accepted if the work under the grant is*
3 *to be carried out by a professor or instructor of*
4 *the Defense Security Cooperation University for*
5 *a scientific, literary, or educational purpose.*

6 “(B) *QUALIFYING GRANTS.*—*A qualifying*
7 *research grant under this paragraph is a grant*
8 *that is awarded on a competitive basis by an en-*
9 *tity described in subparagraph (C) for a research*
10 *project with a scientific, literary, or educational*
11 *purpose.*

12 “(C) *ENTITIES FROM WHICH GRANTS MAY*
13 *BE ACCEPTED.*—*A grant may be accepted under*
14 *this paragraph only from a corporation, fund,*
15 *foundation, educational institution, or similar*
16 *entity that is organized and operated primarily*
17 *for scientific, literary, or educational purposes.*

18 “(D) *ADMINISTRATION OF GRANT FUNDS.*—
19 *The Director of the Defense Security Cooperation*
20 *Agency shall establish an account for admin-*
21 *istering funds received as research grants under*
22 *this section. The President of the Defense Secu-*
23 *rity Cooperation University shall use the funds*
24 *in the account in accordance with applicable*

provisions of the regulations and the terms and condition of the grants received.

“(E) *RELATED EXPENSES*.—Subject to such limitations as may be provided in appropriations Acts, appropriations available for the Defense Security Cooperation University may be used to pay expenses incurred by the Defense Security Cooperation University in applying for, and otherwise pursuing, the award of qualifying research grants.

“(F) *REGULATIONS*.—The Secretary of Defense, through the Under Secretary of Defense for Policy, shall prescribe regulations for the administration of this section.”.

SEC. 1310. MODIFICATION OF AUTHORITY TO PROVIDE SUPPORT TO CERTAIN GOVERNMENTS FOR BORDER SECURITY OPERATIONS.

Section 1226(a)(1) of the National Defense Authorization Act for Fiscal Year 2016 (22 U.S.C. 2151 note) is amended by adding at the end the following:

“(G) *To the Government of Tajikistan for purposes of supporting and enhancing efforts of the armed forces of Tajikistan to increase security and sustain increased security along the border of Tajikistan and Afghanistan.*

1 “(H) *To the Government of Uzbekistan for*
 2 *purposes of supporting and enhancing efforts of*
 3 *the armed forces of Uzbekistan to increase secu-*
 4 *rity and sustain increased security along the*
 5 *border of Uzbekistan and Afghanistan.*

6 “(I) *To the Government of Turkmenistan*
 7 *for purposes of supporting and enhancing efforts*
 8 *of the armed forces of Turkmenistan to increase*
 9 *security and sustain increased security along the*
 10 *border of Turkmenistan and Afghanistan.”.*

11 **SEC. 1311. MODIFICATION OF DEFENSE OPERATIONAL RE-**
 12 **SILIENCE INTERNATIONAL COOPERATION**
 13 **PILOT PROGRAM.**

14 *Section 1212 of the James M. Inhofe National Defense*
 15 *Authorization Act for Fiscal Year 2023 (Public Law 117–*
 16 *263; 136 Stat. 2834; 10 U.S.C. 311 note) is amended—*

17 (1) *in subsection (a), by striking “military*
 18 *forces” and inserting “national security forces”;*

19 (2) *in subsection (c)—*

20 (A) *in paragraph (1)—*

21 (i) *in subparagraph (A), by striking*
 22 *“military-to-military relationships” and in-*
 23 *serting “relationships with the national se-*
 24 *curity forces of partner countries”; and*

1 (ii) in subparagraph (C), by striking
2 “military forces” and inserting “national
3 security forces”; and

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

6 “(4) *SUSTAINMENT AND NON-LETHAL ASSIST-*
7 *ANCE.*—A program under subsection (a) may include
8 the provision of sustainment and non-lethal assist-
9 ance, including training, defense services, supplies
10 (including consumables), and small-scale construction
11 (as such terms are defined in section 301 of title 10,
12 United States Code).”;

13 (3) in subsection (e)(3)(A), by striking “military
14 force” and inserting “national security forces”; and

15 (4) by adding at the end the following new sub-
16 section:

17 “(g) *NATIONAL SECURITY FORCES DEFINED.*—In this
18 section, the term ‘national security forces’ has the meaning
19 given the term in section 301 of title 10, United States
20 Code.”.

21 **SEC. 1312. ASSISTANCE TO ISRAEL FOR AERIAL REFUELING.**

22 (a) *TRAINING ISRAELI PILOTS TO OPERATE KC-46*
23 *AIRCRAFT.*—

24 (1) *IN GENERAL.*—The Secretary of the Air
25 Force shall—

1 (A) make available sufficient resources and
2 accommodations within the United States to
3 train members of the Israeli Air Force on the op-
4 eration of KC-46 aircraft;

5 (B) conduct training for members of the
6 Israeli Air Force, including—

7 (i) training for pilots and crew on the
8 operation of the KC-46 aircraft in accord-
9 ance with standards considered sufficient to
10 conduct coalition operations of the United
11 States Air Force and the Israeli Air Force;
12 and

13 (ii) training for ground personnel on
14 the maintenance and sustainment require-
15 ments of the KC-46 aircraft considered suf-
16 ficient for such operations; and

17 (C) conduct the timing of such training so
18 as to ensure that the first group of trainee mem-
19 bers of the Israeli Air Force is anticipated to
20 complete the training not later than 2 weeks
21 after the date on which the first KC-46 aircraft
22 is delivered to Israel.

23 (2) UNITED STATES AIR FORCE MILITARY PER-
24 SONNEL EXCHANGE PROGRAM.—The Secretary of De-
25 fense shall, with respect to members of the Israeli Air

1 *Force associated with the operation of KC-46 air-*
2 *craft—*

3 *(A) before the completion of the training re-*
4 *quired by paragraph (1)(B), authorize the par-*
5 *ticipation of such members of the Israeli Air*
6 *Force in the United States Air Force Military*
7 *Personnel Exchange Program;*

8 *(B) make available billets in the United*
9 *States Air Force Military Personnel Exchange*
10 *Program necessary for such members of the*
11 *Israeli Air Force to participate in such program;*
12 *and*

13 *(C) to the extent practicable, ensure that*
14 *such members of the Israeli Air Force are able to*
15 *participate in the United States Air Force Mili-*
16 *tary Personnel Exchange Program immediately*
17 *after such members complete such training.*

18 *(3) TERMINATION.—This subsection shall cease*
19 *to have effect on the date that is ten years after the*
20 *date of the enactment of this Act.*

21 *(b) BRIEFING.—Not later than 90 days after the date*
22 *of the enactment of this Act, the Secretary of Defense shall*
23 *provide to the Committees on Armed Services of the Senate*
24 *and the House of Representatives a briefing that includes*
25 *the following:*

1 (1) *An assessment of—*

2 (A) *the current operational requirements of*
3 *the Government of Israel for aerial refueling;*
4 *and*

5 (B) *any gaps in current or near-term capa-*
6 *bilities.*

7 (2) *The estimated date of delivery to Israel of*
8 *KC-46 aircraft procured by the Government of Israel.*

9 (3) *A detailed description of—*

10 (A) *any actions the United States Govern-*
11 *ment is taking to expedite the delivery to Israel*
12 *of KC-46 aircraft procured by the Government*
13 *of Israel, while minimizing adverse impacts to*
14 *United States defense readiness, including stra-*
15 *tegic forces readiness;*

16 (B) *any additional actions the United*
17 *States Government could take to expedite such*
18 *delivery; and*

19 (C) *additional authorities Congress could*
20 *provide to help expedite such delivery.*

21 (4) *A description of the availability of any*
22 *United States aerial refueling tanker aircraft that is*
23 *retired or is expected to be retired during the two-year*
24 *period beginning on the date of the enactment of this*
25 *Act that could be provided to Israel.*

1 (c) *FORWARD DEPLOYMENT OF UNITED STATES KC-*
2 *46 AIRCRAFT TO ISRAEL.*—

3 (1) *BRIEFING.*—*Not later than 90 days after the*
4 *date of the enactment of this Act, the Secretary of De-*
5 *fense shall provide to the Committees on Armed Serv-*
6 *ices of the Senate and the House of Representatives a*
7 *briefing that describes the capacity of and require-*
8 *ments for the United States Air Force to forward de-*
9 *ploy KC-46 aircraft to Israel on a rotational basis*
10 *until the date on which a KC-46 aircraft procured by*
11 *the Government of Israel is commissioned into the*
12 *Israeli Air Force and achieves full combat capability.*

13 (2) *ROTATIONAL FORCES.*—

14 (A) *IN GENERAL.*—*Subject to subpara-*
15 *graphs (B) and (C), the Secretary of Defense*
16 *shall, consistent with maintaining United States*
17 *defense readiness, rotationally deploy one or*
18 *more KC-46 aircraft to Israel until the earlier*
19 *of—*

20 (i) *the date on which a KC-46 aircraft*
21 *procured by the military forces of Israel is*
22 *commissioned into such military forces and*
23 *achieves full combat capability; or*

24 (ii) *five years after the date of the en-*
25 *actment of this Act.*

1 (B) *LIMITATION.*—*The Secretary of Defense*
 2 *may only carry out a rotational deployment*
 3 *under subparagraph (A) if the Government of*
 4 *Israel consents to the deployment.*

5 (C) *PRESENCE.*—*The Secretary of Defense*
 6 *shall consult with the Government of Israel to de-*
 7 *termine the length of rotational deployments of*
 8 *United States KC-46 aircraft to Israel until the*
 9 *applicable date under subparagraph (A).*

10 **SEC. 1313. REPORT ON COORDINATION WITH PRIVATE EN-**
 11 **TITIES AND STATE GOVERNMENTS WITH RE-**
 12 **SPECT TO THE STATE PARTNERSHIP PRO-**
 13 **GRAM.**

14 (a) *IN GENERAL.*—*The Secretary of Defense shall sub-*
 15 *mit to Congress a report on the feasibility of coordinating*
 16 *with private entities and State governments to provide re-*
 17 *sources and personnel to support technical exchanges under*
 18 *the Department of Defense State Partnership Program es-*
 19 *tablished under section 341 of title 10, United States Code.*

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

22 (1) *An analysis of the limitations of the State*
 23 *Partnership Program.*

1 (2) *The types of personnel and expertise that*
 2 *could be helpful to partner country participants in*
 3 *the State Partnership Program.*

4 (3) *Any authority needed to leverage such exper-*
 5 *tise from private entities and State governments, as*
 6 *applicable.*

7 ***Subtitle B—Matters Relating to***
 8 ***Syria, Iraq, and Iran***

9 ***SEC. 1321. EXTENSION AND MODIFICATION OF AUTHORITY***
 10 ***TO PROVIDE ASSISTANCE TO VETTED SYRIAN***
 11 ***GROUPS AND INDIVIDUALS.***

12 (a) *EXTENSION.*—Subsection (a) of section 1209 of the
 13 *Carl Levin and Howard P. “Buck” McKeon National De-*
 14 *fense Authorization Act for Fiscal Year 2015 (Public Law*
 15 *113–291; 128 Stat. 3541) is amended, in the matter pre-*
 16 *ceding paragraph (1), by striking “December 31, 2023” and*
 17 *inserting “December 31, 2024”.*

18 (b) *LIMITATION ON COST OF CONSTRUCTION AND RE-*
 19 *PAIR PROJECTS.*—Subsection (l)(3) of such section is
 20 *amended—*

21 (1) *in subparagraph (A), by striking “The Presi-*
 22 *dent” and all that follows through “if the President”*
 23 *and inserting “The Secretary of Defense may waive*
 24 *the limitations under paragraph (1) for the purposes*

1 of providing support under subsection (a)(4) if the
2 Secretary”;

3 (2) by striking subparagraph (B);

4 (3) in subparagraph (C), by striking “as re-
5 quired by subparagraph (B)(ii)(I)”;

6 (4) in subparagraph (D), by striking “December
7 31, 2023” and inserting “December 31, 2024”; and

8 (5) by redesignating subparagraphs (C) and (D)
9 as subparagraphs (B) and (C), respectively.

10 **SEC. 1322. EXTENSION OF AUTHORITY TO SUPPORT OPER-**
11 **ATIONS AND ACTIVITIES OF THE OFFICE OF**
12 **SECURITY COOPERATION IN IRAQ.**

13 (a) *LIMITATION ON AMOUNT.*—Subsection (c) of sec-
14 tion 1215 of the National Defense Authorization Act for Fis-
15 cal Year 2012 (10 U.S.C. 113 note) is amended—

16 (1) by striking “fiscal year 2023” and inserting
17 “fiscal year 2024”; and

18 (2) by striking “\$25,000,000” and inserting
19 “\$18,000,000”.

20 (b) *SOURCE OF FUNDS.*—Subsection (d) of such section
21 is amended by striking “fiscal year 2023” and inserting
22 “fiscal year 2024”.

1 **SEC. 1323. EXTENSION AND MODIFICATION OF AUTHORITY**
 2 **TO PROVIDE ASSISTANCE TO COUNTER THE**
 3 **ISLAMIC STATE OF IRAQ AND SYRIA.**

4 (a) *IN GENERAL.*—Subsection (a) of section 1236 of
 5 the Carl Levin and Howard P. “Buck” McKeon National
 6 Defense Authorization Act for Fiscal Year 2015 (Public
 7 Law 113–291; 128 Stat. 3559) is amended, in the matter
 8 preceding paragraph (1)—

9 (1) by inserting “equipment and training to
 10 counter threats from unmanned aerial systems,” be-
 11 fore “and sustainment”; and

12 (2) by striking “December 31, 2023” and insert-
 13 ing “December 31, 2024”.

14 (b) *FUNDING.*—Subsection (g) of such section is
 15 amended by striking “Overseas Contingency Operations for
 16 fiscal year 2023, there are authorized to be appropriated
 17 \$358,000,000” and inserting “fiscal year 2024, there is au-
 18 thorized to be appropriated \$241,950,000”.

19 (c) *FOREIGN CONTRIBUTIONS.*—Subsection (h) of such
 20 section is amended—

21 (1) by striking “The Secretary” and inserting
 22 the following:

23 “(1) *IN GENERAL.*—The Secretary”; and

24 (2) by adding at the end the following new para-
 25 graph:

1 “(2) *USE OF CONTRIBUTIONS.*—*The limitations*
 2 *on costs under subsections (a) and (m) shall not*
 3 *apply with respect to the expenditure of foreign con-*
 4 *tributions in excess of such limitations.”.*

5 (d) *WAIVER AUTHORITY.*—*Subsection (o) of such sec-*
 6 *tion is amended—*

7 (1) *in paragraph (1), by striking “The Presi-*
 8 *dent” and all that follows through “if the President”*
 9 *and inserting “The Secretary of Defense may waive*
 10 *the limitations on costs under subsection (a) or (m)*
 11 *if the Secretary”;*

12 (2) *by striking paragraph (3);*

13 (3) *in paragraph (4), by striking “as required by*
 14 *paragraph (3)(B)(i)”;*

15 (4) *in paragraph (5), by striking “December 31,*
 16 *2023” and inserting “December 31, 2024”; and*

17 (5) *by redesignating paragraphs (4) and (5) as*
 18 *paragraphs (3) and (4), respectively.*

19 (e) *NOTIFICATION OF PROVISION OF COUNTER UN-*
 20 *MANNED AERIAL SYSTEMS TRAINING AND ASSISTANCE.*—
 21 *Such section is further amended by adding at the end the*
 22 *following new subsection:*

23 “(p) *NOTIFICATION OF PROVISION OF COUNTER UN-*
 24 *MANNED AERIAL SYSTEMS TRAINING AND ASSISTANCE.*—

1 “(1) *IN GENERAL.*—Not later than 30 days after
 2 *providing assistance under this section for countering*
 3 *threats from unmanned aerial systems, the Secretary*
 4 *of Defense shall notify the appropriate congressional*
 5 *committees of such provision of assistance.*

6 “(2) *ELEMENTS.*—The notification required by
 7 *paragraph (1) shall include the following:*

8 “(A) *An identification of the military forces*
 9 *being provided such assistance.*

10 “(B) *A description of the type of such as-*
 11 *sistance, including the types of training and*
 12 *equipment, being provided.”.*

13 **SEC. 1324. BRIEFING ON NUCLEAR CAPABILITY OF IRAN.**

14 *Not later than 60 days after the date of the enactment*
 15 *of this Act, the Secretary of Defense shall provide the Com-*
 16 *mittees on Armed Services of the Senate and the House of*
 17 *Representatives with—*

18 (1) *a briefing on—*

19 (A) *threats to global security posed by the*
 20 *nuclear weapon capability of Iran; and*

21 (B) *progress made by Iran in enriching*
 22 *uranium at levels proximate to or exceeding*
 23 *weapons grade; and*

1 (2) *recommendations for actions the United*
 2 *States may take to ensure that Iran does not acquire*
 3 *a nuclear weapon capability.*

4 **SEC. 1325. MODIFICATION OF ESTABLISHMENT OF COORDI-**
 5 **NATOR FOR DETAINED ISIS MEMBERS AND**
 6 **RELEVANT POPULATIONS IN SYRIA.**

7 (a) *DEFINITIONS.—In this section:*

8 (1) *APPROPRIATE COMMITTEES OF CONGRESS.—*
 9 *The term “appropriate committees of Congress”*
 10 *means—*

11 (A) *the Committee on Armed Services, the*
 12 *Committee on Foreign Relations, the Committee*
 13 *on the Judiciary, the Committee on Banking,*
 14 *Housing, and Urban Affairs, the Select Com-*
 15 *mittee on Intelligence, and the Committee on Ap-*
 16 *propriations of the Senate; and*

17 (B) *the Committee on Armed Services, the*
 18 *Committee on Foreign Affairs, the Committee on*
 19 *the Judiciary, the Committee on Financial Serv-*
 20 *ices, the Permanent Select Committee on Intel-*
 21 *ligence, and the Committee on Appropriations of*
 22 *the House of Representatives.*

23 (2) *ISIS MEMBER.—The term “ISIS member”*
 24 *means a person who was part of, or substantially*
 25 *supported, the Islamic State in Iraq and Syria.*

1 (3) *SENIOR COORDINATOR*.—*The term “Senior*
 2 *Coordinator” means the coordinator for detained*
 3 *ISIS members and relevant displaced populations in*
 4 *Syria designated under subsection (a) of section 1224*
 5 *of the National Defense Authorization Act for Fiscal*
 6 *Year 2020 (Public Law 116–92; 133 Stat. 1642), as*
 7 *amended by subsection (d).*

8 (b) *SENSE OF CONGRESS*.—

9 *It is the sense of Congress that—*

10 (A) *ISIS detainees held by the Syrian*
 11 *Democratic Forces and ISIS-affiliated individ-*
 12 *uals located within displaced persons camps in*
 13 *Syria pose a significant and growing humani-*
 14 *tarian challenge and security threat to the re-*
 15 *gion;*

16 (B) *the vast majority of individuals held in*
 17 *displaced persons camps in Syria are women*
 18 *and children, approximately 50 percent of whom*
 19 *are under the age of 12 at the al-Hol camp, and*
 20 *they face significant threats of violence and*
 21 *radicalization, as well as lacking access to ade-*
 22 *quate sanitation and health care facilities;*

23 (C) *there is an urgent need to seek a sus-*
 24 *tainable solution to such camps through repatri-*
 25 *ation and reintegration of the inhabitants;*

1 (D) the United States should work closely
 2 with international allies and partners to facili-
 3 tate the repatriation and reintegration efforts re-
 4 quired to provide a long-term solution for such
 5 camps and prevent the resurgence of ISIS; and

6 (E) if left unaddressed, such camps will
 7 continue to be drivers of instability that jeop-
 8 ardize the long-term prospects for peace and sta-
 9 bility in the region.

10 (c) *STATEMENT OF POLICY.*—It is the policy of the
 11 United States that—

12 (1) ISIS-affiliated individuals located within
 13 displacement camps in Syria, and other inhabitants
 14 of displacement camps in Syria, be repatriated and,
 15 where appropriate, prosecuted, or where possible, re-
 16 integrated into their country of origin, consistent
 17 with all relevant domestic laws and applicable inter-
 18 national laws prohibiting refoulement; and

19 (2) the camps will be closed as soon as is prac-
 20 ticable.

21 (d) *MODIFICATION OF ESTABLISHMENT OF COORDI-*
 22 *NATOR FOR DETAINED ISIS MEMBERS AND RELEVANT*
 23 *DISPLACED POPULATIONS IN SYRIA.*—Section 1224 of the
 24 National Defense Authorization Act for Fiscal Year 2020
 25 (Public Law 116–92; 133 Stat. 1642) is amended—

1 (1) *by striking subsection (a);*

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

4 “(a) *DESIGNATION.*—

5 “(1) *IN GENERAL.*—*The President, in consulta-*
6 *tion with the Secretary of Defense, the Secretary of*
7 *State, the Director of National Intelligence, the Sec-*
8 *retary of the Treasury, the Administrator of the*
9 *United States Agency for International Development,*
10 *and the Attorney General, shall designate an existing*
11 *official to serve within the executive branch as senior-*
12 *level coordinator to coordinate, in conjunction with*
13 *other relevant agencies, matters related to ISIS mem-*
14 *bers who are in the custody of the Syrian Democratic*
15 *Forces and other relevant displaced populations in*
16 *Syria, including—*

17 “(A) *by engaging foreign partners to sup-*
18 *port the repatriation and disposition of such in-*
19 *dividuals, including by encouraging foreign*
20 *partners to repatriate, transfer, investigate, and*
21 *prosecute such ISIS members, and share infor-*
22 *mation;*

23 “(B) *coordination of all multilateral and*
24 *international engagements led by the Depart-*
25 *ment of State and other agencies that are related*

1 to the current and future handling, detention,
2 and prosecution of such ISIS members;

3 “(C) the funding and coordination of the
4 provision of technical and other assistance to for-
5 eign countries to aid in the successful investiga-
6 tion and prosecution of such ISIS members, as
7 appropriate, in accordance with relevant domes-
8 tic laws, international humanitarian law, and
9 other internationally recognized human rights
10 and rule of law standards;

11 “(D) coordination of all multilateral and
12 international engagements related to humani-
13 tarian access and provision of basic services to,
14 and freedom of movement and security and safe
15 return of, displaced persons at camps or facili-
16 ties in Syria that hold family members of such
17 ISIS members;

18 “(E) coordination with relevant agencies on
19 matters described in this section; and

20 “(F) any other matter the President con-
21 siders relevant.

22 “(2) *RULE OF CONSTRUCTION.*—If, on the date of
23 the enactment of the National Defense Authorization
24 Act for Fiscal Year 2024, an individual has already
25 been designated, consistent with the requirements and

1 responsibilities described in paragraph (1), the re-
 2 quirements under that paragraph shall be considered
 3 to be satisfied with respect to such individual until
 4 the date on which such individual no longer serves as
 5 the Senior Coordinator.”;

6 (3) in subsection (c), by striking “subsection (b)”
 7 and inserting “subsection (a)”;

8 (4) in subsection (d), by striking “subsection (b)”
 9 and inserting “subsection (a)”;

10 (5) in subsection (e), by striking “January 31,
 11 2021” and inserting “January 31, 2025”;

12 (6) in subsection (f)—

13 (A) by redesignating paragraph (2) as
 14 paragraph (3);

15 (B) by inserting after paragraph (1) the fol-
 16 lowing new paragraph (2):

17 “(2) SENIOR COORDINATOR.—The term ‘Senior
 18 Coordinator’ means the individual designated under
 19 subsection (a).”; and

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

22 “(4) RELEVANT AGENCIES.—The term ‘relevant
 23 agencies’ means—

24 “(A) the Department of State;

25 “(B) the Department of Defense;

1 “(C) *the Department of the Treasury;*
 2 “(D) *the Department of Justice;*
 3 “(E) *the United States Agency for Inter-*
 4 *national Development;*
 5 “(F) *the Office of the Director of National*
 6 *Intelligence; and*
 7 “(G) *any other agency the President con-*
 8 *siders relevant.”; and*
 9 (7) *by redesignating subsections (c) through (f)*
 10 *as subsections (b) through (e), respectively.*

11 (e) *STRATEGY ON ISIS-RELATED DETAINEE AND DIS-*
 12 *PLACEMENT CAMPS IN SYRIA.—*

13 (1) *IN GENERAL.—Not later than 180 days after*
 14 *the date of the enactment of this Act, the Secretary of*
 15 *State, in coordination with the Secretary of Defense,*
 16 *the Director of National Intelligence, the Secretary of*
 17 *the Treasury, the Administrator of the United States*
 18 *Agency for International Development, and the Attor-*
 19 *ney General, shall submit to the appropriate commit-*
 20 *tees of Congress an interagency strategy with respect*
 21 *to ISIS-affiliated individuals and ISIS-related de-*
 22 *tainee and other displaced persons camps in Syria.*

23 (2) *ELEMENTS.—The strategy required by para-*
 24 *graph (1) shall include—*

25 (A) *methods to address—*

1 (i) *disengagement from and prevention*
2 *of recruitment into violence, violent extre-*
3 *mism, and other illicit activity in such*
4 *camps;*

5 (ii) *efforts to encourage and facilitate*
6 *repatriation and, as appropriate, investiga-*
7 *tion and prosecution of foreign nationals*
8 *from such camps, consistent with all rel-*
9 *evant domestic and applicable international*
10 *laws;*

11 (iii) *the return and reintegration of*
12 *displaced Syrian and Iraqi women and*
13 *children into their communities of origin;*

14 (iv) *international engagement to de-*
15 *velop processes for repatriation and re-*
16 *integration of foreign nationals from such*
17 *camps;*

18 (v) *contingency plans for the relocation*
19 *of detained and displaced persons who are*
20 *not able to be repatriated from such camps;*

21 (vi) *efforts to improve the humani-*
22 *tarian conditions in such camps, including*
23 *through the delivery of medicine, psycho-*
24 *social support, clothing, education, and im-*
25 *proved housing; and*

1 (vii) assessed humanitarian and secu-
2 rity needs of all camps and detainment fa-
3 cilities based on prioritization of such
4 camps and facilities most at risk of human-
5 itarian crises, external attacks, or internal
6 violence;

7 (B) an assessment of—

8 (i) rehabilitation centers in northeast
9 Syria, including humanitarian conditions
10 and processes for admittance and efforts to
11 improve both humanitarian conditions and
12 admittance processes for such centers and
13 camps, as well as on the prevention of youth
14 radicalization; and

15 (ii) processes for being sent to, and re-
16 sources directed towards, rehabilitation cen-
17 ters and programs in countries that receive
18 returned ISIS affiliated individuals, with a
19 focus on the prevention of radicalization of
20 minor children;

21 (C) a plan to improve, in such camps—

22 (i) security conditions, including by
23 training of personnel and through construc-
24 tion; and

25 (ii) humanitarian conditions;

1 (D) a framework for measuring progress of
 2 humanitarian, security, and repatriation efforts
 3 with the goal of closing such camps; and

4 (E) any other matter the Secretary of State
 5 considers appropriate.

6 (3) *FORM.*—The strategy required by paragraph
 7 (1) shall be submitted in unclassified form but may
 8 include a classified annex that is transmitted sepa-
 9 rately.

10 (f) *ANNUAL INTERAGENCY REPORT.*—

11 (1) *IN GENERAL.*—Not later than 180 days after
 12 the date of the enactment of this Act, and not less fre-
 13 quently than annually thereafter through January 31,
 14 2025, the Senior Coordinator, in coordination with
 15 the relevant agencies, shall submit to the appropriate
 16 committees of Congress a detailed report that includes
 17 the following:

18 (A) A detailed description of the facilities
 19 and camps where detained ISIS members, and
 20 families with perceived ISIS affiliation, are
 21 being held and housed, including—

22 (i) a description of the security and
 23 management of such facilities and camps;

24 (ii) an assessment of resources required
 25 for the security of such facilities and camps;

1 (iii) an assessment of the adherence by
2 the operators of such facilities and camps to
3 international humanitarian law standards;
4 and

5 (iv) an assessment of children held
6 within such facilities and camps that may
7 be used as part of smuggling operations to
8 evade security at the facilities and camps.

9 (B) A description of all efforts undertaken
10 by, and the resources needed for, the United
11 States Government to address deficits in the hu-
12 manitarian environment and security of such fa-
13 cilities and camps.

14 (C) A description of all multilateral and
15 international engagements related to humani-
16 tarian access and provision of basic services to,
17 and freedom of movement and security and safe
18 return of, displaced persons at camps or facili-
19 ties in Iraq, Syria, and any other area affected
20 by ISIS activity, including a description of—

21 (i) support for efforts by the Syrian
22 Democratic Forces to facilitate the return
23 and reintegration of displaced people from
24 Iraq and Syria;

1 (ii) repatriation efforts with respect to
2 displaced women and children and male
3 children aging into adults while held in
4 these facilities and camps;

5 (iii) any current or future potential
6 threat to United States national security
7 interests posed by detained ISIS members
8 or displaced families, including an analysis
9 of the al-Hol camp and annexes; and

10 (iv) United States Government plans
11 and strategies to respond to any threat
12 identified under clause (iii).

13 (D) The number of individuals repatriated
14 from the custody of the Syrian Democratic
15 Forces.

16 (E) An analysis of factors on the ground in
17 Syria and Iraq that may result in the unin-
18 tended release of detained or displaced ISIS
19 members, and an assessment of any measures
20 available to mitigate such releases.

21 (F) A detailed description of efforts to en-
22 courage the final disposition and security of de-
23 tained or displaced ISIS members with other
24 countries and international organizations.

1 (G) *A description of foreign repatriation*
2 *and rehabilitation programs deemed successful*
3 *systems to model, and an analysis of the long-*
4 *term results of such programs.*

5 (H) *A description of the manner in which*
6 *the United States Government communicates re-*
7 *garding repatriation and disposition efforts with*
8 *the families of United States citizens believed to*
9 *have been victims of a criminal act by a de-*
10 *tained or displaced ISIS member, in accordance*
11 *with section 503(c) of the Victims' Rights and*
12 *Restitution Act of 1990 (34 U.S.C. 20141(c))*
13 *and section 3771 of title 18, United States Code.*

14 (I) *An analysis of all efforts between the*
15 *United States and partner countries within the*
16 *Global Coalition to Defeat ISIS or other coun-*
17 *tries to share related information that may aid*
18 *in resolving the final disposition of ISIS mem-*
19 *bers, and any obstacles that may hinder such ef-*
20 *forts.*

21 (J) *Any other matter the Coordinator con-*
22 *siders appropriate.*

23 (2) *FORM.—The report required by paragraph*
24 (1) *shall be submitted in unclassified form but may*

1 include a classified annex that is transmitted sepa-
 2 rately.

3 (g) *RULE OF CONSTRUCTION.*—Nothing in this section,
 4 or an amendment made by this section, may be construed—

5 (1) to limit the authority of any Federal agency
 6 to independently carry out the authorized functions of
 7 such agency; or

8 (2) to impair or otherwise affect the activities
 9 performed by that agency as granted by law.

10 ***Subtitle C—Matters Relating to***
 11 ***Europe and the Russian Federation***

12 ***SEC. 1331. EXTENSION AND MODIFICATION OF UKRAINE SE-***
 13 ***CURITY ASSISTANCE INITIATIVE.***

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

17 (1) in the matter preceding paragraph (1), by
 18 striking “for overseas contingency operations”; and

19 (2) by adding at the end the following new para-
 20 graph:

21 “(9) For fiscal year 2024, \$300,000,000.”.

22 (b) *TERMINATION OF AUTHORITY.*—Subsection (h) of
 23 such section is amended by striking “December 31, 2024”
 24 and inserting “December 31, 2027”.

1 **SEC. 1332. EXTENSION AND MODIFICATION OF TRAINING**
 2 **FOR EASTERN EUROPEAN NATIONAL SECU-**
 3 **RITY FORCES IN THE COURSE OF MULTILAT-**
 4 **ERAL EXERCISES.**

5 *Section 1251 of the National Defense Authorization*
 6 *Act for Fiscal Year 2016 (10 U.S.C. 333 note) is amended—*

7 *(1) in subsection (c)(1), by adding at the end the*
 8 *following new subparagraph:*

9 *“(C) The Republic of Kosovo.”; and*

10 *(2) in subsection (h)—*

11 *(A) in the first sentence, by striking “De-*
 12 *cember 31, 2024” and inserting “December 31,*
 13 *2026”; and*

14 *(B) in the second sentence, by striking “De-*
 15 *cember 31, 2024.” and inserting “December 31,*
 16 *2026”.*

17 **SEC. 1333. EXTENSION OF PROHIBITION ON AVAILABILITY**
 18 **OF FUNDS RELATING TO SOVEREIGNTY OF**
 19 **THE RUSSIAN FEDERATION OVER INTER-**
 20 **NATIONALLY RECOGNIZED TERRITORY OF**
 21 **UKRAINE.**

22 *Section 1245(a) of the James M. Inhofe National De-*
 23 *fense Authorization Act for Fiscal Year 2023 (Public Law*
 24 *117–263) is amended by striking “None of the funds” and*
 25 *all that follows through “2023” and inserting “None of the*

1 *funds authorized to be appropriated for fiscal year 2023*
 2 *or 2024”.*

3 **SEC. 1334. EXTENSION AND MODIFICATION OF TEMPORARY**
 4 **AUTHORIZATIONS RELATED TO UKRAINE AND**
 5 **OTHER MATTERS.**

6 *Section 1244 of the James M. Inhofe National Defense*
 7 *Authorization Act for Fiscal Year 2023 (Public Law 117–*
 8 *263) is amended—*

9 *(1) in subsection (a)(7), by striking “September*
 10 *30, 2024” and inserting “September 30, 2025”; and*
 11 *(2) in subsection (c)(1)—*

12 *(A) in the matter preceding subparagraph*
 13 *(A), by inserting “or fiscal year 2024” after “fis-*
 14 *cal year 2023”;*

15 *(B) in subparagraph (P), by striking “;*
 16 *and” and inserting a semicolon;*

17 *(C) in subparagraph (Q), by striking the*
 18 *period at the end and inserting “; and”; and*

19 *(D) by inserting at the end the following*
 20 *new subparagraphs:*

21 *“(R) 3,300 Tomahawk Cruise Missiles;*

22 *“(S) 1,100 Precision Strike Missiles*
 23 *(PrSM);*

24 *“(T) 550 Mark 48 Torpedoes;*

1 “(U) 1,650 RIM-162 Evolved Sea Sparrow
2 Missiles (ESSM);

3 “(V) 1,980 RIM-116 Rolling Airframe Mis-
4 siles (RAM); and

5 “(W) 11,550 Small Diameter Bomb IIs
6 (SDB-II).”.

7 **SEC. 1335. PRIORITIZATION FOR BASING, TRAINING, AND**
8 **EXERCISES IN NORTH ATLANTIC TREATY OR-**
9 **GANIZATION MEMBER COUNTRIES.**

10 (a) *IN GENERAL.*—Subject to subsection (b), when con-
11 sidering decisions related to United States military basing,
12 training, and exercises, the Secretary of Defense shall
13 prioritize those North Atlantic Treaty Organization mem-
14 ber countries that have achieved defense spending of not less
15 than 2 percent of their gross domestic product by 2024.

16 (b) *WAIVER.*—The Secretary of Defense may waive
17 subsection (a) if the Secretary submits a certification to the
18 congressional defense committees that a waiver is in the na-
19 tional security interests of the United States.

20 **SEC. 1336. STUDY AND REPORT ON LESSONS LEARNED RE-**
21 **GARDING INFORMATION OPERATIONS AND**
22 **DETERRENCE.**

23 (a) *STUDY.*—

24 (1) *IN GENERAL.*—The Secretary of Defense shall
25 seek to enter into a contract or other agreement with

1 *an eligible entity to conduct an independent study on*
2 *lessons learned from information operations con-*
3 *ducted by the United States, Ukraine, the Russian*
4 *Federation, and member countries of the North Atlan-*
5 *tic Treaty Organization during the lead-up to the*
6 *Russian Federation's full-scale invasion of Ukraine in*
7 *2022 and throughout the conflict.*

8 (2) *ELEMENT.—The study required by para-*
9 *graph (1) shall include recommendations for improve-*
10 *ments to United States information operations to en-*
11 *hance effectiveness, as well as recommendations on*
12 *how information operations may be improved to sup-*
13 *port the maintenance of deterrence.*

14 (b) *REPORT.—*

15 (1) *IN GENERAL.—Not later than one year after*
16 *the date of the enactment of this Act, Secretary of De-*
17 *fense shall submit to the Committees on Armed Serv-*
18 *ices of the Senate and the House of Representatives a*
19 *report on the results of the study in its entirety, along*
20 *with any such comments as the Secretary considers*
21 *relevant.*

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

1 (c) *ELIGIBLE ENTITY DEFINED.*—In this section, the
2 term “eligible entity”—

3 (1) means an entity independent of the Depart-
4 ment of Defense that is not under the direction or
5 control of the Secretary of Defense; and

6 (2) an independent, nongovernmental institute
7 described in section 501(c)(3) of the Internal Revenue
8 Code of 1986 and exempt from tax under section
9 501(a) of such Code that has recognized credentials
10 and expertise in national security and military af-
11 fairs appropriate for the assessment.

12 **SEC. 1337. REPORT ON PROGRESS ON MULTI-YEAR STRAT-**
13 **EGY AND PLAN FOR THE BALTIC SECURITY**
14 **INITIATIVE.**

15 (a) *IN GENERAL.*—Not later than 180 days after the
16 date of the enactment of this Act, the Secretary of Defense,
17 in consultation with the Secretary of State, shall submit
18 to the congressional defense committees a report on the
19 progress made in the implementation of the multi-year
20 strategy and spending plan set forth in the June 2021 re-
21 port of the Department of Defense entitled “Report to Con-
22 gress on the Baltic Security Initiative”.

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

1 (1) *An identification of any significant change*
2 *to the goals, objectives, and milestones identified in*
3 *the June 2021 report described in subsection (a), in*
4 *light of the radically changed security environment in*
5 *the Baltic region after the full-scale invasion of*
6 *Ukraine by the Russian Federation on February 24,*
7 *2022, and with consideration to enhancing the deter-*
8 *rence and defense posture of the North Atlantic Trea-*
9 *ty Organization in the Baltic region, including*
10 *through the implementation of the regional defense*
11 *plans of the North Atlantic Treaty Organization.*

12 (2) *An update on the Department of Defense*
13 *funding allocated for such strategy and spending plan*
14 *for fiscal years 2022 and 2023 and projected funding*
15 *requirements for fiscal years 2024, 2025, and 2026 for*
16 *each goal identified in such report.*

17 (3) *An update on the host country funding allo-*
18 *cated and planned for each such goal.*

19 (4) *An assessment of the progress made in the*
20 *implementation of the recommendations set forth in*
21 *the fiscal year 2020 Baltic Defense Assessment, and*
22 *reaffirmed in the June 2021 report described in sub-*
23 *section (a), that each Baltic country should—*

24 (A) *increase its defense budget;*

1 (B) focus on and budget for sustainment of
2 capabilities in defense planning; and

3 (C) consider combined units for expensive
4 capabilities such as air defense, rocket artillery,
5 and engineer assets.

6 **SEC. 1338. SENSE OF THE SENATE ON THE NORTH ATLANTIC**
7 **TIC TREATY ORGANIZATION.**

8 *It is the sense of the Senate that—*

9 (1) the success of the North Atlantic Treaty Or-
10 ganization is critical to advancing United States na-
11 tional security objectives in Europe, the Indo-Pacific
12 region, and around the world;

13 (2) the North Atlantic Treaty Organization re-
14 mains the strongest and most successful military alli-
15 ance in the world, founded on a commitment by its
16 members to uphold the principles of democracy, indi-
17 vidual liberty, and the rule of law;

18 (3) the United States reaffirms its ironclad com-
19 mitment—

20 (A) to the North Atlantic Treaty Organiza-
21 tion as the foundation of transatlantic security;
22 and

23 (B) to upholding its obligations under the
24 North Atlantic Treaty, including Article 5;

1 (4) *the unprovoked and illegal invasion of*
2 *Ukraine by the Russian Federation has upended secu-*
3 *urity in Europe and requires the full attention of the*
4 *transatlantic alliance;*

5 (5) *welcoming Finland as the 31st member of the*
6 *North Atlantic Treaty Organization has made the*
7 *North Atlantic Treaty Organization Alliance stronger*
8 *and the remaining North Atlantic Treaty Organiza-*
9 *tion member countries should swiftly ratify the acces-*
10 *sion protocols of Sweden so as to bolster the collective*
11 *security of the North Atlantic Treaty Organization by*
12 *increasing the security and stability of the Baltic Sea*
13 *region and Northern Europe;*

14 (6) *the North Atlantic Treaty Organization*
15 *member countries that have not yet met the two-per-*
16 *cent defense spending pledge, as agreed to at the 2014*
17 *Wales Summit, should endeavor to meet the timeline*
18 *as expeditiously as possible, but certainly within the*
19 *five-year period beginning on the date of the enact-*
20 *ment of this Act;*

21 (7) *the United States and North Atlantic Treaty*
22 *Organization allies and partners should continue ef-*
23 *forts to identify, synchronize, and deliver needed as-*
24 *sistance to Ukraine as Ukraine continues the fight*

1 *against the illegal and unjust war of the Russian*
2 *Federation;*

3 *(8) the Strategic Concept, agreed to by all North*
4 *Atlantic Treaty Organization member countries at*
5 *the Madrid Summit in 2022, outlined the focus of the*
6 *North Atlantic Treaty Organization for the upcoming*
7 *decade, and North Atlantic Treaty Organization al-*
8 *lies should continue to implement the strategies out-*
9 *lined, including by making efforts to address the chal-*
10 *lenges posed by the coercive policies of the People's*
11 *Republic of China that undermine the interests, secu-*
12 *rity, and shared values of the North Atlantic Treaty*
13 *Organization Alliance;*

14 *(9) the United States and North Atlantic Treaty*
15 *Organization allies should continue long-term ef-*
16 *forts—*

17 *(A) to improve interoperability among the*
18 *military forces of member countries of the North*
19 *Atlantic Treaty Organization so as to enhance*
20 *collective operations, including the divestment of*
21 *Soviet-era capabilities;*

22 *(B) to enhance security sector cooperation*
23 *and explore opportunities to reinforce civil sector*
24 *preparedness and resilience measures that may*
25 *be likely targets of malign influence campaigns;*

1 (C) to mitigate the impact of hybrid war-
2 fare operations, particularly those in the infor-
3 mation and cyber domains; and

4 (D) to expand joint research and develop-
5 ment initiatives with a focus on emerging tech-
6 nologies such as quantum computing, artificial
7 intelligence, and machine learning, including
8 through the work of the Defence Innovation Ac-
9 celerator for the North Atlantic initiative (com-
10 monly known as “DIANA”);

11 (10) the European Deterrence Initiative remains
12 critically important and has demonstrated its unique
13 value to the United States and North Atlantic Treaty
14 Organization allies during the current Russian Fed-
15 eration-created war against Ukraine;

16 (11) the United States should continue to work
17 with North Atlantic Treaty Organization allies, and
18 other allies and partners, to build permanent mecha-
19 nisms to strengthen supply chains, enhance supply
20 chain security, and fill supply chain gaps;

21 (12) the United States should prioritize collabo-
22 ration with North Atlantic Treaty Organization allies
23 to secure enduring and robust critical munitions sup-
24 ply chains so as to increase military readiness;

1 (13) *the United States and the North Atlantic*
 2 *Treaty Organization should expand cooperation ef-*
 3 *forts on cybersecurity issues to prevent adversaries*
 4 *and criminals from compromising critical systems*
 5 *and infrastructure; and*

6 (14) *it is in the interest of the United States that*
 7 *the North Atlantic Treaty Organization adopt a ro-*
 8 *bust strategy toward the Black Sea, and the United*
 9 *States should also consider working with interested*
 10 *partner countries to advance a coordinated strategy*
 11 *inclusive of diverse elements of transatlantic security*
 12 *architecture in the Black Sea region.*

13 **SEC. 1339. SENSE OF THE SENATE ON DEFENCE INNOVA-**
 14 **TION ACCELERATOR FOR THE NORTH ATLAN-**
 15 **TIC (DIANA) IN THE NORTH ATLANTIC TREA-**
 16 **TY ORGANIZATION.**

17 *It is the sense of the Senate that—*

18 (1) *the new initiative within the North Atlantic*
 19 *Treaty Organization (NATO) to establish a new re-*
 20 *search and development initiative, known as the*
 21 *Defence Innovation Accelerator for the North Atlantic*
 22 *(DIANA), is an important step in aligning the indus-*
 23 *try and academic innovation communities of the*
 24 *NATO member states towards common goals for iden-*

1 *tifying, experimenting, and transitioning critical*
 2 *technologies of importance to NATO;*

3 *(2) DIANA will spur increased defense research*
 4 *and development funding to rapidly adapt to a new*
 5 *era of strategic competition by bringing defense per-*
 6 *sonnel together with NATO's leading entrepreneurs*
 7 *and academic researchers;*

8 *(3) DIANA will also increase opportunities for*
 9 *engagement on NATO's priority technology areas, in-*
 10 *cluding artificial intelligence, data, autonomy, quan-*
 11 *tum-enabled technologies, biotechnology, hypersonic*
 12 *technologies, space, novel materials and manufac-*
 13 *turing, and energy and propulsion; and*

14 *(4) through DIANA, NATO allies will foster in-*
 15 *novative ecosystems and develop talent for dual use*
 16 *technologies to maintain NATO's strategic advantage.*

17 **SEC. 1340. SENSE OF THE SENATE REGARDING THE ARMING**
 18 **OF UKRAINE.**

19 *It is the sense of the Senate that Ukraine would derive*
 20 *military benefit from the provision of munitions such as*
 21 *the dual-purpose improved conventional munition*
 22 *(DPICM). Such weapons could be fired from systems in the*
 23 *existing Ukrainian inventory and would enhance Ukraine's*
 24 *stockpile of available munitions and would bolster*
 25 *Ukraine's efforts to end Russia's illegal and unjust war. The*

1 *Department of Defense, in concert with the other members*
 2 *of the Ukraine Defense Contract Group, should continue to*
 3 *support Ukraine’s brave fight to defeat the invasion of the*
 4 *Russian Federation. The Department of Defense, in close*
 5 *coordination with the State Department, should assess the*
 6 *feasibility and advisability of providing such munitions,*
 7 *including giving appropriate attention to humanitarian*
 8 *considerations, including supporting Ukraine’s effort to end*
 9 *the widespread suffering of the Ukrainian people by bring-*
 10 *ing Russia’s war of choice to an end as soon as possible*
 11 *on terms favorable to Ukraine, as well as the views of other*
 12 *members of the Ukraine Defense Contract Group.*

13 ***Subtitle D—Matters Relating to the***
 14 ***Indo-Pacific Region***

15 ***SEC. 1341. INDO-PACIFIC CAMPAIGNING INITIATIVE.***

16 (a) *IN GENERAL.*—*The Secretary of Defense shall es-*
 17 *tablish, and the Commander of the United States Indo-Pa-*
 18 *cific Command shall carry out, an Indo-Pacific Cam-*
 19 *paigning Initiative (in this section referred to as the “Ini-*
 20 *tiative”)* for purposes of—

21 (1) *strengthening United States alliances and*
 22 *partnerships with foreign military partners in the*
 23 *Indo-Pacific region;*

1 (2) *detering military aggression by potential*
2 *adversaries against the United States and allies and*
3 *partners of the United States;*

4 (3) *dissuading strategic competitors from seeking*
5 *to achieve their objectives through the conduct of mili-*
6 *tary activities below the threshold of traditional*
7 *armed conflict;*

8 (4) *improving the understanding of the United*
9 *States Armed Forces with respect to the operating en-*
10 *vironment in the Indo-Pacific region;*

11 (5) *shaping the perception of potential adver-*
12 *saries with respect to United States military capa-*
13 *bilities and the military capabilities of allies and*
14 *partners of the United States in the Indo-Pacific re-*
15 *gion; and*

16 (6) *improving the ability of the United States*
17 *Armed Forces to coordinate and operate with foreign*
18 *military partners in the Indo-Pacific region.*

19 (b) *BRIEFING AND REPORT.—*

20 (1) *BRIEFING.—Not later than March 1, 2024,*
21 *the Secretary shall provide the congressional defense*
22 *committees with a briefing that describes ongoing and*
23 *planned campaigning activities in the Indo-Pacific*
24 *region for fiscal year 2024.*

1 (2) *REPORT*.—Not later than December 1, 2024,
2 the Secretary shall submit to the congressional defense
3 committees a report that—

4 (A) summarizes the campaigning activities
5 conducted in the Indo-Pacific region during fis-
6 cal year 2024; and

7 (B) includes—

8 (i) a value assessment of each such ac-
9 tivity;

10 (ii) lessons learned in carrying out
11 such activities;

12 (iii) any identified resource or author-
13 ity gap that has negatively impacted the
14 implementation of the Initiative; and

15 (iv) proposed plans for additional
16 campaigning activities in the Indo-Pacific
17 region to fulfill the purposes described in
18 subsection (a).

19 (c) *CAMPAIGNING DEFINED*.—In this section, the term
20 “campaigning”—

21 (1) means the conduct and sequencing of logi-
22 cally linked military activities to achieve strategy-
23 aligned objectives, including modifying the security
24 environment over time to the benefit of the United
25 States and the allies and partners of the United

1 *States while limiting, frustrating, and disrupting*
 2 *competitor activities; and*

3 *(2) includes deliberately planned military activi-*
 4 *ties in the Indo-Pacific region involving bilateral and*
 5 *multilateral engagements with foreign partners,*
 6 *training, exercises, demonstrations, experiments, and*
 7 *other activities to achieve the objectives described in*
 8 *subsection (a).*

9 **SEC. 1342. TRAINING, ADVISING, AND INSTITUTIONAL CA-**
 10 **PACITY-BUILDING PROGRAM FOR MILITARY**
 11 **FORCES OF TAIWAN.**

12 *(a) ESTABLISHMENT.—Consistent with the Taiwan*
 13 *Relations Act (22 U.S.C. 3301 et seq.) and the Taiwan En-*
 14 *hanced Resilience Act (subtitle A of title LV of Public Law*
 15 *117–263), the Secretary of Defense, with the concurrence of*
 16 *the Secretary of State and in consultation with appropriate*
 17 *officials of Taiwan, shall establish a comprehensive train-*
 18 *ing, advising, and institutional capacity-building program*
 19 *for the military forces of Taiwan using the authorities pro-*
 20 *vided in chapter 16 of title 10, United States Code, and*
 21 *other applicable statutory authorities available to the Sec-*
 22 *retary of Defense.*

23 *(b) PURPOSES.—The purposes of the program estab-*
 24 *lished under subsection (a) shall be—*

1 (1) *to enable a layered defense of Taiwan by the*
2 *military forces of Taiwan, including in support of the*
3 *use of an asymmetric defense strategy;*

4 (2) *to enhance interoperability between the*
5 *United States Armed Forces and the military forces*
6 *of Taiwan;*

7 (3) *to encourage information sharing between the*
8 *United States Armed Forces and the military forces*
9 *of Taiwan;*

10 (4) *to promote joint force employment; and*

11 (5) *to improve professional military education*
12 *and the civilian control of the military.*

13 (c) *ELEMENTS.*—*The program established under sub-*
14 *section (a) shall include efforts to improve—*

15 (1) *the tactical proficiency of the military forces*
16 *of Taiwan;*

17 (2) *the operational employment of the military*
18 *forces of Taiwan to conduct a layered defense of Tai-*
19 *wan, including in support of an asymmetric defense*
20 *strategy;*

21 (3) *the employment of joint military capabilities*
22 *by the military forces of Taiwan, including through*
23 *joint military training, exercises, and planning;*

24 (4) *the reform and integration of the reserve*
25 *military forces of Taiwan;*

1 (5) *the use of defense articles and services trans-*
 2 *ferred from the United States to Taiwan;*

3 (6) *the integration of the military forces of Tai-*
 4 *wan with relevant civilian agencies, including the*
 5 *All-Out Defense Mobilization Agency;*

6 (7) *the ability of Taiwan to participate in bilat-*
 7 *eral and multilateral military exercises, as appro-*
 8 *priate;*

9 (8) *the defensive cyber capabilities and practices*
 10 *of the Ministry of National Defense of Taiwan; and*

11 (9) *any other matter the Secretary of Defense*
 12 *considers relevant.*

13 (d) *DECONFLICTION, COORDINATION, AND CONCUR-*
 14 *RENCE.—The Secretary of Defense shall deconflict, coordi-*
 15 *nate, and seek the concurrence of the Secretary of State and*
 16 *the heads of other relevant departments and agencies with*
 17 *respect to activities carried out under the program required*
 18 *by subsection (a), in accordance with the requirements of*
 19 *the authorities provided in chapter 16 of title 10, United*
 20 *States Code, and other applicable statutory authorities*
 21 *available to the Secretary of Defense.*

22 (e) *REPORTING.—As part of each annual report on*
 23 *Taiwan defensive military capabilities and intelligence*
 24 *support required by section 1248 of the National Defense*
 25 *Authorization Act for Fiscal Year 2022 (Public Law 117—*

1 81; 135 Stat. 1988), the Secretary of Defense shall pro-
 2 vide—

3 (1) an update on efforts made to address each
 4 element under subsection (c); and

5 (2) an identification of any authority or re-
 6 source shortfall that inhibits such efforts.

7 **SEC. 1343. INDO-PACIFIC MARITIME DOMAIN AWARENESS**
 8 **INITIATIVE.**

9 (a) *ESTABLISHMENT.*—Not later than 90 days after
 10 the date of the enactment of this Act, the Secretary of De-
 11 fense, in coordination with the Secretary of State, shall seek
 12 to establish an initiative with allies and partners of the
 13 United States, including Australia, Japan, and India, to
 14 be known as the “Indo-Pacific Maritime Domain Aware-
 15 ness Initiative” (in this section referred to as the “Initia-
 16 tive”), to bolster maritime domain awareness in the Indo-
 17 Pacific region.

18 (b) *USE OF AUTHORITIES.*—In carrying out the Ini-
 19 tiative, the Secretary of Defense may use the authorities
 20 provided in chapter 16 of title 10, United States Code, and
 21 other applicable statutory authorities available to the Sec-
 22 retary of Defense.

23 (c) *PURPOSES.*—The purposes of the Initiative are as
 24 follows:

(3) *To provide a comprehensive understanding of the maritime domain in the Indo-Pacific region, including by facilitating information sharing among such allies and partners.*

15 *SEC. 1344. EXTENSION OF PACIFIC DETERRENCE INITIA-*
16 *TIVE.*

(1) by striking “the National Defense Authoriza-
tion Act for Fiscal Year 2023” and inserting “the Na-
tional Defense Authorization Act for Fiscal Year
2024”; and

1 (2) by striking “fiscal year 2023” and inserting
2 “fiscal year 2024”.

3 (b) *REPORT ON RESOURCING UNITED STATES DE-*
4 *FENSE REQUIREMENTS FOR THE INDO-PACIFIC REGION*
5 *AND STUDY ON COMPETITIVE STRATEGIES.*—Subsection
6 (d)(1)(A) of such section is amended by striking “fiscal
7 years 2023 and 2024” and inserting “fiscal years 2024 and
8 2025”.

9 **SEC. 1345. EXTENSION OF AUTHORITY TO TRANSFER**
10 **FUNDS FOR BIEN HOA DIOXIN CLEANUP.**

11 Section 1253(b) of the William M. (Mac) Thornberry
12 National Defense Authorization Act for Fiscal Year 2021
13 (Public Law 116–283; 134 Stat. 3955) is amended by strik-
14 ing “fiscal year 2023” and inserting “fiscal year 2024”.

15 **SEC. 1346. EXTENSION AND MODIFICATION OF PILOT PRO-**
16 **GRAM TO IMPROVE CYBER COOPERATION**
17 **WITH FOREIGN MILITARY PARTNERS IN**
18 **SOUTHEAST ASIA.**

19 (a) *IN GENERAL.*—Subsection (a) of section 1256 of
20 the William M. (Mac) Thornberry National Defense Author-
21 ization Act for Fiscal Year 2021 (Public Law 116–283; 134
22 Stat. 3956; 10 U.S.C. 333 note) is amended—

23 (1) in the matter preceding paragraph (1), by
24 striking “in Vietnam, Thailand, and Indonesia” and
25 inserting “with covered foreign military partners”;

1 (2) in paragraph (1), by striking “Vietnam,
2 Thailand, and Indonesia” and inserting “covered for-
3 eign military partners”; and

4 (3) in paragraph (2), by striking “Vietnam,
5 Thailand, and Indonesia on” and inserting “covered
6 foreign military partners on defensive”.

7 (b) *ELEMENTS*.—Subsection (b) of such section is
8 amended—

9 (1) in paragraph (1), by striking “Vietnam,
10 Thailand, and Indonesia” and inserting “covered for-
11 eign military partners”; and

12 (2) in paragraph (2), by striking “Vietnam,
13 Thailand, and Indonesia” and inserting “covered for-
14 eign military partners”.

15 (c) *REPORTS*.—Subsection (c)(2)(B) of such title is
16 amended by striking “Vietnam, Thailand, and Indonesia”
17 and inserting “covered foreign military partners”.

18 (d) *CERTIFICATION*.—Subsection (d) of such section is
19 amended—

20 (1) by inserting “with any covered foreign mili-
21 tary partner” after “scheduled to commence”; and

22 (2) by striking “Vietnam, Indonesia, or Thai-
23 land” and inserting “the covered foreign military
24 partner”.

1 (e) *EXTENSION.*—Subsection (e) of such section is
 2 amended by striking “December 31, 2024” and inserting
 3 “December 31, 2029”.

4 (f) *DEFINITIONS.*—Subsection (f) of such section is
 5 amended to read as follows:

6 “(f) *DEFINITIONS.*—In this section:

7 “(1) *APPROPRIATE COMMITTEES OF CON-*
 8 *GRESS.*—The term ‘appropriate committees of Con-
 9 *gress’ means—*

10 “(A) *the Committee on Armed Services and*
 11 *the Committee on Foreign Relations of the Sen-*
 12 *ate; and*

13 “(B) *the Committee on Armed Services and*
 14 *the Committee on Foreign Affairs of the House*
 15 *of Representatives.*

16 “(2) *COVERED FOREIGN MILITARY PARTNER.*—
 17 *The term ‘covered foreign military partner’ means the*
 18 *following:*

19 “(A) *Vietnam.*

20 “(B) *Thailand.*

21 “(C) *Indonesia.*

22 “(D) *The Philippines.*

23 “(E) *Malaysia.*”.

24 (g) *CONFORMING AMENDMENTS.*—

1 (1) *Section 1256 of the William M. (Mac) Thorn-*
 2 *berry National Defense Authorization Act for Fiscal*
 3 *Year 2021 (Public Law 116–283; 134 Stat. 3956; 10*
 4 *U.S.C. 333 note) is amended, in the section heading,*
 5 *by striking “VIETNAM, THAILAND, AND INDO-*
 6 *NESIA” and inserting “COVERED FOREIGN MILI-*
 7 *TARY PARTNERS IN SOUTHEAST ASIA”.*

8 (2) *The table of contents for the William M.*
 9 *(Mac) Thornberry National Defense Authorization Act*
 10 *for Fiscal Year 2021 (Public Law 116–283; 134 Stat.*
 11 *3388) is amended by striking the item relating to sec-*
 12 *tion 1256 and inserting the following:*

“Sec. 1256. Pilot program to improve cyber cooperation with covered foreign
 military partners in Southeast Asia.”.

13 (3) *The table of contents for title XII of the Wil-*
 14 *liam M. (Mac) Thornberry National Defense Author-*
 15 *ization Act for Fiscal Year 2021 (Public Law 116–*
 16 *283; 134 Stat. 3905) is amended by striking the item*
 17 *relating to section 1256 and inserting the following:*

“Sec. 1256. Pilot program to improve cyber cooperation with covered foreign
 military partners in Southeast Asia.”.

18 **SEC. 1347. EXTENSION AND MODIFICATION OF CERTAIN**
 19 **TEMPORARY AUTHORIZATIONS.**

20 (a) *IN GENERAL.*—Section 1244 of the James M.
 21 *Inhofe National Defense Authorization Act for Fiscal Year*
 22 *2023 (Public Law 117–263; 136 Stat. 2844) is amended—*

1 (1) *in the section heading, by striking “OTHER*
 2 *MATTERS” and inserting “TAIWAN”; and*

3 (2) *in subsection (a)—*

4 (A) *in paragraph (1)—*

5 (i) *in subparagraph (B), by inserting*
 6 *“or the Government of Taiwan” after “the*
 7 *Government of Ukraine”; and*

8 (ii) *in subparagraph (C), by inserting*
 9 *“or the Government of Taiwan” after “the*
 10 *Government of Ukraine”;*

11 (B) *in paragraph (5)—*

12 (i) *by striking subparagraph (A) and*
 13 *inserting the following:*

14 “(A) *the replacement of defense articles from*
 15 *stocks of the Department of Defense provided*
 16 *to—*

17 “(i) *the Government of Ukraine;*

18 “(ii) *foreign countries that have pro-*
 19 *vided support to Ukraine at the request of*
 20 *the United States;*

21 “(iii) *the Government of Taiwan; or*

22 “(iv) *foreign countries that have pro-*
 23 *vided support to Taiwan at the request of*
 24 *the United States; or”;* and

1 (ii) in subparagraph (B), by inserting
2 “or the Government of Taiwan” before the
3 period at the end;

4 (C) in paragraph (7), by striking “Sep-
5 tember 30, 2024” and inserting “September 30,
6 2028”;

7 (D) by redesignating paragraph (7) as
8 paragraph (8); and

9 (E) by inserting after paragraph (6) the fol-
10 lowing new paragraph (7):

11 “(7) NOTIFICATION.—Not later than 7 days after
12 the exercise of authority under subsection (a) the Sec-
13 retary of Defense shall notify the congressional defense
14 committees of the specific authority exercises, the rel-
15 evant contract, and the estimated reductions in sched-
16 ule.”.

17 (b) CLERICAL AMENDMENTS.—

18 (1) The table of contents at the beginning of the
19 James M. Inhofe National Defense Authorization Act
20 for Fiscal Year 2023 (Public Law 117–263; 136 Stat.
21 2395) is amended by striking the item relating to sec-
22 tion 1244 and inserting the following:

“Sec. 1244. Temporary authorizations related to Ukraine and Taiwan.”.

23 (2) The table of contents at the beginning of title
24 XII of the James M. Inhofe National Defense Author-
25 ization Act for Fiscal Year 2023 (Public Law 117–

1 263; 136 Stat. 2820) is amended by striking the item
 2 relating to section 1244 and inserting the following:

“Sec. 1244. Temporary authorizations related to Ukraine and Taiwan.”.

3 **SEC. 1348. PLAN FOR ENHANCED SECURITY COOPERATION**
 4 **WITH JAPAN.**

5 (a) *IN GENERAL.*—Not later than June 1, 2024, the
 6 Secretary of Defense, in coordination with the Secretary of
 7 State, shall submit to the appropriate committees of Con-
 8 gress a plan for enhancing United States security coopera-
 9 tion with Japan.

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

12 (1) *A plan for—*

13 (A) *increased bilateral training, exercises,*
 14 *combined patrols, and other activities between*
 15 *the United States Armed Forces and the Self-De-*
 16 *fense Forces of Japan;*

17 (B) *increasing multilateral military-to-*
 18 *military engagements involving the United*
 19 *States Armed Forces, the Self-Defense Forces of*
 20 *Japan, and the military forces of other regional*
 21 *allies and partners, including Australia, India,*
 22 *the Republic of Korea, and the Philippines, as*
 23 *appropriate;*

1 (C) increased sharing of intelligence and
2 other information, including the adoption of en-
3 hanced security protocols;

4 (D) current mechanisms, processes, and
5 plans to coordinate and engage with the Joint
6 Headquarters of the Self-Defense Forces of
7 Japan; and

8 (E) enhancing cooperation on advanced
9 technology initiatives, including artificial intel-
10 ligence, cyber, space, undersea, hypersonic, and
11 related technologies.

12 (2) An analysis of the feasibility and advis-
13 ability of—

14 (A) increasing combined planning efforts
15 between the United States and Japan to address
16 potential regional contingencies;

17 (B) modifying United States command
18 structures in Japan—

19 (i) to coordinate all United States
20 military activities and operations in
21 Japan;

22 (ii) to complement similar changes by
23 the Self-Defense Forces of Japan; and

1 (iii) to facilitate integrated planning
 2 and implementation of combined activities;
 3 and

4 (C) additional modifications to the force
 5 posture of the United States Armed Forces in
 6 Japan, including the establishment of additional
 7 main operating locations, cooperative security
 8 locations, contingency locations, and other for-
 9 ward operating sites.

10 (3) An identification of challenges to the imple-
 11 mentation of the plan required by subsection (a) and
 12 any recommended legislative changes, resourcing re-
 13 quirements, bilateral agreements, or other measures
 14 that would facilitate the implementation of such plan.

15 (c) *FORM*.—The plan required by subsection (a) shall
 16 be submitted in unclassified form but may include a classi-
 17 fied annex.

18 (d) *APPROPRIATE COMMITTEES OF CONGRESS DE-*
 19 *FINED*.—In this section, the term “appropriate committees
 20 of Congress” means—

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

23 (2) the Committee on Foreign Affairs and the
 24 Committee on Armed Services of the House of Rep-
 25 resentatives.

1 **SEC. 1349. PLAN FOR IMPROVEMENTS TO CERTAIN OPER-**
 2 **ATING LOCATIONS IN INDO-PACIFIC REGION.**

3 (a) *IDENTIFICATION OF OPERATING LOCATIONS.*—

4 (1) *IN GENERAL.*—*The Secretary of Defense shall*
 5 *conduct a classified survey to identify each United*
 6 *States operating location within the area of responsi-*
 7 *bility of the United States Indo-Pacific Command,*
 8 *including in the First, Second, and Third Island*
 9 *Chains, that—*

10 (A) *may be used to respond militarily to*
 11 *aggression by the People’s Republic of China;*
 12 *and*

13 (B) *is considered to not be sufficiently capa-*
 14 *ble of mitigating damage to aircraft of the*
 15 *United States Armed Forces in the event of a*
 16 *missile, aerial drone, or other form of attack by*
 17 *the People’s Republic of China.*

18 (2) *REPORT.*—*Not later than 120 days after the*
 19 *date of the enactment of this Act, the Secretary shall*
 20 *submit to the congressional defense committees a re-*
 21 *port on the results of the survey under paragraph (1).*

22 (b) *PLAN.*—*Not later than 60 days after the date on*
 23 *which the report required by paragraph (2) of subsection*
 24 *(a) is submitted, the Secretary shall submit to the congres-*
 25 *sional defense committees a plan—*

1 (1) *to implement improvements, as appropriate,*
 2 *to operating locations identified under that subsection*
 3 *so as to increase the survivability of aircraft of the*
 4 *United States Armed Forces in the event of a missile,*
 5 *aerial drone, or other form of attack by the People's*
 6 *Republic of China; and*

7 (2) *that includes an articulation of other means*
 8 *for increasing survivability of such aircraft in the*
 9 *event of such an attack, including dispersal and de-*
 10 *ception.*

11 (c) *FORM.—The report and plan required by this sec-*
 12 *tion shall be submitted in classified form.*

13 **SEC. 1350. STRATEGY FOR IMPROVING POSTURE OF**
 14 **GROUND-BASED THEATER-RANGE MISSILES**
 15 **IN INDO-PACIFIC REGION.**

16 (a) *IN GENERAL.—Not later than 180 days after the*
 17 *date of the enactment of this Act, the Secretary of Defense*
 18 *shall submit to the congressional defense committees a strat-*
 19 *egy for improving the posture of ground-based theater-range*
 20 *missile capabilities in the Indo-Pacific region.*

21 (b) *ELEMENTS.—The strategy required by subsection*
 22 (i) *shall include the following:*

23 (1) *An assessment of gaps in conventional*
 24 *ground-based theater-range precision strike capabili-*

1 *ties in the area of responsibility of the United States*
2 *Indo-Pacific Command.*

3 (2) *An identification of military requirements*
4 *for conventional ground-based theater-range missile*
5 *systems, including range, propulsion, payload, launch*
6 *platform, weapon effects, and other operationally rel-*
7 *evant factors in the Indo-Pacific region.*

8 (3) *An identification of prospective basing loca-*
9 *tions in the area of responsibility of the United States*
10 *Indo-Pacific Command, including an articulation of*
11 *the bilateral agreements necessary to support such de-*
12 *ployments.*

13 (4) *A description of operational concepts for em-*
14 *ployment, including integration with short-range and*
15 *multi-domain fires, in denial operations in the West-*
16 *ern Pacific.*

17 (5) *An identification of prospective foreign part-*
18 *ners and institutional mechanisms for co-development*
19 *and co-production of new theater-range conventional*
20 *missiles.*

21 (6) *An assessment of the cost and schedule of de-*
22 *velopmental ground-based theater-range missiles pro-*
23 *grams, including any potential cost-sharing arrange-*
24 *ments with foreign partners through existing institu-*
25 *tional mechanisms.*

7 (c) FORM.—The strategy required by subsection (a)
8 may be submitted in classified form but shall include an
9 unclassified summary.

15 *SEC. 1351. ENHANCING MAJOR DEFENSE PARTNERSHIP*
16 *WITH INDIA.*

(1) *Eligibility for funding to initiate or facilitate cooperative research, development, testing, or*

1 *evaluation projects with the Department of Defense,*
2 *with priority given to projects in the areas of—*

3 *(A) artificial intelligence;*

4 *(B) undersea domain awareness;*

5 *(C) air combat and support;*

6 *(D) munitions; and*

7 *(E) mobility.*

8 *(2) Eligibility to enter into reciprocal agree-*
9 *ments with the Department of Defense for the cooper-*
10 *ative provision of training on a bilateral or multilat-*
11 *eral basis in support of programs for the purpose of*
12 *building capacity in the areas of—*

13 *(A) counterterrorism operations;*

14 *(B) counter-weapons of mass destruction*
15 *operations;*

16 *(C) counter-illicit drug trafficking oper-*
17 *ations;*

18 *(D) counter-transnational organized crime*
19 *operations;*

20 *(E) maritime and border security oper-*
21 *ations;*

22 *(F) military intelligence operations;*

23 *(G) air domain awareness operations; and*

24 *(H) cyberspace security and defensive cyber-*
25 *space operations.*

(b) *BRIEFING.*—Not later than March 1, 2024, the Secretary of Defense, in coordination with the Secretary of State and the head of any other relevant Federal department or agency, shall provide the congressional defense committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives with a briefing on the status of security cooperation activities with India, including the lines of effort specified in subsection (a).

(a) *REQUIREMENT.*—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, acting through the Under Secretary of Defense for Policy, with the concurrence of the Secretary of State and in coordination with the Commander of the United States Cyber

1 *Command and the Commander of the United States Indo-*
 2 *Pacific Command, shall seek to engage with appropriate of-*
 3 *ficials of Taiwan for the purpose of expanding cooperation*
 4 *on military cybersecurity activities using the authorities*
 5 *under chapter 16 of title 10, United States Code, and other*
 6 *applicable statutory authorities available to the Secretary*
 7 *of Defense.*

8 (b) *COOPERATION EFFORTS.*—*In expanding the co-*
 9 *operation of military cybersecurity activities between the*
 10 *Department of Defense and the military forces of Taiwan*
 11 *under subsection (a), the Secretary of Defense may carry*
 12 *out efforts—*

13 (1) *to actively defend military networks, infra-*
 14 *structure, and systems;*

15 (2) *to eradicate malicious cyber activity that has*
 16 *compromised such networks, infrastructure, and sys-*
 17 *tems;*

18 (3) *to leverage United States commercial and*
 19 *military cybersecurity technology and services to*
 20 *harden and defend such networks, infrastructure, and*
 21 *systems; and*

22 (4) *to conduct combined cybersecurity training*
 23 *activities and exercises.*

24 (c) *BRIEFINGS.*—

1 (1) *REQUIREMENT.*—Not later than 180 days
 2 after the date of the enactment of this Act, the Sec-
 3 retary of Defense, in coordination with the Secretary
 4 of State, shall provide to the appropriate committees
 5 of Congress a briefing on the implementation of this
 6 section.

7 (2) *CONTENTS.*—The briefing under paragraph
 8 (1) shall include the following:

9 (A) A description of the feasibility and ad-
 10 visability of expanding the cooperation on mili-
 11 tary cybersecurity activities between the Depart-
 12 ment of Defense and the military forces of Tai-
 13 wan.

14 (B) An identification of any challenges and
 15 resources that need to be addressed so as to ex-
 16 pand such cooperation.

17 (C) An overview of efforts undertaken pur-
 18 suant to this section.

19 (D) Any other matter the Secretary con-
 20 siders relevant.

21 (d) *APPROPRIATE COMMITTEES OF CONGRESS DE-*
 22 *FINED.*—In this section, the term “appropriate committees
 23 of Congress” means—

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

1 (2) *the Committee on Armed Services and the*
 2 *Committee on Foreign Affairs of the House of Rep-*
 3 *resentatives.*

4 **SEC. 1353. DESIGNATION OF SENIOR OFFICIAL FOR DE-**
 5 **PARTMENT OF DEFENSE ACTIVITIES RELAT-**
 6 **ING TO, AND IMPLEMENTATION PLAN FOR,**
 7 **SECURITY PARTNERSHIP AMONG AUSTRALIA,**
 8 **THE UNITED KINGDOM, AND THE UNITED**
 9 **STATES.**

10 (a) *DESIGNATION OF SENIOR OFFICIAL.*—Not later
 11 *than 90 days after the date of the enactment of this Act,*
 12 *the Secretary of Defense shall designate a senior civilian*
 13 *official of the Department of Defense who shall be respon-*
 14 *sible for overseeing Department of Defense activities relat-*
 15 *ing to the security partnership among Australia, the United*
 16 *Kingdom, and the United States (commonly known as the*
 17 *“AUKUS partnership”).*

18 (b) *PLAN.*—

19 (1) *IN GENERAL.*—Not later than 90 days after
 20 *the date of the enactment of this Act, the Secretary of*
 21 *Defense, in coordination with the Administrator for*
 22 *Nuclear Security and the Secretary of State, shall*
 23 *submit to the appropriate committees of Congress an*
 24 *implementation plan outlining Department efforts re-*
 25 *lating to the AUKUS partnership.*

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

3 (A) *Timelines and major anticipated mile-*
4 *stones for the implementation of the AUKUS*
5 *partnership.*

6 (B) *An identification of dependencies of*
7 *such milestones on defense requirements that*
8 *are—*

9 (i) *unrelated to the AUKUS partner-*
10 *ship; and*

11 (ii) *solely within the decisionmaking*
12 *responsibility of Australia or the United*
13 *Kingdom.*

14 (C) *Recommendations for adjustments to*
15 *statutory and regulatory export authorities or*
16 *frameworks, including technology transfer and*
17 *protection, necessary to efficiently implement the*
18 *AUKUS partnership.*

19 (D) *A consideration of the implications of*
20 *the plan on the industrial base with respect to—*

21 (i) *the expansion of existing United*
22 *States submarine construction capacity to*
23 *fulfill United States, United Kingdom, and*
24 *Australia requirements;*

1 (ii) acceleration of the restoration of
2 United States capabilities for producing
3 highly enriched uranium to fuel submarine
4 reactors;

5 (iii) stabilization of commodity mar-
6 kets and expanding supplies of high-grade
7 steel, construction materials, and other re-
8 sources required for improving shipyard
9 condition and expanding throughput capac-
10 ity; and

11 (iv) coordination and synchronization
12 of industrial sourcing opportunities among
13 Australia, the United Kingdom, and the
14 United States.

15 (E) A description of resourcing and per-
16 sonnel requirements, including the hiring of ad-
17 ditional foreign disclosure officers.

18 (F) A plan for improving information shar-
19 ing, including—

20 (i) recommendations for modifications
21 to foreign disclosure policies and processes;

22 (ii) the promulgation of written infor-
23 mation-sharing guidelines or policies to im-
24 prove information sharing under the
25 AUKUS partnership;

1 (iii) the establishment of an informa-
2 tion handling caveat specific to the AUKUS
3 partnership; and

4 (iv) the reduction in use of the Not Re-
5 leasable to Foreign Nations (NOFORN) in-
6 formation handling caveat.

7 (G) Processes for the protection of privately
8 held intellectual property, including patents.

9 (H) A plan to leverage, for the AUKUS
10 partnership, any relevant existing cybersecurity
11 or technology partnership or cooperation activity
12 between the United States and the United King-
13 dom or between the United States and Australia.

14 (I) Recommended updates to other statu-
15 tory, regulatory, policy, or process frameworks.

16 (J) Any other matter the Secretary of De-
17 fense considers appropriate.

18 (c) SEMIANNUAL UPDATES.—Not later than 60 days
19 after the date on which the plan required by subsection (b)
20 is submitted, and semiannually thereafter on April 1 and
21 October 1 each year through 2029, the senior civilian offi-
22 cial designated under subsection (a) shall provide the con-
23 gressional defense committees with a briefing on the status
24 of all Department activities to implement the AUKUS part-
25 nership.

1 (d) *APPROPRIATE COMMITTEES OF CONGRESS DE-*
 2 *FINED.*—*In this section, the term “appropriate committees*
 3 *of Congress” means—*

4 (1) *the Committee on Armed Services, the Com-*
 5 *mittee on Foreign Relations, and the Committee on*
 6 *Appropriations of the Senate; and*

7 (2) *the Committees on Armed Services, the Com-*
 8 *mittee on Foreign Affairs, and the Committee on Ap-*
 9 *propriations of the House of Representatives.*

10 **SEC. 1354. REPORT AND NOTIFICATION RELATING TO**
 11 **TRANSFER OF OPERATIONAL CONTROL ON**
 12 **KOREAN PENINSULA.**

13 (a) *REPORT.*—*Not later than 180 days after the date*
 14 *of the enactment of this Act, the Secretary of Defense, in*
 15 *coordination with the Secretary of State, shall submit to*
 16 *the appropriate committees of Congress a report that—*

17 (1) *describes the conditions under which the*
 18 *military forces of the Republic of Korea would be pre-*
 19 *pared to assume wartime operational control of the*
 20 *United States and Republic of Korea Combined*
 21 *Forces Command; and*

22 (2) *includes an assessment of the extent to which*
 23 *the military forces of the Republic of Korea meet such*
 24 *conditions as of the date on which the report is sub-*
 25 *mitted.*

1 (b) *NOTIFICATION.*—

2 (1) *IN GENERAL.*—Not later than 30 days before
3 the date on which wartime operational control of the
4 United States and Republic of Korea Combined
5 Forces Command is transferred to the Republic of
6 Korea, the Secretary of Defense, in coordination with
7 the Secretary of State, shall notify the appropriate
8 committees of Congress of such transfer.

9 (2) *ELEMENTS.*—The notification required by
10 paragraph (1) shall include the following:

11 (A) *An assessment of the extent to which the*
12 *military forces of the Republic of Korea meet the*
13 *conditions described in the report submitted*
14 *under subsection (a), including with respect to*
15 *the acquisition by the Republic of Korea of nec-*
16 *essary military capabilities to counter the capa-*
17 *bilities of the Democratic People’s Republic of*
18 *Korea.*

19 (B) *A description of the command relation-*
20 *ship among the United Nations Command, the*
21 *United States and Republic of Korea Combined*
22 *Forces Command, the United States Forces*
23 *Korea, and the military forces of the Republic of*
24 *Korea.*

1 (C) *An assessment of the extent to which*
 2 *such transfer impacts the security of the United*
 3 *States, the Republic of Korea, and other regional*
 4 *allies and partners.*

5 (c) *APPROPRIATE COMMITTEES OF CONGRESS DE-*
 6 *FINED.—In this section, the term “appropriate committees*
 7 *of Congress” means—*

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

10 (2) *the Committee on Armed Services and the*
 11 *Committee on Foreign Affairs of the House of Rep-*
 12 *resentatives.*

13 **SEC. 1355. REPORT ON RANGE OF CONSEQUENCES OF WAR**
 14 **WITH THE PEOPLE’S REPUBLIC OF CHINA.**

15 (a) *IN GENERAL.—Not later than December 1, 2024,*
 16 *the Director of the Office of Net Assessment shall submit*
 17 *to the congressional defense committees a report on the*
 18 *range of geopolitical and economic consequences of a United*
 19 *States-People’s Republic of China conflict in 2030.*

20 (b) *ELEMENTS.—The report required by subsection (a)*
 21 *shall—*

22 (1) *account for potential—*

23 (A) *attacks within the homelands of the*
 24 *United States and the People’s Republic of*

1 *China, including cyber threats and the potential*
2 *disruption of critical infrastructure;*

3 *(B) impacts on the United States Armed*
4 *Forces and the military forces of United States*
5 *allies and partners, including loss of life, capa-*
6 *bilities, United States force posture, and United*
7 *States alliances in the Indo-Pacific region;*

8 *(C) impacts on the military forces of the*
9 *People's Republic of China, including loss of life*
10 *and capabilities;*

11 *(D) impacts on the civilian populations of*
12 *Japan, Taiwan, Australia, and other countries*
13 *in the Indo-Pacific region;*

14 *(E) disruption of the global economy; and*

15 *(F) any other matter the Director of the Of-*
16 *fice of Net Assessment considers relevant; and*

17 *(2) include a review of previous attempts in his-*
18 *tory to forecast the consequences and costs of war.*

19 *(c) FORM.—The report required by subsection (a) shall*
20 *be submitted in unclassified form but may include a classi-*
21 *fied annex.*

22 *(d) BRIEFING.—Not less than 14 days before the date*
23 *on which the report required by subsection (a) is submitted,*
24 *the Director of the Office of Net Assessment shall provide*

1 *a briefing to the congressional defense committees on the*
 2 *conclusions of the report.*

3 **SEC. 1356. STUDY AND REPORT ON COMMAND STRUCTURE**
 4 **AND FORCE POSTURE OF UNITED STATES**
 5 **ARMED FORCES IN INDO-PACIFIC REGION.**

6 *(a) STUDY.—*

7 *(1) IN GENERAL.—The Secretary of Defense shall*
 8 *seek to enter into an agreement with a federally fund-*
 9 *ed research and development center to conduct an*
 10 *independent study for the purpose of improving the*
 11 *current command structure and force posture of the*
 12 *United States Armed Forces in the area of responsi-*
 13 *bility of the United States Indo-Pacific Command.*

14 *(2) REPORT TO SECRETARY.—*

15 *(A) IN GENERAL.—Not later than 180 days*
 16 *after the date of the enactment of this Act, the*
 17 *federally funded research and development center*
 18 *selected to conduct the study required by para-*
 19 *graph (1) shall submit to the Secretary a report*
 20 *on the findings of the study.*

21 *(B) ELEMENTS.—The report required by*
 22 *subparagraph (A) shall include the following:*

23 *(i) An assessment of—*

24 *(I) the current command structure*
 25 *of the United States Armed Forces in*

1 *the area of responsibility of the United*
2 *States Indo-Pacific Command;*

3 *(II) the current force posture, bas-*
4 *ing, access, and overflight agreements*
5 *of the United States Armed Forces in*
6 *such area of responsibility; and*

7 *(III) any operational or command*
8 *and control challenge resulting from*
9 *the geography, current force posture of*
10 *the United States Armed Forces, or*
11 *current command structure of the*
12 *United States Armed Forces in the*
13 *area of responsibility of the United*
14 *States Indo-Pacific Command.*

15 *(ii) Any recommendation for—*

16 *(I) adjustments to the force pos-*
17 *ture of the United States Armed Forces*
18 *in such area of responsibility, includ-*
19 *ing an identification of any additional*
20 *basing, access, and overflight agree-*
21 *ment that may be necessary in re-*
22 *sponse to the changing security envi-*
23 *ronment in such area of responsibility;*

24 *(II) modifying the current organi-*
25 *zational and command structure of the*

1 *United States Indo-Pacific Command,*
2 *including United States Forces Japan*
3 *and United States Forces Korea, in re-*
4 *sponse to such changing security envi-*
5 *ronment; or*

6 *(III) improving the ability to bet-*
7 *ter coordinate with allies and partners*
8 *during peacetime and conflict.*

9 *(b) REPORT TO CONGRESS.—*

10 *(1) IN GENERAL.—Not later than February 1,*
11 *2025, the Secretary shall submit to the congressional*
12 *defense committees an unaltered copy of the report*
13 *submitted to the Secretary under subsection (a)(2), to-*
14 *gether with the views of the Secretary on the findings*
15 *set forth in such report and any corresponding rec-*
16 *ommendation.*

17 *(2) FORM.—The report required by paragraph*
18 *(1) shall be submitted in unclassified form but may*
19 *contain a classified annex.*

20 *(3) PUBLIC AVAILABILITY.—The Secretary shall*
21 *make available to the public the unclassified form of*
22 *the report required by paragraph (1).*

1 **SEC. 1357. STUDIES ON DEFENSE BUDGET TRANSPARENCY**
2 **OF THE PEOPLE'S REPUBLIC OF CHINA AND**
3 **THE UNITED STATES.**

4 (a) *STUDIES REQUIRED.*—

5 (1) *DEFENSE INTELLIGENCE AGENCY STUDY.*—

6 *Not later than 180 days after the date of the enact-*
7 *ment of this Act, the Secretary of Defense, acting*
8 *through the Director of the Defense Intelligence Agen-*
9 *cy, shall—*

10 (A) *complete a study on the defense budget*
11 *of the People's Republic of China;*

12 (B) *submit to the Committees on Armed*
13 *Services of the Senate and the House of Rep-*
14 *resentatives a report on the results of the study;*
15 *and*

16 (C) *make the results of the study available*
17 *to the public on the internet website of the De-*
18 *partment of Defense.*

19 (2) *SECRETARY OF DEFENSE STUDY.*—*Not later*
20 *than 90 days after the date on which the study re-*
21 *quired by paragraph (1) is submitted, the Secretary*
22 *of Defense shall—*

23 (A) *complete a comparative study on the de-*
24 *fense budgets of the People's Republic of China*
25 *and the United States;*

1 (B) submit to the Committees on Armed
2 Services of the Senate and the House of Rep-
3 resentatives a report on the results of the study;
4 and

5 (C) make the results of the study available
6 to the public on the internet website of the De-
7 partment of Defense.

8 (3) *METHODOLOGY.*—The studies required by
9 paragraphs (1) and (2) shall each employ a robust
10 methodology that—

11 (A) does not depend on the official pro-
12 nouncements of the Government of the People’s
13 Republic of China or the Chinese Communist
14 Party;

15 (B) takes into account the military-civil fu-
16 sion present in the People’s Republic of China;
17 and

18 (C) employs the building-block method of
19 analysis or a similar method of analysis, as ap-
20 propriate.

21 (4) *OBJECTIVE.*—The objective of the studies re-
22 quired by paragraphs (1) and (2) shall be to provide
23 the people of the United States with an accurate com-
24 parison of the defense spending of the People’s Repub-
25 lic of China and the United States.

1 (b) *ELEMENTS.*—*At a minimum, the studies required*
 2 *by this section shall do the following:*

3 (1) *Determine the amounts invested by each sub-*
 4 *ject country across functional categories for spending,*
 5 *including—*

6 (A) *defense-related research and develop-*
 7 *ment;*

8 (B) *weapons procurement from domestic*
 9 *and foreign sources;*

10 (C) *operations and maintenance;*

11 (D) *pay and benefits;*

12 (E) *military pensions; and*

13 (F) *any other category the Secretary con-*
 14 *siders relevant.*

15 (2) *Consider the effects of purchasing power par-*
 16 *ity and market exchange rates, particularly on non-*
 17 *traded goods.*

18 (3) *Estimate the magnitude of omitted spending*
 19 *from official defense budget information and account*
 20 *for such spending in the comparison.*

21 (4) *Exclude spending related to veterans' bene-*
 22 *fits, other than military pensions provided to vet-*
 23 *erans.*

24 (c) *CONSIDERATIONS.*—*The studies required by this*
 25 *section may take into consideration the following:*

(3) Any other matter relevant to evaluating the resources dedicated to the defense spending or the various military-related outlays of the People's Republic of China.

14 ***SEC. 1358. BRIEFING ON PROVISION OF SECURITY ASSIST-***
15 ***ANCE BY THE PEOPLE'S REPUBLIC OF CHINA***
16 ***AND SUMMARY OF DEPARTMENT OF DEFENSE***
17 ***MITIGATION ACTIVITIES.***

† HR 2670 EAS

1 (b) *SUMMARY OF MITIGATION ACTIVITIES.*—As part of
2 the first report submitted under section 1206(c)(2) of the
3 National Defense Authorization Act for Fiscal Year 2022
4 (Public Law 117–81; 135 Stat. 1960; 10 U.S.C. 301 note)
5 after the date of the enactment of this Act, the Secretary
6 of Defense shall submit to the appropriate committees of
7 Congress a summary of Department of Defense activities
8 designed to mitigate the provision of security assistance and
9 training referred to in subsection (a), including such activi-
10 ties that—

11 (1) *strengthen United States alliances and part-*
12 *nerships with foreign military partners;*

13 (2) *identify countries or governments to which*
14 *the People’s Republic of China provides such security*
15 *assistance or military training;*

16 (3) *dissuade countries and governments from re-*
17 *lying on the People’s Republic of China as a partner*
18 *for such security assistance and military training;*

19 (4) *identify any manner in which the United*
20 *States, or close allies of the United States, may en-*
21 *gage with countries and governments to be the pre-*
22 *ferred partner for security assistance and military*
23 *training; and*

24 (5) *improve the ability of the United States*
25 *Armed Forces to coordinate and operate with allies*

1 *and partners for purposes of mitigating the provision*
 2 *of security assistance and military training by the*
 3 *People’s Republic of China.*

4 *(c) APPROPRIATE COMMITTEES OF CONGRESS.—In*
 5 *this section, the term “appropriate committees of Congress”*
 6 *means—*

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

9 *(2) the Committee on Foreign Affairs and the*
 10 *Committee on Armed Services of the House of Rep-*
 11 *resentatives.*

12 **SEC. 1359. SEMIANNUAL BRIEFINGS ON BILATERAL AGREE-**
 13 **MENTS SUPPORTING UNITED STATES MILI-**
 14 **TARY POSTURE IN THE INDO-PACIFIC RE-**
 15 **GION.**

16 *(a) IN GENERAL.—Not later than 30 days after the*
 17 *date of the enactment of this Act, and every 180 days there-*
 18 *after through fiscal year 2027, the Secretary of Defense, in*
 19 *coordination with the Secretary of State, shall provide the*
 20 *appropriate committees of Congress with a briefing on bi-*
 21 *lateral agreements supporting the United States military*
 22 *posture in the Indo-Pacific region.*

23 *(b) ELEMENTS.—Each briefing required by subsection*
 24 *(a) shall include the following:*

1 (1) *An update on notable changes to elements de-*
 2 *scribed in section 1262(b) of the James M. Inhofe Na-*
 3 *tional Defense Authorization Act for Fiscal Year 2023*
 4 *(Public Law 117–263; 136 Stat. 2857).*

5 (2) *An assessment of the impact on United*
 6 *States military operations if any individual or com-*
 7 *bination of allies and partners were to deny contin-*
 8 *ued access, basing, or overflight rights, including with*
 9 *respect to—*

10 (A) *forward presence;*

11 (B) *agile basing;*

12 (C) *pre-positioned materials; or*

13 (D) *fueling and resupply.*

14 (c) *APPROPRIATE COMMITTEES OF CONGRESS DE-*
 15 *FINED.—In this section, the term “appropriate committees*
 16 *of Congress” means—*

17 (1) *the Committee on Armed Services, the Com-*
 18 *mittee on Appropriations, and the Committee on For-*
 19 *eign Relations of the Senate; and*

20 (2) *the Committee on Armed Services, the Com-*
 21 *mittee on Appropriations, and the Committee on For-*
 22 *eign Affairs of the House of Representatives.*

1 **SEC. 1360. SEMIANNUAL BRIEFINGS ON MILITARY OF THE**
2 **PEOPLE’S REPUBLIC OF CHINA.**

3 (a) *IN GENERAL.*—Not later than 60 days after the
4 date of the enactment of this Act, and not less frequently
5 than every 180 days thereafter through March 30, 2027, the
6 Secretary of Defense shall provide to the congressional de-
7 fense committees a briefing on—

8 (1) *the military activities of the People’s Repub-*
9 *lic of China with respect to Taiwan and the South*
10 *China Sea;*

11 (2) *efforts by the Department of Defense to en-*
12 *gage with the People’s Liberation Army; and*

13 (3) *United States efforts to enable the defense of*
14 *Taiwan and bolster maritime security in the South*
15 *China Sea.*

16 (b) *ELEMENTS.*—Each briefing required by subsection
17 (a) shall include the following:

18 (1) *An update on—*

19 (A) *military developments of the People’s*
20 *Republic of China relating to any possible Tai-*
21 *wan or South China Sea contingency, including*
22 *upgrades to the weapon systems of the People’s*
23 *Republic of China, the procurement of new*
24 *weapons by the People’s Republic of China, and*
25 *changes to the posture of the People’s Liberation*
26 *Army;*

1 (B) military equipment acquired by Tai-
2 wan pursuant to the Presidential drawdown au-
3 thority under section 506(a) of the Foreign As-
4 sistance Act of 1961 (22 U.S.C. 2318(a)) or
5 through the direct commercial sales or foreign
6 military sales processes;

7 (C) United States efforts to deter aggression
8 by the People's Republic of China in the Indo-
9 Pacific region, including any campaigning or
10 exercise activities conducted by the United
11 States; and

12 (D) United States efforts to train the mili-
13 tary forces of Taiwan and allies and partners in
14 Southeast Asia.

15 (2) The most recent information regarding the
16 readiness of or preparations by the People's Libera-
17 tion Army to potentially conduct aggressive military
18 action against Taiwan.

19 (3) A description of any military activity car-
20 ried out during the preceding quarter by the People's
21 Republic of China in the vicinity of Taiwan.

22 (4) A description of engagements by Department
23 of Defense officials with the People's Liberation
24 Army, including with respect to maintaining open
25 lines of communication, establishing crisis manage-

1 *ment capabilities, and deconfliction of military ac-*
2 *tivities.*

3 *(5) Any other matter the Secretary considers rel-*
4 *evant.*

5 **SEC. 1361. PROHIBITION ON USE OF FUNDS TO SUPPORT**
6 **ENTERTAINMENT PROJECTS WITH TIES TO**
7 **THE GOVERNMENT OF THE PEOPLE'S REPUB-**
8 **LIC OF CHINA.**

9 *None of the funds authorized to be appropriated by this*
10 *Act may be used to knowingly provide active and direct*
11 *support to any film, television, or other entertainment*
12 *project if the Secretary of Defense has demonstrable evidence*
13 *that the project has complied or is likely to comply with*
14 *a demand from the Government of the People's Republic*
15 *of China or the Chinese Communist Party, or an entity*
16 *under the direction of the People's Republic of China or*
17 *the Chinese Communist Party, to censor the content of the*
18 *project in a material manner to advance the national inter-*
19 *est of the People's Republic of China.*

20 **SEC. 1362. PROHIBITION ON USE OF FUNDS FOR THE**
21 **WUHAN INSTITUTE OF VIROLOGY.**

22 *None of the funds authorized to be appropriated under*
23 *this Act may be made available for the Wuhan Institute*
24 *of Virology for any purpose.*

1 **SEC. 1363. AUDIT TO IDENTIFY DIVERSION OF DEPART-**
2 **MENT OF DEFENSE FUNDING TO CHINA'S RE-**
3 **SEARCH LABS.**

4 (a) *IN GENERAL.*—Not later than 180 days after the
5 date of the enactment of this Act, the Department of Defense
6 Office of Inspector General shall conduct a study, and sub-
7 mit a report to Congress, regarding the amount of Federal
8 funds awarded by the Department of Defense (whether di-
9 rectly or indirectly) through grants, contracts, subgrants,
10 subcontracts, or any other type of agreement or collabora-
11 tion, during the 10-year period immediately preceding such
12 date of enactment, that—

13 (1) was provided, whether purposely or inadvert-
14 ently, to—

15 (A) the People's Republic of China;

16 (B) the Communist Party of China;

17 (C) the Wuhan Institute of Virology or any
18 other organization administered by the Chinese
19 Academy of Sciences;

20 (D) EcoHealth Alliance Inc., including any
21 subsidiaries and related organizations that are
22 directly controlled by EcoHealth Alliance, Inc.;
23 or

24 (E) any other lab, agency, organization, in-
25 dividual, or instrumentality that is owned, con-
26 trolled (directly or indirectly), or overseen (offi-

1 cially or unofficially) by any of the entities list-
2 ed in subparagraphs (A) through (D); or

3 (2) was used to fund research or experiments
4 that could have reasonably resulted in the enhance-
5 ment of any coronavirus, influenza, Nipah, Ebola, or
6 other pathogen of pandemic potential or chimeric
7 versions of such a virus or pathogen in the People's
8 Republic of China or any other foreign country.

9 (b) *IDENTIFICATION OF COUNTRIES AND PATHO-*
10 *GENS.*—The report required under subsection (a) shall
11 specify—

12 (1) the countries in which the research or experi-
13 ments described in subsection (a)(2) was conducted;
14 and

15 (2) the pathogens involved in such research or
16 experiments.

17 **SEC. 1364. PROHIBITING FEDERAL FUNDING FOR**
18 **ECOHEALTH ALLIANCE INC.**

19 None of the funds authorized to be appropriated under
20 this Act may be made available for any purpose to—

21 (1) *EcoHealth Alliance, Inc.*;
22 (2) any subsidiary of *EcoHealth Alliance Inc.*;
23 (3) any organization that is directly controlled
24 by *EcoHealth Alliance Inc.*; or

1 (4) *any organization or individual that is a sub-*
 2 *grantee or subcontractor of EcoHealth Alliance Inc.*

3 **SEC. 1365. ASSESSMENT RELATING TO CONTINGENCY**
 4 **OPERATIONAL PLAN OF UNITED STATES**
 5 **INDO-PACIFIC COMMAND.**

6 (a) *IN GENERAL.*—*The Secretary of Defense shall con-*
 7 *duct an assessment, based on the contingency operational*
 8 *plan for a major conflict in the area of operations of the*
 9 *United States Indo-Pacific Command, to identify and char-*
 10 *acterize the dependencies of such plan on specific critical*
 11 *infrastructure facilities, capabilities, and services for the*
 12 *successful mobilization, deployment, and sustainment of*
 13 *forces.*

14 (b) *BRIEFINGS.*—*The Secretary shall provide to the*
 15 *congressional defense committees—*

16 (1) *before the date on which the Secretary com-*
 17 *mences the assessment required by subsection (a), a*
 18 *briefing that sets forth the terms of reference and a*
 19 *plan for such assessment; and*

20 (2) *a briefing on the results of such assessment,*
 21 *not later than the earlier of—*

22 (A) *the date on which Secretary completes*
 23 *such assessment; or*

24 (B) *the date that is 180 days after the en-*
 25 *actment of this Act.*

1 **SEC. 1366. ASSESSMENT OF ABSORPTIVE CAPACITY OF MILI-**
2 **TARY FORCES OF TAIWAN.**

3 (a) *REPORT.*—

4 (1) *IN GENERAL.*—Not later than 90 days after
5 the date of the enactment of this Act, the Secretary of
6 Defense, in consultation with the Secretary of State,
7 shall submit to the appropriate committees of Con-
8 gress a report on the absorptive capacity of the mili-
9 tary forces of Taiwan for military capabilities pro-
10 vided and approved by the United States for delivery
11 to Taiwan in the last 10 years, including the date of
12 projected or achieved initial and full operational ca-
13 pabilities.

14 (2) *BRIEFING REQUIREMENT.*—Not later than 30
15 days after the delivery of the required report, the Sec-
16 retary shall provide a briefing on the report to the
17 appropriate committees of Congress.

18 (3) *FORM.*—The required report shall be pro-
19 vided in classified form with an unclassified cover let-
20 ter.

21 (b) *DEFINITIONS.*—In this section:

22 (1) *ABSORPTIVE CAPACITY.*—The term “absorp-
23 tive capacity” means the capacity of the recipient
24 unit to achieve initial operational capability, includ-
25 ing to operate, maintain, sustain, deploy, and employ

1 *to operational effect, a defense article or service for its*
 2 *intended end-use.*

3 (2) *APPROPRIATE COMMITTEES OF CONGRESS.*—
 4 *The term “appropriate committees of Congress”*
 5 *means—*

6 (A) *the Committee on Appropriations, the*
 7 *Committee on Armed Services, the Committee on*
 8 *Foreign Relations, and the Select Committee on*
 9 *Intelligence of the Senate; and*

10 (B) *the Committee on Appropriations, the*
 11 *Committee on Armed Services, the Committee on*
 12 *Foreign Affairs, and the Permanent Select Com-*
 13 *mittee on Intelligence of the House of Represent-*
 14 *atives.*

15 **SEC. 1367. ANALYSIS OF RISKS AND IMPLICATIONS OF PO-**
 16 **TENTIAL SUSTAINED MILITARY BLOCKADE OF**
 17 **TAIWAN BY THE PEOPLE’S REPUBLIC OF**
 18 **CHINA.**

19 (a) *ANALYSIS REQUIRED.*—

20 (1) *IN GENERAL.*—*Not later than 180 days after*
 21 *the date of the enactment of this Act, the Secretary of*
 22 *Defense and the Chairman of the Joint Chiefs of*
 23 *Staff, in coordination with the Director of National*
 24 *Intelligence, shall complete a comprehensive analysis*

1 *of the risks and implications of a sustained military*
2 *blockade of Taiwan by the People's Republic of China.*

3 (2) *ELEMENTS.*—*The analysis required by para-*
4 *graph (1) shall include the following:*

5 (A) *An assessment of the means by which*
6 *the People's Republic of China could execute a*
7 *sustained military blockade of Taiwan, includ-*
8 *ing the most likely courses of action through*
9 *which the People's Republic of China could ac-*
10 *complish such a blockade.*

11 (B) *An identification of indications and*
12 *warnings of a potential sustained military block-*
13 *ade of Taiwan by the People's Republic of*
14 *China, and the likely timelines for such indica-*
15 *tions and warnings.*

16 (C) *An identification of other coercive ac-*
17 *tions the People's Republic of China may poten-*
18 *tially take before or independently of such a*
19 *blockade, including the seizure of outlying is-*
20 *lands of Taiwan.*

21 (D) *An assessment of the impact of such a*
22 *blockade on the ability of Taiwan to sustain its*
23 *military capabilities, economy, and population.*

1 (E) *An assessment of threats to, and other*
2 *potential negative impacts on, the United States*
3 *homeland during such a blockade scenario.*

4 (F) *An assessment of key military oper-*
5 *ational problems presented by such a blockade.*

6 (G) *An assessment of the concept-required*
7 *military capabilities necessary to address the*
8 *problems identified under subparagraph (F).*

9 (H) *An assessment of challenges to esca-*
10 *lation management.*

11 (I) *An assessment of military or non-*
12 *military options to counter or retaliate against*
13 *such a blockade or the seizure of outlying islands*
14 *of Taiwan, including through horizontal esca-*
15 *lation.*

16 (J) *An assessment of the extent to which*
17 *such a blockade is addressed by the Joint*
18 *Warfighting Concept and Joint Concept for*
19 *Competing.*

20 (K) *An identification of necessary changes*
21 *to United States Armed Forces force design, doc-*
22 *trine, and tactics, techniques, and procedures for*
23 *responding to or mitigating the impact of such*
24 *a blockade.*

1 (L) *An assessment of the role of United*
2 *States partners and allies in addressing the*
3 *threats and challenges posed by a such a poten-*
4 *tial blockade.*

5 (M) *Any other matter the Secretary of De-*
6 *fense considers relevant.*

7 (b) *INTERAGENCY ENGAGEMENT.*—*Not later than 270*
8 *days after the date of the enactment of this Act, the Sec-*
9 *retary of Defense shall seek to engage with the head of any*
10 *other appropriate Federal department or agency—*

11 (1) *regarding the threats and challenges posed by*
12 *a potential sustained military blockade of Taiwan by*
13 *the People’s Republic of China; and*

14 (2) *to better understand potential options for a*
15 *response by the United States Government to such a*
16 *blockade.*

17 (c) *REPORT.*—*Not later than one year after the date*
18 *of the enactment of this Act, the Secretary of Defense shall*
19 *submit to the appropriate committees of Congress a classi-*
20 *fied report—*

21 (1) *on the assessment required by paragraph (1)*
22 *of subsection (a), including all elements described in*
23 *paragraph (2) of that subsection; and*

24 (2) *the interagency engagements conducted under*
25 *subsection (b).*

1 (d) *APPROPRIATE COMMITTEES OF CONGRESS DE-*
 2 *FINED.—In this section, the term “appropriate committees*
 3 *of Congress” means—*

4 (1) *the Committee on Armed Services, the Com-*
 5 *mittee on Foreign Relations, the Select Committee on*
 6 *Intelligence, and the Committee on Appropriations of*
 7 *the Senate; and*

8 (2) *the Committee on Armed Services, the Com-*
 9 *mittee on Foreign Affairs, the Permanent Select Com-*
 10 *mittee on Intelligence, and the Committee on Appro-*
 11 *priations of the House of Representatives.*

12 **SEC. 1368. SENSE OF THE SENATE ON DEFENSE ALLIANCES**
 13 **AND PARTNERSHIPS IN THE INDO-PACIFIC**
 14 **REGION.**

15 (a) *FINDINGS.—The Senate makes the following find-*
 16 *ings:*

17 (1) *The 2022 National Defense Strategy states,*
 18 *“[m]utually-beneficial Alliances and partnerships are*
 19 *our greatest global strategic advantage.”.*

20 (2) *The United States Indo-Pacific Strategy*
 21 *states, “we will prioritize our single greatest asym-*
 22 *metric strength: our network of security alliances and*
 23 *partnerships. Across the region, the United States will*
 24 *work with allies and partners to deepen our inter-*
 25 *operability and develop and deploy advanced*

1 *warfighting capabilities as we support them in de-*
2 *fending their citizens and their sovereign interests.”.*

3 (3) *Secretary of Defense Lloyd Austin testified*
4 *on March 28, 2023, that “our allies and partners are*
5 *a huge force multiplier. They magnify our power, ad-*
6 *vance our shared security interests, and help uphold*
7 *a world that is free, open, prosperous, and secure.”.*

8 (4) *Chairman of the Joint Chiefs of Staff Gen-*
9 *eral Milley testified on March 28, 2023, that “our al-*
10 *liances and partnerships are key to maintaining the*
11 *rules-based international order and a stable and open*
12 *international system promoting peace and pros-*
13 *perity. . . We are stronger when we operate closely*
14 *with our allies and partners.”.*

15 (5) *Commander of the United States Indo-Pa-*
16 *cific Command Admiral Aquilino testified on April*
17 *20, 2023, that “a robust network of allies and part-*
18 *ners, built on the strength of our shared interests, is*
19 *our greatest advantage. United States Indo-Pacific*
20 *Command is strengthening all layers of our security*
21 *network: allies, multilateral arrangements, partners,*
22 *friends, and the Five Eyes nations. We execute secu-*
23 *rity cooperation activities, training, and exercises to*
24 *strengthen those relationships, build partner capacity,*
25 *and enhance interoperability.”.*

1 **(b) SENSE OF THE SENATE.**—*It is the sense of the Sen-*
2 *ate that the Secretary of Defense should continue efforts that*
3 *strengthen United States defense alliances and partnerships*
4 *in the Indo-Pacific region so as to further the comparative*
5 *advantage of the United States in strategic competition*
6 *with the People’s Republic of China, including by—*

7 *(1) enhancing cooperation with Japan, con-*
8 *sistent with the Treaty of Mutual Cooperation and*
9 *Security Between the United States of America and*
10 *Japan, signed at Washington, January 19, 1960, in-*
11 *cluding by developing advanced military capabilities,*
12 *fostering interoperability across all domains, and im-*
13 *proving sharing of information and intelligence;*

14 *(2) reinforcing the United States alliance with*
15 *the Republic of Korea, including by maintaining the*
16 *presence of approximately 28,500 members of the*
17 *United States Armed Forces deployed to the country*
18 *and affirming the United States commitment to ex-*
19 *tended deterrence using the full range of United*
20 *States defense capabilities, consistent with the Mutual*
21 *Defense Treaty Between the United States and the*
22 *Republic of Korea, signed at Washington, October 1,*
23 *1953, in support of the shared objective of a peaceful*
24 *and stable Korean Peninsula;*

1 (3) *fostering bilateral and multilateral coopera-*
2 *tion with Australia, consistent with the Security*
3 *Treaty Between Australia, New Zealand, and the*
4 *United States of America, signed at San Francisco,*
5 *September 1, 1951, and through the partnership*
6 *among Australia, the United Kingdom, and the*
7 *United States (commonly known as “AUKUS”)—*

8 *(A) to advance shared security objectives;*

9 *(B) to accelerate the fielding of advanced*
10 *military capabilities; and*

11 *(C) to build the capacity of emerging part-*
12 *ners;*

13 (4) *advancing United States alliances with the*
14 *Philippines and Thailand and United States partner-*
15 *ships with other partners in the Association of South-*
16 *east Asian Nations to enhance maritime domain*
17 *awareness, promote sovereignty and territorial integ-*
18 *ridy, leverage technology and promote innovation, and*
19 *support an open, inclusive, and rules-based regional*
20 *architecture;*

21 (5) *broadening United States engagement with*
22 *India, including through the Quadrilateral Security*
23 *Dialogue—*

24 *(A) to advance the shared objective of a free*
25 *and open Indo-Pacific region through bilateral*

1 *and multilateral engagements and participation*
 2 *in military exercises, expanded defense trade,*
 3 *and collaboration on humanitarian aid and dis-*
 4 *aster response; and*

5 *(B) to enable greater cooperation on mari-*
 6 *time security;*

7 *(6) strengthening the United States partnership*
 8 *with Taiwan, consistent with the Three Commu-*
 9 *niques, the Taiwan Relations Act (Public Law 96–8;*
 10 *22 U.S.C. 3301 et seq.), and the Six Assurances, with*
 11 *the goal of improving Taiwan’s defensive capabilities*
 12 *and promoting peaceful cross-strait relations;*

13 *(7) reinforcing the status of the Republic of*
 14 *Singapore as a Major Security Cooperation Partner*
 15 *of the United States and continuing to strengthen de-*
 16 *fense and security cooperation between the military*
 17 *forces of the Republic of Singapore and the Armed*
 18 *Forces of the United States, including through par-*
 19 *ticipation in combined exercises and training;*

20 *(8) engaging with the Federated States of Micro-*
 21 *nesia, the Republic of the Marshall Islands, the Re-*
 22 *public of Palau, and other Pacific Island countries*
 23 *with the goal of strengthening regional security and*
 24 *addressing issues of mutual concern, including pro-*

1 *tecting fisheries from illegal, unreported, and unregu-*
 2 *lated fishing;*

3 *(9) collaborating with Canada, the United King-*
 4 *dom, France, and other members of the European*
 5 *Union and the North Atlantic Treaty Organization to*
 6 *build connectivity and advance a shared vision for*
 7 *the region that is principled, long-term, and anchored*
 8 *in democratic resilience; and*

9 *(10) investing in enhanced military posture and*
 10 *capabilities in the area of responsibility of the United*
 11 *States Indo-Pacific Command and strengthening co-*
 12 *operation in bilateral relationships, multilateral part-*
 13 *nerships, and other international fora to uphold glob-*
 14 *al security and shared principles, with the goal of en-*
 15 *sureing the maintenance of a free and open Indo-Pa-*
 16 *cific region.*

17 **SEC. 1369. ASSESSMENT OF GIFTS AND GRANTS TO UNITED**
 18 **STATES INSTITUTIONS OF HIGHER EDU-**
 19 **CATION FROM ENTITIES ON THE NON-SDN**
 20 **CHINESE MILITARY-INDUSTRIAL COMPLEX**
 21 **COMPANIES LIST.**

22 *(a) IN GENERAL.—Not later than 180 days after the*
 23 *date of the enactment of this Act, the Secretary of the Treas-*
 24 *ury shall submit to the appropriate congressional commit-*
 25 *tees an assessment of gifts and grants to United States in-*

stitutions of higher education from entities on the Non-SDN Chinese Military-Industrial Complex Companies List maintained by the Office of Foreign Assets Control.

(b) *ELEMENTS.*—The Secretary, in consultation with the Secretary of Education, shall include in the assessment required by subsection (a) an estimate of—

(1) a list and description of each of the gifts and grants provided to United States institutions of higher education by entities described in subsection (a); and

(2) the monetary value of each of those gifts and grants.

(c) *DEFINITIONS.*—In this section:

(1) *APPROPRIATE CONGRESSIONAL COMMITTEES.*—The term “appropriate congressional committees” means the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives.

(2) *GIFTS AND GRANTS.*—The term “gifts and grants” includes financial contributions, material donations, provision of services, scholarships, fellowships, research funding, infrastructure investment, contracts, or any other form of support that provides a benefit to the recipient institution.

1 **SEC. 1370. EXTENSION OF EXPORT PROHIBITION ON MUNI-**
2 **TIONS ITEMS TO THE HONG KONG POLICE**
3 **FORCE.**

4 *Section 3 of the Act entitled “An Act to prohibit the*
5 *commercial export of covered munitions items to the Hong*
6 *Kong Police Force”, approved November 27, 2019 (Public*
7 *Law 116–77; 133 Stat. 1173), is amended by striking “shall*
8 *expire on December 31, 2024” and inserting “shall expire*
9 *on the date on which the President certifies to the appro-*
10 *priate congressional committees that—*

11 *“(1) the Secretary of State has, on or after the*
12 *date of the enactment of this paragraph, certified*
13 *under section 205 of the United States-Hong Kong*
14 *Policy Act of 1992 (22 U.S.C. 5701 et seq.) that Hong*
15 *Kong warrants treatment under United States law in*
16 *the same manner as United States laws were applied*
17 *to Hong Kong before July 1, 1997;*

18 *“(2) the Hong Kong Police have not engaged in*
19 *gross violations of human rights during the 1-year pe-*
20 *riod ending on the date of such certification; and*

21 *“(3) there has been an independent examination*
22 *of human rights concerns related to the crowd control*
23 *tactics of the Hong Kong Police and the Government*
24 *of the Hong Kong Special Administrative Region has*
25 *adequately addressed those concerns.”.*

1 ***Subtitle E—Securing Maritime***
 2 ***Data From China***

3 **SEC. 1371. SHORT TITLE.**

4 *This subtitle may be cited as the “Securing Maritime*
 5 *Data from China Act of 2023”.*

6 **SEC. 1372. LOGINK DEFINED.**

7 *In this subtitle, the term “LOGINK” means the public,*
 8 *open, shared logistics information network known as the*
 9 *National Public Information Platform for Transportation*
 10 *and Logistics by the Ministry of Transport of the People’s*
 11 *Republic of China.*

12 **SEC. 1373. COUNTERING THE SPREAD OF LOGINK.**

13 *(a) CONTRACTING PROHIBITION.—The Department of*
 14 *Defense may not enter into or renew any contract with any*
 15 *entity that uses—*

16 *(1) LOGINK;*

17 *(2) any logistics platform controlled by, affili-*
 18 *ated with, or subject to the jurisdiction of the Chinese*
 19 *Communist Party or the Government of the People’s*
 20 *Republic of China; or*

21 *(3) any logistics platform that shares data with*
 22 *a system described in paragraph (1) or (2).*

23 *(b) APPLICABILITY.—Subsection (a) applies with re-*
 24 *spect to any contract entered into or renewed on or after*

1 *the date that is 2 years after the date of the enactment of*
 2 *this Act.*

3 ***Subtitle F—Reports***

4 ***SEC. 1381. REPORT ON DEPARTMENT OF DEFENSE ROLES*** 5 ***AND RESPONSIBILITIES IN SUPPORT OF NA-*** 6 ***TIONAL STRATEGY FOR THE ARCTIC REGION.***

7 *Not later than 180 days after the date of the enactment*
 8 *of this Act, the Secretary of Defense shall submit to the con-*
 9 *gressional defense committees a report on Department of*
 10 *Defense roles and responsibilities in support of the National*
 11 *Strategy for the Arctic Region that includes—*

12 *(1) an identification of the Department’s lines of*
 13 *effort to support the implementation of the National*
 14 *Strategy for the Arctic Region, including the imple-*
 15 *mentation plan for each applicable military depart-*
 16 *ment;*

17 *(2) a plan for the execution of, and a projected*
 18 *timeline and the resource requirements for, each such*
 19 *line of effort; and*

20 *(3) any other matter the Secretary considers rel-*
 21 *evant.*

1 ***Subtitle G—Other Matters***

2 ***SEC. 1391. MILITARY INTELLIGENCE COLLECTION AND***
 3 ***ANALYSIS PARTNERSHIPS.***

4 (a) *USE OF FUNDS OTHER THAN APPROPRIATED*
 5 *FUNDS.—*

6 (1) *IN GENERAL.—Subject to paragraph (2), the*
 7 *Director of the Defense Intelligence Agency, in coordi-*
 8 *nation with the Secretary of State and the Director*
 9 *of National Intelligence, may accept and expend for-*
 10 *oreign partner funds in order for the foreign partner or*
 11 *partners to share with the Defense Intelligence Agency*
 12 *the expenses of joint and combined military intel-*
 13 *ligence collection and analysis activities.*

14 (2) *LIMITATIONS.—*

15 (A) *PREVIOUSLY DENIED FUNDS.—Funds*
 16 *accepted under this section may not be expended,*
 17 *in whole or in part, by or for the benefit of the*
 18 *Defense Intelligence Agency for any purpose for*
 19 *which Congress has previously denied funds.*

20 (B) *JOINT BENEFIT.—The authority pro-*
 21 *vided by paragraph (1) may not be used to ac-*
 22 *quire items or services for the sole benefit of the*
 23 *United States.*

24 (b) *ANNUAL REPORT.—Not later than March 1, 2025,*
 25 *and annually thereafter for four years, the Director of the*

1 *Defense Intelligence Agency shall submit to the appropriate*
 2 *committees of Congress a report on any funds accepted or*
 3 *expended under this section during the preceding calendar*
 4 *year, including an identification of the foreign partner or*
 5 *partners involved and a description of the purpose of such*
 6 *funds.*

7 (c) *TERMINATION.*—*The authority to accept and ex-*
 8 *pend foreign partner funds pursuant to this section shall*
 9 *terminate on December 31, 2028.*

10 (d) *APPROPRIATE COMMITTEES OF CONGRESS DE-*
 11 *FINED.*—*In this section, the term “appropriate committees*
 12 *of Congress” means—*

13 (1) *the Committee on Armed Services, the Com-*
 14 *mittee on Appropriations, and the Select Committee*
 15 *on Intelligence of the Senate; and*

16 (2) *the Committee on Armed Services, the Com-*
 17 *mittee on Appropriations, and the Permanent Select*
 18 *Committee on Intelligence of the House of Representa-*
 19 *tives.*

20 **SEC. 1392. COLLABORATION WITH PARTNER COUNTRIES TO**
 21 **DEVELOP AND MAINTAIN MILITARY-WIDE**
 22 **TRANSFORMATIONAL STRATEGIES FOR OPER-**
 23 **ATIONAL ENERGY.**

24 (a) *ESTABLISHMENT.*—

1 (1) *IN GENERAL.*—Not later than January 1,
2 2025, the Secretary of Defense shall establish a part-
3 nership program using existing authorities to collabo-
4 rate with the military forces of partner countries in
5 developing and maintaining military-wide trans-
6 formational strategies for operational energy (in this
7 section referred to as the “Program”).

8 (2) *ORGANIZATION.*—The Assistant Secretary of
9 Defense for Energy, Installations, and Environment,
10 in coordination with the Under Secretary of Defense
11 for Policy and in consultation with the Secretaries of
12 the military departments, the commanders of the com-
13 batant commands, and any other individual the Sec-
14 retary of Defense considers appropriate, shall be re-
15 sponsible for, and shall oversee, the Program.

16 (b) *OBJECTIVE.*—The objective of the Program is to
17 promote the readiness of the United States Armed Forces
18 and the military forces of partner countries for missions
19 in contested logistics environments by focusing on demand
20 reduction and employing more diverse and renewable oper-
21 ational energy sources so as to enhance energy security, en-
22 ergy resilience, and energy conservation, reduce logistical
23 vulnerabilities, and ensure that supply lines are resilient
24 to extreme weather, disruptions to energy supplies, and di-
25 rect or indirect cyber attacks.

1 (c) *ACTIVITIES.*—

2 (1) *IN GENERAL.*—*Under the Program, the*
3 *United States Armed Forces and the military forces*
4 *of each participating partner country shall, in coordi-*
5 *nation—*

6 (A) *establish policies to improve*
7 *warfighting capability through energy security*
8 *and energy resilience;*

9 (B) *integrate efforts to mitigate mutual con-*
10 *tested logistics challenges through the reduction*
11 *of operational energy demand;*

12 (C) *identify and mitigate operational en-*
13 *ergy challenges presented by any contested logis-*
14 *tics environment, including through developing*
15 *innovative delivery systems, distributed storage,*
16 *flexible contracting, and improved automation;*

17 (D) *assess and integrate, to the extent prac-*
18 *ticable, any technology, including electric, hydro-*
19 *gen, nuclear, biofuels, and any other sustainable*
20 *fuel technology or renewable energy technology,*
21 *that may reduce operational energy demand in*
22 *the near term or long term;*

23 (E) *assess and consider any infrastructure*
24 *investment of allied and partner countries that*
25 *may affect operational energy availability in the*

1 *event of a conflict with a near-peer adversary;*
 2 *and*

3 *(F) assess and integrate, to the extent prac-*
 4 *ticable—*

5 *(i) any technology that increases sus-*
 6 *tainability; and*

7 *(ii) any practice, technology, or strat-*
 8 *egy that reduces negative impacts on*
 9 *human health.*

10 (2) *COUNTRY CONSIDERATIONS.—In carrying*
 11 *out any activity under paragraph (1), to the extent*
 12 *practicable, the relevant existing and past military*
 13 *conflicts and cultural practices of, and beliefs preva-*
 14 *lent in, the participating country shall be taken into*
 15 *account.*

16 (d) *STRATEGY.—*

17 (1) *IN GENERAL.—Not later than September 30,*
 18 *2024, the Secretary of Defense shall submit to the*
 19 *Committees on Armed Services of the Senate and the*
 20 *House of Representatives a strategy for the implemen-*
 21 *tation of the Program.*

22 (2) *ELEMENTS.—The strategy required by para-*
 23 *graph (1) shall include the following:*

24 (A) *A governance structure for the Program,*
 25 *including—*

1 (i) *the officials tasked to oversee the*
2 *Program;*

3 (ii) *the format of the governing body of*
4 *the Program;*

5 (iii) *the functions and duties of such*
6 *governing body with respect to establishing*
7 *and maintaining the Program; and*

8 (iv) *mechanisms for coordinating with*
9 *partner countries selected to participate in*
10 *the Program.*

11 (B) *With respect to the selection of partner*
12 *countries initially selected to participate in the*
13 *Program—*

14 (i) *an identification of each such coun-*
15 *try;*

16 (ii) *the rationale for selecting each*
17 *such country, including a description of—*

18 (I) *the benefits to the military*
19 *forces of the partner country; and*

20 (II) *the benefits to the United*
21 *States Armed Forces of participation*
22 *by such country;*

23 (iii) *a description of any limitation on*
24 *the participation of a selected partner coun-*
25 *try; and*

1 (iv) any other information the Sec-
2 retary considers appropriate.

3 (C) A list of additional authorities, appro-
4 priations, or other congressional support nec-
5 essary to ensure the success of the Program.

6 (D) A campaign of objectives for the first
7 three fiscal years of the Program, including—

8 (i) a description of, and a rationale for
9 selecting, such objectives;

10 (ii) an identification of milestones to-
11 ward achieving such objectives; and

12 (iii) metrics for evaluating success in
13 achieving such objectives.

14 (E) A description of opportunities and po-
15 tential timelines for future Program expansion,
16 as appropriate.

17 (F) Any other information the Secretary
18 considers appropriate.

19 (3) FORM.—The strategy required by paragraph
20 (1) shall be submitted in unclassified form but may
21 include a classified annex.

22 (e) REPORT.—

23 (1) IN GENERAL.—Not later than September 20,
24 2025, and annually thereafter, the Secretary of De-

1 *fense shall submit to the congressional defense com-*
2 *mittees a report on the Program.*

3 (2) *ELEMENTS.—Each report required by para-*
4 *graph (1) shall include the following:*

5 (A) *A narrative summary of activities con-*
6 *ducted as part of the Program during the pre-*
7 *ceding fiscal year.*

8 (B) *Except in the case of the initial report,*
9 *an assessment of progress toward the objectives*
10 *established for the preceding fiscal year described*
11 *in the preceding report under this subsection*
12 *using the metrics established in such report.*

13 (C) *A campaign of objectives for the three*
14 *fiscal years following the date of submission of*
15 *the report, including—*

16 (i) *a description of, and a rationale for*
17 *selecting, such objectives;*

18 (ii) *an identification of milestones to-*
19 *ward achieving such objectives; and*

20 (iii) *metrics for evaluating success in*
21 *achieving such objectives.*

22 (D) *A description of opportunities and po-*
23 *tential timelines for future Program expansion,*
24 *as appropriate.*

1 (E) *Any other information the Secretary*
 2 *considers appropriate.*

3 (3) *FORM.*— *Each report required by paragraph*
 4 *(1) shall be submitted in unclassified form but may*
 5 *include a classified annex.*

6 (f) *TERMINATION.*— *The Program shall terminate on*
 7 *December 31, 2029.*

8 (g) *CONTESTED LOGISTICS ENVIRONMENT DE-*
 9 *FINED.*— *In this section, the term “contested logistics envi-*
 10 *ronment” means an environment in which the United*
 11 *States Armed Forces or the military forces of a partner*
 12 *country engage in conflict with an adversary that presents*
 13 *challenges in all domains and directly targets logistics oper-*
 14 *ations, facilities, and activities in the United States,*
 15 *abroad, or in transit from one location to the other.*

16 **SEC. 1393. MODIFICATION OF SUPPORT OF SPECIAL OPER-**
 17 **ATIONS FOR IRREGULAR WARFARE.**

18 (a) *IN GENERAL.*— *Chapter 3 of title 10, United States*
 19 *Code, is amended by inserting after section 127c the fol-*
 20 *lowing:*

21 **“§ 127d. Support of special operations for irregular**
 22 **warfare**

23 “(a) *AUTHORITY.*— *The Secretary of Defense may,*
 24 *with the concurrence of the relevant Chief of Mission, ex-*
 25 *pend up to \$20,000,000 during any fiscal year to provide*

1 *support to foreign forces, irregular forces, groups, or indi-*
 2 *viduals engaged in supporting or facilitating ongoing and*
 3 *authorized irregular warfare operations by United States*
 4 *Special Operations Forces.*

5 “(b) *FUNDS.*—*Funds for support under this section in*
 6 *a fiscal year shall be derived from amounts authorized to*
 7 *be appropriated for that fiscal year for the Department of*
 8 *Defense for operation and maintenance.*

9 “(c) *PROCEDURES.*—

10 “(1) *IN GENERAL.*—*The authority in this section*
 11 *shall be exercised in accordance with such procedures*
 12 *as the Secretary shall establish for purposes of this*
 13 *section.*

14 “(2) *ELEMENTS.*—*The procedures required under*
 15 *paragraph (1) shall establish, at a minimum, the fol-*
 16 *lowing:*

17 “(A) *Policy guidance for the execution of,*
 18 *and constraints within, activities under the au-*
 19 *thority in this section.*

20 “(B) *The processes through which activities*
 21 *under the authority in this section are to be de-*
 22 *veloped, validated, and coordinated, as appro-*
 23 *priate, with relevant entities of the United States*
 24 *Government.*

1 “(C) *The processes through which legal re-*
2 *views and determinations are made to comply*
3 *with the authority in this section and ensure*
4 *that the exercise of such authority is consistent*
5 *with the national security of the United States.*

6 “(D) *The processes to ensure, to the extent*
7 *practicable, that before a decision to provide sup-*
8 *port is made, the recipients of support do not*
9 *pose a counterintelligence or force protection*
10 *threat and have not engaged in gross violations*
11 *of human rights.*

12 “(E) *The processes by which the Depart-*
13 *ment shall keep the congressional defense com-*
14 *mittees fully and currently informed of—*

15 “(i) *the requirements for the use of the*
16 *authority in this section; and*

17 “(ii) *activities conducted under such*
18 *authority.*

19 “(3) *NOTICE TO CONGRESS ON PROCEDURES AND*
20 *MATERIAL MODIFICATIONS.—The Secretary shall no-*
21 *tify the congressional defense committees of the proce-*
22 *dures established pursuant to this section before any*
23 *exercise of the authority in this section, and shall no-*
24 *tify such committee of any material modification of*
25 *the procedures.*

1 “(d) *CONSTRUCTION OF AUTHORITY.*—Nothing in this
 2 *section shall be construed to constitute a specific statutory*
 3 *authorization for any of the following:*

4 “(1) *The conduct of a covert action, as such term*
 5 *is defined in section 503(e) of the National Security*
 6 *Act of 1947 (50 U.S.C. 3093(e)).*

7 “(2) *The introduction of United States Armed*
 8 *Forces (including as such term is defined in section*
 9 *8(c) of the War Powers Resolution (50 U.S.C.*
 10 *1547(c))) into hostilities or into situations wherein*
 11 *hostilities are clearly indicated by the circumstances.*

12 “(3) *The provision of support to regular forces,*
 13 *irregular forces, groups, or individuals for the conduct*
 14 *of operations that United States Special Operations*
 15 *Forces are not otherwise legally authorized to conduct*
 16 *themselves.*

17 “(4) *The conduct or support of activities, di-*
 18 *rectly or indirectly, that are inconsistent with the*
 19 *laws of armed conflict.*

20 “(e) *LIMITATION ON DELEGATION.*—*The authority of*
 21 *the Secretary to make funds available under this section*
 22 *for support of a military operation may not be delegated.*

23 “(f) *PROGRAMMATIC AND POLICY OVERSIGHT.*—*The*
 24 *Assistant Secretary of Defense for Special Operations and*
 25 *Low-Intensity Conflict shall have primary programmatic*

1 *and policy oversight within the Office of the Secretary of*
2 *Defense of support to irregular warfare activities authorized*
3 *by this section.*

4 “(g) NOTIFICATION.—

5 “(1) IN GENERAL.—Not later than 15 days be-
6 fore exercising the authority in this section to make
7 funds available to initiate support of an ongoing and
8 authorized operation or changing the scope or funding
9 level of any support under this section for such an op-
10 eration by \$500,000 or an amount equal to 10 per-
11 cent of such funding level (whichever is less), the Sec-
12 retary shall notify the congressional defense commit-
13 tees of the use of such authority with respect to such
14 operation. Any such notification shall be in writing.

15 “(2) ELEMENTS.—A notification required by this
16 subsection shall include the following:

17 “(A) The type of support to be provided to
18 United States Special Operations Forces, and a
19 description of the ongoing and authorized oper-
20 ation to be supported.

21 “(B) A description of the foreign forces, ir-
22 regular forces, groups, or individuals engaged in
23 supporting or facilitating the ongoing and au-
24 thorized operation that is to be the recipient of
25 funds.

1 “(C) *The type of support to be provided to*
2 *the recipient of the funds, and a description of*
3 *the end-use monitoring to be used in connection*
4 *with the use of the funds.*

5 “(D) *The amount obligated under the au-*
6 *thority to provide support.*

7 “(E) *The duration for which the support is*
8 *expected to be provided, and an identification of*
9 *the timeframe in which the provision of support*
10 *will be reviewed by the commander of the appli-*
11 *cable combatant command for a determination*
12 *with respect to the necessity of continuing such*
13 *support.*

14 “(F) *The determination of the Secretary*
15 *that the provision of support does not constitute*
16 *any of the following:*

17 “(i) *An introduction of United States*
18 *Armed Forces (including as such term is de-*
19 *finied in section 8(c) of the War Powers Res-*
20 *olution (50 U.S.C. 1547(c))) into hostilities,*
21 *or into situations where hostilities are clear-*
22 *ly indicated by the circumstances, without*
23 *specific statutory authorization within the*
24 *meaning of section 5(b) of such Resolution*
25 *(50 U.S.C. 1544(b)).*

1 “(ii) *A covert action, as such term is*
 2 *defined in section 503(e) of the National Se-*
 3 *curity Act of 1947 (50 U.S.C. 3093(e)).*

4 “(iii) *An authorization for the provi-*
 5 *sion of support to regular forces, irregular*
 6 *forces, groups, or individuals for the con-*
 7 *duct of operations that United States Spe-*
 8 *cial Operations Forces are not otherwise le-*
 9 *gally authorized to conduct themselves.*

10 “(iv) *The conduct or support of activi-*
 11 *ties, directly or indirectly, that are incon-*
 12 *sistent with the laws of armed conflict.*

13 “(h) *NOTIFICATION OF SUSPENSION OR TERMINATION*
 14 *OF SUPPORT.—*

15 “(1) *IN GENERAL.—Not later than 48 hours after*
 16 *suspending or terminating support to any foreign*
 17 *force, irregular force, group, or individual provided*
 18 *pursuant to the authority in this section, the Sec-*
 19 *retary shall submit to the congressional defense com-*
 20 *mittees a written notice of such suspension or termi-*
 21 *nation.*

22 “(2) *ELEMENTS.—The written notice required by*
 23 *paragraph (1) shall include each of the following:*

24 “(A) *A description of the reasons for the*
 25 *suspension or termination of such support.*

1 “(B) A description of any effect on regional,
 2 theater, or global campaign plan objectives an-
 3 ticipated to result from such suspension or ter-
 4 mination.

5 “(C) A plan for such suspension or termi-
 6 nation, and, in the case of support that is
 7 planned to be transitioned to any other program
 8 of the Department of Defense or to a program of
 9 any other Federal department or agency, a de-
 10 tailed description of the transition plan, includ-
 11 ing the resources, equipment, capabilities, and
 12 personnel associated with such plan.

13 “(i) *BIANNUAL REPORTS.*—

14 “(1) *REPORT ON PRECEDING FISCAL YEAR.*—Not
 15 later than 120 days after the close of each fiscal year
 16 in which subsection (a) is in effect, the Secretary shall
 17 submit to the congressional defense committees a re-
 18 port on the support provided under this section dur-
 19 ing the preceding fiscal year.

20 “(2) *REPORT ON CURRENT CALENDAR YEAR.*—
 21 Not later than 180 days after the submittal of each
 22 report required by paragraph (1), the Secretary shall
 23 submit to the congressional defense committees a re-
 24 port on the support provided under this section dur-

1 *ing the first half of the fiscal year in which the report*
2 *under this paragraph is submitted.*

3 “(3) *ELEMENTS.—Each report required by this*
4 *subsection shall include the following:*

5 “(A) *A summary of the ongoing irregular*
6 *warfare operations, and associated authorized*
7 *campaign plans, being conducted by United*
8 *States Special Operations Forces that were sup-*
9 *ported or facilitated by foreign forces, irregular*
10 *forces, groups, or individuals for which support*
11 *was provided under this section during the pe-*
12 *riod covered by such report.*

13 “(B) *A description of the support or facili-*
14 *tation provided by such foreign forces, irregular*
15 *forces, groups, or individuals to United States*
16 *Special Operations Forces during such period.*

17 “(C) *The type of recipients that were pro-*
18 *vided support under this section during such pe-*
19 *riod, identified by authorized category (foreign*
20 *forces, irregular forces, groups, or individuals).*

21 “(D) *A detailed description of the support*
22 *provided to the recipients under this section dur-*
23 *ing such period.*

1 “(E) *The total amount obligated for support*
2 *under this section during such period, including*
3 *budget details.*

4 “(F) *The intended duration of support pro-*
5 *vided under this section during such period.*

6 “(G) *An assessment of value of the support*
7 *provided under this section during such period,*
8 *including a summary of significant activities*
9 *undertaken by foreign forces, irregular forces,*
10 *groups, or individuals to support irregular war-*
11 *fare operations by United States Special Oper-*
12 *ations Forces.*

13 “(H) *The total amount obligated for sup-*
14 *port under this section in prior fiscal years.*

15 “(j) *QUARTERLY BRIEFINGS.—*

16 “(1) *IN GENERAL.—Not less frequently than*
17 *quarterly, the Secretary shall provide to the congres-*
18 *sional defense committees a briefing on the use of the*
19 *authority provided by this section, and other matters*
20 *relating to irregular warfare, with the primary pur-*
21 *poses of—*

22 “(A) *keeping the congressional defense com-*
23 *mittees fully and currently informed of irregular*
24 *warfare requirements and activities, including*

1 *emerging combatant commands requirements;*
 2 *and*

3 “(B) *consulting with the congressional de-*
 4 *fense committees regarding such matters.*

5 “(2) *ELEMENTS.—Each briefing required by*
 6 *paragraph (1) shall include the following:*

7 “(A) *An update on irregular warfare activi-*
 8 *ties within each geographic combatant command*
 9 *and a description of the manner in which such*
 10 *activities support the respective theater cam-*
 11 *paign plan and the National Defense Strategy.*

12 “(B) *An overview of relevant authorities*
 13 *and legal issues, including limitations.*

14 “(C) *An overview of irregular warfare-re-*
 15 *lated interagency activities and initiatives.*

16 “(D) *A description of emerging combatant*
 17 *command requirements for the use of the author-*
 18 *ity provided by this section.*

19 “(k) *IRREGULAR WARFARE DEFINED.—Subject to sub-*
 20 *section (f), in this section, the term ‘irregular warfare’*
 21 *means Department of Defense activities not involving*
 22 *armed conflict that support predetermined United States*
 23 *policy and military objectives conducted by, with, and*
 24 *through regular forces, irregular forces, groups, and indi-*
 25 *viduals.”.*

1 (b) *CLERICAL AMENDMENT.*—*The table of sections at*
 2 *the beginning of such chapter is amended by inserting after*
 3 *the item relating to section 127c the following new item:*

“127d. Support of special operations for irregular warfare.”.

4 (c) *REPEAL.*—*Section 1202 of the National Defense*
 5 *Authorization Act for Fiscal Year 2018 is repealed.*

6 **SEC. 1394. MODIFICATION OF AUTHORITY FOR EXPENDI-**
 7 **TURE OF FUNDS FOR CLANDESTINE ACTIVI-**
 8 **TIES THAT SUPPORT OPERATIONAL PREPA-**
 9 **RATION OF THE ENVIRONMENT.**

10 *Section 127f of title 10, United States Code, is amend-*
 11 *ed—*

12 (1) *by redesignating subsections (c), (d), (e), and*
 13 *(f) as subsections (d), (e), (g), and (h), respectively;*

14 (2) *by inserting after subsection (b) the following*
 15 *new subsection (c):*

16 “(c) *PROCEDURES.*—

17 “(1) *IN GENERAL.*—*The authority in this section*
 18 *shall be exercised in accordance with such procedures*
 19 *as the Secretary shall establish for purposes of this*
 20 *section.*

21 “(2) *ELEMENTS.*—*The procedures required under*
 22 *paragraph (1) shall establish, at a minimum, each of*
 23 *the following:*

1 “(A) *Policy, strategy, or other guidance for*
2 *the execution of, and constraints within, activi-*
3 *ties conducted under this section.*

4 “(B) *The processes through which activities*
5 *conducted under this section are to be developed,*
6 *validated, and coordinated, as appropriate, with*
7 *relevant entities of the United States Govern-*
8 *ment.*

9 “(C) *The processes through which legal re-*
10 *views and determinations are made to comply*
11 *with the authority in this section and ensure*
12 *that the exercise of such authority is consistent*
13 *with the national security interests of the United*
14 *States.*

15 “(D) *The processes by which the Depart-*
16 *ment of Defense shall keep the congressional de-*
17 *fense committees fully and currently informed*
18 *of—*

19 “(i) *the requirements for the use of the*
20 *authority in this section; and*

21 “(ii) *activities conducted under such*
22 *authority.*

23 “(3) *NOTICE TO CONGRESS.—The Secretary shall*
24 *notify the congressional defense committees of any*

1 *material modification to the procedures established*
 2 *under paragraph (1).”;*

3 *(3) by inserting after subsection (e), as redesign-*
 4 *ated, the following new subsection (f):*

5 *“(f) NOTIFICATION.—Not later than 15 days before ex-*
 6 *ercising the authority in this section to make funds avail-*
 7 *able to initiate a new operational preparation of the envi-*
 8 *ronment activity or changing the scope or funding level of*
 9 *any support for such an operation by \$1,000,000 or an*
 10 *amount equal to 20 percent of such funding level (whichever*
 11 *is less), or not later than 48 hours after exercising such au-*
 12 *thority if the Secretary determines that extraordinary cir-*
 13 *cumstances that impact the national security of the United*
 14 *States exist, the Secretary shall notify the congressional de-*
 15 *fense committees of the use of such authority with respect*
 16 *to that activity. Any such notification shall be in writing.”;*
 17 *and*

18 *(4) by adding at the end the following new sub-*
 19 *sections:*

20 *“(i) OVERSIGHT BY ASSISTANT SECRETARY OF DE-*
 21 *FENSE FOR SPECIAL OPERATIONS AND LOW INTENSITY*
 22 *CONFLICT.—The Assistant Secretary of Defense for Special*
 23 *Operations and Low Intensity Conflict shall have primary*
 24 *responsibility within the Office of the Secretary of Defense*

1 *for oversight of policies and programs authorized by this*
 2 *section.*

3 “(j) *CONSTRUCTION OF AUTHORITY.*—*Nothing in this*
 4 *section may be construed to constitute authority to conduct,*
 5 *or provide statutory authorization for, any of the following:*

6 “(1) *Execution of operational activities.*

7 “(2) *A covert action, as such term is defined in*
 8 *section 503(e) of the National Security Act of 1947*
 9 *(50 U.S.C. 3093(e)).*

10 “(3) *An introduction of the armed forces, (in-*
 11 *cluding the introduction of United States Armed*
 12 *Forces as such term is defined in section 8(c) of the*
 13 *War Powers Resolution (50 U.S.C. 1547(c)), into*
 14 *hostilities, or into situations where hostilities are*
 15 *clearly indicated by the circumstances, without spe-*
 16 *cific statutory authorization within the meaning of*
 17 *section 5(b) of such Resolution (50 U.S.C. 1544(b)).*

18 “(4) *Activities or support for activities, directly*
 19 *or indirectly, that are inconsistent with the laws of*
 20 *armed conflict.*

21 “(k) *OPERATIONAL PREPARATION OF THE ENVIRON-*
 22 *MENT DEFINED.*—*In this section, the term ‘operational*
 23 *preparation of the environment’ means the conduct of ac-*
 24 *tivities in likely or potential operational areas to set condi-*
 25 *tions for mission execution.’.*

1 **SEC. 1395. MODIFICATION OF INITIATIVE TO SUPPORT PRO-**
 2 **TECTION OF NATIONAL SECURITY ACADEMIC**
 3 **RESEARCHERS FROM UNDUE INFLUENCE**
 4 **AND OTHER SECURITY THREATS.**

5 *Section 1286 of the John S. McCain National Defense*
 6 *Authorization Act for Fiscal Year 2019 (10 U.S.C. 4001*
 7 *note) is amended—*

8 *(1) in subsection (c)—*

9 *(A) by redesignating paragraphs (7)*
 10 *through (9) as paragraphs (8) through (10), re-*
 11 *spectively;*

12 *(B) by inserting after paragraph (6) the fol-*
 13 *lowing new paragraph (7):*

14 *“(7) Policies to limit or prohibit funding pro-*
 15 *vided by the Department of Defense for institutions or*
 16 *individual researchers who knowingly contract or*
 17 *make other financial arrangements with entities iden-*
 18 *tified in the list described in paragraph (9), which*
 19 *policies shall include—*

20 *“(A) use of such list as part of a risk assess-*
 21 *ment decision matrix during proposal evalua-*
 22 *tions, including the development of a question for*
 23 *proposers or broad area announcements that re-*
 24 *quire proposers to disclose any contractual or fi-*
 25 *nancial connections with such entities;*

1 “(B) a requirement that the Department
2 shall notify a proposer of suspected noncompli-
3 ance with a policy issued under this paragraph
4 and provide not less than 30 days to take actions
5 to remedy such noncompliance;

6 “(C) the establishment of an appeals proce-
7 dure under which a proposer may appeal a neg-
8 ative decision on a proposal if the decision is
9 based on a determination informed by such list;
10 and

11 “(D) a requirement that each awardee of
12 funding provided by the Department shall dis-
13 close to the Department any contract or finan-
14 cial arrangement made with such an entity dur-
15 ing the period of the award.”; and

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

18 “(11) Development of measures of effectiveness
19 and performance to assess and track progress of the
20 Department of Defense across the initiative, which
21 measures shall include—

22 “(A) the evaluation of currently available
23 data to support the assessment of such measures,
24 including the identification of areas in which
25 gaps exist that may require collection of com-

1 *pletely new data, or modifications to existing*
 2 *data sets;*

3 *“(B) current means and methods for the col-*
 4 *lection of data in an automated manner, includ-*
 5 *ing the identification of areas in which gaps*
 6 *exist that may require new means for data col-*
 7 *lection or visualization of such data; and*

8 *“(C) the development of an analysis and as-*
 9 *essment methodology framework to make trade-*
 10 *offs between the measures developed under this*
 11 *paragraph and other metrics related to assessing*
 12 *undue foreign influence on the Department of*
 13 *Defense research enterprise, such as commercial*
 14 *due diligence, beneficial ownership, and foreign*
 15 *ownership, control, and influence.”; and*

16 *(2) in subsection (e)(2), by adding at the end the*
 17 *following new subparagraph:*

18 *“(G) A description of the status of the meas-*
 19 *ures of effectiveness and performance described in*
 20 *subsection (c)(11) for the period covered by such*
 21 *report, including an analytical assessment of the*
 22 *impact of such measures on the goals of the ini-*
 23 *tiative.”.*

1 **SEC. 1396. MODIFICATION OF AUTHORITY FOR CERTAIN**
 2 **PAYMENTS TO REDRESS INJURY AND LOSS.**

3 *Section 1213(h) of the National Defense Authorization*
 4 *Act for Fiscal Year 2020 (10 U.S.C. 2731 note) is amend-*
 5 *ed—*

6 *(1) in paragraph (1), by redesignating subpara-*
 7 *graphs (A) through (D) as clauses (i) through (iv),*
 8 *and moving such clauses, as redesignated, two ems to*
 9 *the right;*

10 *(2) by redesignating paragraph (1) as subpara-*
 11 *graph (A) and moving such subparagraph, as redesign-*
 12 *ated, two ems to the right;*

13 *(3) by amending paragraph (2) to read as fol-*
 14 *lows:*

15 *“(B) A description of any denied or refused*
 16 *ex gratia payment or request, including—*

17 *“(i) the date on which any such request*
 18 *was made;*

19 *“(ii) the steps the Department of De-*
 20 *fense has taken to respond to the request;*

21 *“(iii) in the case of a refused payment,*
 22 *the reason for such refusal, if known; and*

23 *“(iv) any other reason for which a*
 24 *payment was not offered or made.”;*

1 (4) *by redesignating paragraph (3) as subpara-*
2 *graph (C) and moving such subparagraph, as redesign-*
3 *ated, two ems to the right;*

4 (5) *by striking “Not later than” and inserting*
5 *the following:*

6 “(1) *IN GENERAL.—Not later than*”; and

7 (6) *by adding at the end the following new para-*
8 *graph (2):*

9 “(2) *PUBLIC AVAILABILITY.—*

10 *“(A) IN GENERAL.—Not later than 15 days*
11 *after the date on which the Secretary of Defense*
12 *submits each report required by paragraph (1),*
13 *the Secretary shall make the report available to*
14 *the public in an electronic format.*

15 *“(B) PRIVACY.—The Secretary of Defense*
16 *shall exclude from each report made available to*
17 *the public under subparagraph (A)—*

18 *“(i) confidential or personally identifi-*
19 *able information pertaining to specific pay-*
20 *ment recipients so as to ensure the safety*
21 *and privacy of such recipients; and*

22 *“(ii) any confidential or classified in-*
23 *formation that would undermine Depart-*
24 *ment of Defense operational security.”.*

1 **SEC. 1397. MODIFICATION OF AUTHORITY FOR COOPERA-**
 2 **TION ON DIRECTED ENERGY CAPABILITIES.**

3 (a) *PROGRAM AUTHORIZATION.*—Section 1280 of the
 4 William M. (Mac) Thornberry National Defense Authoriza-
 5 tion Act for Fiscal Year 2021 (Public Law 116–283; 134
 6 Stat. 3982; 22 U.S.C. 8606 note) is amended—

7 (1) in subsection (d), in the first sentence—

8 (A) by inserting “acting through the Under
 9 Secretary of Defense for Research and Engineer-
 10 ing,” after “the Secretary of Defense,”; and

11 (B) by striking “may establish a program”
 12 and inserting “is authorized”; and

13 (2) by adding at the end the following new sub-
 14 section:

15 “(e) *NOTIFICATION.*—

16 “(1) *IN GENERAL.*—Not later than 120 days
 17 after the date of the enactment of this Act, the Under
 18 Secretary of Defense for Research and Engineering
 19 shall submit to the appropriate committees of Con-
 20 gress an assessment detailing—

21 “(A) the most promising directed energy
 22 missile defense technologies available for co-devel-
 23 opment with the Government of Israel;

24 “(B) any risks relating to the implementa-
 25 tion of a directed energy missile defense tech-

1 *nology co-development program with the Govern-*
 2 *ment of Israel;*

3 *“(C) an anticipated spending plan for fiscal*
 4 *year 2024 funding authorized by the National*
 5 *Defense Authorization Act for Fiscal Year 2024*
 6 *to carry out this section; and*

7 *“(D) initial projections for likely funding*
 8 *requirements to carry out a directed energy mis-*
 9 *sile defense technology co-development program*
 10 *with the Government of Israel over the five fiscal*
 11 *years beginning after the date of the enactment*
 12 *of that Act, as applicable.*

13 *“(2) APPROPRIATE COMMITTEES OF CONGRESS*
 14 *DEFINED.—In this subsection, the term ‘appropriate*
 15 *committees of Congress’ means—*

16 *“(A) the Committee on Armed Services, the*
 17 *Committee on Appropriations, and the Com-*
 18 *mittee on Foreign Relations of the Senate; and*

19 *“(B) the Committee on Armed Services, the*
 20 *Committee on Appropriations, and the Com-*
 21 *mittee on Foreign Affairs of the House of Rep-*
 22 *resentatives.”.*

23 *(b) ADDITIONAL FUNDING.—The amount authorized to*
 24 *be appropriated for fiscal year 2024 by section 4201 for*
 25 *research, development, test, and evaluation for Advanced*

1 *Component Development and Prototypes is hereby increased*
 2 *by \$25,000,000, with the amount of the increase to be avail-*
 3 *able for Israeli Cooperative Programs (PE 0603913C).*

4 *(c) OFFSET.—The amount authorized to be appro-*
 5 *priated for fiscal year 2024 by section 4201 for research,*
 6 *development, test, and evaluation for the Air Force is hereby*
 7 *decreased by \$25,000,000, with the amount of the decrease*
 8 *to be taken from the amounts available for VC–25B (PE*
 9 *0401319F).*

10 **SEC. 1398. MODIFICATION OF ARCTIC SECURITY INITIA-**
 11 **TIVE.**

12 *Section 1090(b)(2) of the National Defense Authoriza-*
 13 *tion Act for Fiscal Year 2022 (Public Law 117–81; 135*
 14 *Stat. 1927) is amended—*

15 *(1) in subparagraph (A), by striking “the Sec-*
 16 *retary may” and inserting “the Secretary shall”; and*

17 *(2) in subparagraph (B)(i), by striking “If the*
 18 *Initiative is established” and inserting “On the estab-*
 19 *lishment of the Initiative”.*

20 **SEC. 1399. TERMINATION OF AUTHORIZATION OF NON-CON-**
 21 **VENTIONAL ASSISTED RECOVERY CAPABILI-**
 22 **TIES.**

23 *Section 943(g) of the Duncan Hunter National Defense*
 24 *Authorization Act for Fiscal Year 2009 (Public Law 110–*
 25 *417; 122 Stat. 4578) is amended to read as follows:*

1 “(g) *TERMINATION.*—*The authority under this section*
 2 *shall terminate on December 31, 2023.*”.

3 **SEC. 1399A. EXTENSION OF PROHIBITION ON IN-FLIGHT RE-**
 4 **FUELING TO NON-UNITED STATES AIRCRAFT**
 5 **THAT ENGAGE IN HOSTILITIES IN THE ONGO-**
 6 **ING CIVIL WAR IN YEMEN.**

7 *Section 1273 of the National Defense Authorization*
 8 *Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat.*
 9 *1699) is amended to read as follows:*

10 **“SEC. 1273. PROHIBITION ON IN-FLIGHT REFUELING TO**
 11 **NON-UNITED STATES AIRCRAFT THAT EN-**
 12 **GAGE IN HOSTILITIES IN THE ONGOING CIVIL**
 13 **WAR IN YEMEN.**

14 *“For the one-year period beginning on the date*
 15 *of the enactment of the National Defense Authoriza-*
 16 *tion Act for Fiscal Year 2024, the Department of De-*
 17 *fense may not provide in-flight refueling pursuant to*
 18 *section 2342 of title 10, United States Code, or any*
 19 *other applicable statutory authority, to non-United*
 20 *States aircraft that engage in hostilities in the ongo-*
 21 *ing civil war in Yemen unless and until a declaration*
 22 *of war or a specific statutory authorization for such*
 23 *use of the United States Armed Forces has been en-*
 24 *acted.*”.

1 **SEC. 1399B. EXTENSION OF UNITED STATES-ISRAEL ANTI-**
2 **TUNNEL COOPERATION.**

3 *Section 1279(f) of the National Defense Authorization*
4 *Act for Fiscal Year 2016 (22 U.S.C. 8606 note) is amended*
5 *by striking “December 31, 2024” and inserting “December*
6 *31, 2026”.*

7 **SEC. 1399C. PROHIBITION ON DELEGATION OF AUTHORITY**
8 **TO DESIGNATE FOREIGN PARTNER FORCES**
9 **AS ELIGIBLE FOR THE PROVISION OF COL-**
10 **LECTIVE SELF-DEFENSE SUPPORT BY UNITED**
11 **STATES ARMED FORCES.**

12 *(a) IN GENERAL.—The authority to designate foreign*
13 *partner forces as eligible for the provision of collective self-*
14 *defense support by the United States Armed Forces may*
15 *not be delegated below the Secretary of Defense.*

16 *(b) REVIEW.—Not later than 90 days after the date*
17 *of the enactment of this Act, the Secretary shall review exist-*
18 *ing designations of foreign partner forces as eligible for the*
19 *provision of collective self-defense support by the United*
20 *States Armed Forces and provide the congressional defense*
21 *committees with a certification with respect to whether each*
22 *such designation remains valid.*

23 *(c) WAIVER.—*

24 *(1) IN GENERAL.—The Secretary may waive the*
25 *prohibition under subsection (a) if the Secretary de-*

1 *termines that there are compelling circumstances that*
 2 *necessitate the waiver of such prohibition.*

3 (2) *NOTICE.*—*Not later than 48 hours after the*
 4 *Secretary exercises the waiver authority under para-*
 5 *graph (1), the Secretary shall submit to the congres-*
 6 *sional defense committees a notice of the waiver,*
 7 *which shall include—*

8 (A) *a description of the compelling cir-*
 9 *cumstances that necessitated the wavier;*

10 (B) *a description of the United States na-*
 11 *tional security interests served by the waiver;*

12 (C) *an identification of any named oper-*
 13 *ation related to the waiver; and*

14 (D) *an articulation of any temporal, geo-*
 15 *graphic, or other limitations on the waiver.*

16 (d) *RULE OF CONSTRUCTION.*—*Nothing in this section*
 17 *shall be construed as invalidating a designation of foreign*
 18 *partner forces as eligible for the provision of collective self-*
 19 *defense support by the United States Armed Forces that is*
 20 *in effect as of the date of the enactment of this Act.*

21 (e) *COLLECTIVE SELF-DEFENSE DEFINED.*—*In this*
 22 *section, the term “collective self-defense” means the use of*
 23 *United States military force to defend designated foreign*
 24 *partner forces, their facilities, and their property.*

1 **SEC. 1399D. PARTICIPATION BY MILITARY DEPARTMENTS**
 2 **IN INTEROPERABILITY PROGRAMS WITH MILI-**
 3 **TARY FORCES OF AUSTRALIA, CANADA, NEW**
 4 **ZEALAND, AND THE UNITED KINGDOM.**

5 (a) *IN GENERAL.*—Section 1274 of the National De-
 6 fense Authorization Act for Fiscal Year 2013 (10 U.S.C.
 7 2350a note) is amended—

8 (1) in the section heading, by striking “**ADMIN-**
 9 **ISTRATION OF THE AMERICAN, BRITISH, CANA-**
 10 **DIAN, AND AUSTRALIAN ARMIES’ PROGRAM**”
 11 and inserting “**PARTICIPATION BY MILITARY DE-**
 12 **PARTMENTS IN INTEROPERABILITY PROGRAMS**
 13 **WITH MILITARY FORCES OF AUSTRALIA, CAN-**
 14 **ADA, NEW ZEALAND, AND THE UNITED KING-**
 15 **DOM**”; and

16 (2) in subsection (a)—

17 (A) by inserting “a military department of”
 18 after “the participation by”; and

19 (B) by striking “the land-force program
 20 known as the American, British, Canadian, and
 21 Australian Armies’ Program” and inserting “an
 22 interoperability program with the military forces
 23 of one or more participating countries specified
 24 in subsection (b)”.

25 (b) *CLERICAL AMENDMENTS.*—

1 (1) *The table of contents of the National Defense*
 2 *Authorization Act for Fiscal Year 2013 (Public Law*
 3 *112–239; 126 Stat. 1632) is amended by striking the*
 4 *item relating to section 1274 and inserting the fol-*
 5 *lowing:*

“Sec. 1274. Participation by military departments in interoperability programs
 with military forces of Australia, Canada, New Zealand, and
 the United Kingdom.”.

6 (2) *The table of contents for title XII of the Na-*
 7 *tional Defense Authorization Act for Fiscal Year 2013*
 8 *(Public Law 112–239; 126 Stat. 1977) is amended by*
 9 *striking the item relating to section 1274 and insert-*
 10 *ing the following:*

“Sec. 1274. Participation by military departments in interoperability programs
 with military forces of Australia, Canada, New Zealand, and
 the United Kingdom.”.

11 **SEC. 1399E. COOPERATION WITH ALLIES AND PARTNERS IN**
 12 **MIDDLE EAST ON DEVELOPMENT OF INTE-**
 13 **GRATED REGIONAL CYBERSECURITY ARCHI-**
 14 **TECTURE.**

15 (a) COOPERATION.—

16 (1) *IN GENERAL.—The Secretary of Defense,*
 17 *using existing authorities and in consultation with*
 18 *the head of any other Federal agency, as appropriate,*
 19 *shall seek to cooperate with allies and partners in the*
 20 *Middle East with respect to developing an integrated*
 21 *regional cybersecurity architecture and deepening*
 22 *military cybersecurity partnerships to defend mili-*

1 *tary networks, infrastructure, and systems against*
 2 *hostile cyber activity.*

3 (2) *PROTECTION OF SENSITIVE INFORMATION.*—

4 *Any activity carried out under paragraph (1) shall be*
 5 *conducted in a manner that—*

6 (A) *is consistent with the protection of in-*
 7 *telligence sources and methods; and*

8 (B) *appropriately protects sensitive infor-*
 9 *mation and the national security interests of the*
 10 *United States.*

11 (b) *STRATEGY.*—

12 (1) *IN GENERAL.*—*Not later than 180 days after*
 13 *the date of the enactment of this Act, the Secretary of*
 14 *Defense, in consultation with the Secretary of State,*
 15 *shall submit to the appropriate committees of Con-*
 16 *gress a strategy for cooperation with allies and part-*
 17 *ners in the Middle East to develop an integrated re-*
 18 *gional cybersecurity architecture to defend military*
 19 *networks, infrastructure, and systems against hostile*
 20 *cyber activity.*

21 (2) *ELEMENTS.*—*The strategy submitted under*
 22 *paragraph (1) shall include the following:*

23 (A) *An assessment of the threat landscape of*
 24 *cyberattacks, military networks, infrastructure,*

1 *and systems against allies and partners within*
2 *the Middle East.*

3 (B) *A description of current efforts to share,*
4 *between the United States and allies and part-*
5 *ners within the Middle East, indicators and*
6 *warnings, tactics, techniques, procedures, threat*
7 *signatures, planning efforts, training, and other*
8 *similar information about cyber threats.*

9 (C) *An analysis of current bilateral and*
10 *multilateral defense protocols protecting military*
11 *networks, infrastructure, and systems and shar-*
12 *ing sensitive cyber threat information between*
13 *the United States and allies and partners in the*
14 *Middle East.*

15 (D) *An assessment of whether a multi-*
16 *national integrated military cybersecurity part-*
17 *nership, including establishing a center in the*
18 *Middle East to facilitate such activities, would*
19 *improve collective security in the Middle East.*

20 (E) *An assessment of gaps in ally and part-*
21 *ner capabilities that would have to be remedied*
22 *in order to establish such a center.*

23 (F) *A description of any prior or ongoing*
24 *effort to engage allies and partners in the Middle*
25 *East in establishing—*

1 (i) a multinational integrated cyberse-
2 curity partnership or other bilateral or
3 multilateral defensive cybersecurity infor-
4 mation sharing and training partnership;
5 or

6 (ii) other cooperative defensive cyberse-
7 curity measures.

8 (G) An identification of elements of a po-
9 tential multinational military cybersecurity
10 partnership, or other bilateral or multilateral de-
11 fensive cybersecurity measures, that—

12 (i) can be acquired and operated by
13 specified foreign partners within the area of
14 responsibility of the United States Central
15 Command;

16 (ii) can only be provided and operated
17 by the United States; and

18 (iii) can be provided by a third party
19 entity contracted by the United States Cen-
20 tral Command jointly with specified foreign
21 partners.

22 (H) Any other matter the Secretary of De-
23 fense considers relevant.

1 (3) *FORM.*—*The strategy required by paragraph*
 2 (1) *shall be submitted in unclassified form but may*
 3 *include a classified annex.*

4 (c) *APPROPRIATE COMMITTEES OF CONGRESS DE-*
 5 *FINED.*—*In this section, the term “appropriate committees*
 6 *of Congress” means—*

7 (1) *the Committee on Armed Services, the Com-*
 8 *mittee on Appropriations, the Committee on Foreign*
 9 *Relations, and the Select Committee on Intelligence of*
 10 *the Senate; and*

11 (2) *the Committee on Armed Services, the Com-*
 12 *mittee on Appropriations, the Committee on Foreign*
 13 *Affairs, and the Permanent Select Committee on In-*
 14 *telligence of the House of Representatives.*

15 **SEC. 1399F. FOREIGN ADVANCE ACQUISITION ACCOUNT.**

16 (a) *ESTABLISHMENT.*—*The Secretary of Defense may*
 17 *establish, within the Special Defense Acquisition Fund es-*
 18 *tablished pursuant to chapter 5 of the Arms Export Control*
 19 *Act (22 U.S.C. 2795 et seq.), an account, to be known as*
 20 *the “Foreign Advance Acquisition Account” (in this section*
 21 *referred to as the “Account”), that shall be maintained sep-*
 22 *arately from other accounts and used to accelerate the pro-*
 23 *duction of United States-produced end items in reasonable*
 24 *anticipation of the sale of such end items through the for-*
 25 *ign military sales or direct commercial sales processes.*

1 (b) *USE OF FUNDS.*—Amounts in the Account shall
2 be made available to the Secretary of Defense for the fol-
3 lowing purposes:

4 (1) *To finance the acquisition, using the proce-*
5 *dures of the Special Defense Acquisition Fund, of de-*
6 *fense articles and services in advance of the transfer*
7 *of such articles and services to covered countries*
8 *through the foreign military sales process.*

9 (2) *To provide a mechanism for covered coun-*
10 *tries to contribute funds, including before the comple-*
11 *tion of a letter of offer under the procedures of the*
12 *Arms Export Control Act (22 U.S.C. 2751 et seq.), for*
13 *the acquisition of such defense articles and services.*

14 (3) *To pay for storage, maintenance, and other*
15 *costs related to the storage, preservation, and prepa-*
16 *ration for transfer of defense articles and services ac-*
17 *quired using amounts in the Account prior to their*
18 *transfer, and to pay for the administrative costs of*
19 *the Department of Defense incurred in the acquisition*
20 *of such items to the extent not reimbursed pursuant*
21 *to section 43(b) of the Arms Export Control Act (22*
22 *U.S.C. 2792(b)).*

23 (c) *CONTRIBUTIONS FROM COVERED COUNTRIES.*—
24 *The Secretary of Defense may accept contributions of*

1 *amounts to the Account from any foreign person, entity,*
2 *or government of a covered country.*

3 (d) *LIMITATIONS.—*

4 (1) *APPLICABILITY OF OTHER LAW.—*Defense ar-
5 *ticles and services acquired by the Secretary of De-*
6 *fense using amounts in the Account may not be trans-*
7 *ferred to any foreign country unless such transfer is*
8 *authorized by the Arms Export Control Act (22*
9 *U.S.C. 2751 et seq.), the Foreign Assistance Act of*
10 *1961 (22 U.S.C. 2151 et seq.), or other applicable*
11 *law.*

12 (2) *PREVIOUSLY DENIED FUNDS.—*Amounts in
13 *the Account may not be expended, in whole or in*
14 *part, by or for the benefit of the Department of De-*
15 *fense for a purpose for which Congress has previously*
16 *denied funds.*

17 (3) *ADDITIONAL LIMITATION.—*Amounts in the
18 *Account may not be used to acquire items or services*
19 *for the sole benefit of the United States.*

20 (e) *ANNUAL REPORT.—*Not later than 60 days after
21 *the date on which each fiscal year ends, the Secretary of*
22 *Defense shall submit to the appropriate committees of Con-*
23 *gress a report on the use of the Account that includes, for*
24 *such fiscal year—*

1 (1) *an identification of each covered country that*
 2 *contributed to the Account;*

3 (2) *the amount deposited into the Account by*
 4 *each such covered country; and*

5 (3) *for each such covered country, the designated*
 6 *defense articles or services acquired or to be acquired.*

7 (f) *QUARTERLY REPORT.*—*Not later than 90 days*
 8 *after the date of the enactment of this Act, and quarterly*
 9 *thereafter, the Secretary of Defense shall submit to the ap-*
 10 *propriate committees of Congress a report on the use of the*
 11 *Account that includes, for each transaction—*

12 (1) *a description of the transaction;*

13 (2) *the amount of the transaction;*

14 (3) *the covered country concerned;*

15 (4) *an identification of any storage, mainte-*
 16 *nance, or other costs associated with the transaction;*
 17 *and*

18 (5) *the anticipated date of delivery of the appli-*
 19 *cable defense articles or services.*

20 (g) *TERMINATION.*—*The authority under subsection*
 21 *(b) to use funds in the Account shall terminate on January*
 22 *1, 2028.*

23 (h) *RULE OF CONSTRUCTION.*—*Nothing in this section*
 24 *shall be construed to limit or impair the responsibilities*
 25 *conferred on the Secretary of State or the Secretary of De-*

1 *fense under the Arms Export Control Act (22 U.S.C. 2751*
 2 *et seq.) or the Foreign Assistance Act of 1961 (22 U.S.C.*
 3 *2151 et seq.).*

4 (i) *DEFINITIONS.—In this section:*

5 (1) *APPROPRIATE COMMITTEES OF CONGRESS.—*

6 *The term “appropriate committees of Congress”*
 7 *means—*

8 (A) *the Committee on Armed Services, the*
 9 *Committee on Appropriations, and the Com-*
 10 *mittee on Foreign Relations of the Senate; and*

11 (B) *the Committee on Armed Services, the*
 12 *Committee on Appropriations, and the Com-*
 13 *mittee on Foreign Affairs of the House of Rep-*
 14 *resentatives.*

15 (2) *COVERED COUNTRY.—The term “covered*
 16 *country” means—*

17 (A) *a country, other than the United States,*
 18 *that is a participant in the security partnership*
 19 *among Australia, the United Kingdom, and the*
 20 *United States (commonly known as the*
 21 *“AUKUS” partnership);*

22 (B) *a member country of the North Atlantic*
 23 *Treaty Organization; and*

24 (C) *any other country, as designated by the*
 25 *Secretary of Defense.*

1 **SEC. 1399G. LIMITATION ON AVAILABILITY OF FUNDS FOR**
2 **TRAVEL EXPENSES OF THE OFFICE OF THE**
3 **SECRETARY OF DEFENSE.**

4 *Of the funds authorized to be appropriated by this Act*
5 *for fiscal year 2024 for operation and maintenance, De-*
6 *fense-wide, and available for the Office of the Secretary of*
7 *Defense for travel expenses, not more than 75 percent may*
8 *be obligated or expended until the Secretary of Defense sub-*
9 *mits—*

10 *(1) the implementation plan required by section*
11 *1087 of the National Defense Authorization Act for*
12 *Fiscal Year 2023 (Public Law 117–263; 136 Stat.*
13 *2802; 10 U.S.C. 161 note) relating to the requirement*
14 *of such section to establish a joint force headquarters*
15 *in the area of operations of United States Indo-Pa-*
16 *cific Command to serve as an operational command;*

17 *(2) the plan required by section 1332(g)(2) of the*
18 *National Defense Authorization Act for Fiscal Year*
19 *2022 (Public Law 117–81; 135 Stat. 2008) relating*
20 *to strategic competition in the areas of responsibility*
21 *of United States Southern Command and United*
22 *States Africa Command; and*

23 *(3) the strategy and posture review required by*
24 *section 1631(g) of the National Defense Authorization*
25 *Act for Fiscal Year 2020 (Public Law 116–92; 133*

1 *Stat. 1743; 10 U.S.C. 397 note) relating to operations*
 2 *in the information environment.*

3 **SEC. 1399H. PLANS RELATED TO RAPID TRANSFER OF CER-**
 4 **TAIN MISSILES AND DEFENSE CAPABILITIES.**

5 (a) *IN GENERAL.*—*The Assistant Secretary of the*
 6 *Navy for Research, Development and Acquisition shall—*

7 (1) *develop a plan to prepare Navy Harpoon*
 8 *block IC missiles in a “sundown”, “deep stow”, or*
 9 *“demilitarized” condition code (including missiles re-*
 10 *moved from Navy surface ships) for rapid transfer to*
 11 *allies and security partners in the United States Eu-*
 12 *ropean Command and United States Indo-Pacific*
 13 *Command areas of responsibility, if so ordered; and*

14 (2) *establish a plan that would enable the rapid*
 15 *transfer of additional enhanced coastal defense capa-*
 16 *bilities that have tactical significance in assisting*
 17 *partners and allies in reclaiming sovereign territory,*
 18 *detering maritime resupply of illegally seized terri-*
 19 *tory, or aiding in preventing an amphibious invasion*
 20 *of sovereign territory.*

21 (b) *SUBMISSION TO CONGRESS.*—*Not later than 90*
 22 *days after the date of the enactment of this Act, the Assist-*
 23 *ant Secretary shall submit to the congressional defense com-*
 24 *mittees the plans required by paragraphs (1) and (2) of*
 25 *subsection (a).*

1 **SEC. 1399I. ENSURING PEACE THROUGH STRENGTH IN**
 2 **ISRAEL.**

3 (a) *EXTENSION OF AUTHORITIES.*—

4 (1) *WAR RESERVES STOCKPILE AUTHORITY.*—
 5 *Section 12001(d) of the Department of Defense Ap-*
 6 *propriations Act, 2005 (Public Law 108–287; 118*
 7 *Stat. 1011) is amended by striking “September 30,*
 8 *2025” and inserting “January 1, 2028”.*

9 (2) *RULES GOVERNING THE TRANSFER OF PRE-*
 10 *CISION-GUIDED MUNITIONS TO ISRAEL ABOVE THE AN-*
 11 *NUAL RESTRICTION.*—*Section 1275(e) of the William*
 12 *M. (Mac) Thornberry National Defense Authorization*
 13 *Act for Fiscal Year 2021 (Public Law 116–283; 134*
 14 *Stat. 3980; 22 U.S.C. 2321h note) is amended by*
 15 *striking “on the date that is three years after the date*
 16 *of the enactment of this Act” and inserting “on Janu-*
 17 *ary 1, 2028”.*

18 (b) *DEPARTMENT OF DEFENSE ASSESSMENT OF TYPE*
 19 *AND QUANTITY OF PRECISION-GUIDED MUNITIONS AND*
 20 *OTHER MUNITIONS FOR USE BY ISRAEL.*—

21 (1) *IN GENERAL.*—*Not later than 180 days after*
 22 *the date of the enactment of this Act, and annually*
 23 *thereafter through December 31, 2028, the Secretary*
 24 *of Defense shall conduct an assessment with respect to*
 25 *the following:*

1 (A) *The current quantity and type of preci-*
2 *sion-guided munitions in the stockpile pursuant*
3 *to section 12001(d) of the Department of Defense*
4 *Appropriations Act, 2005 (Public Law 108–287;*
5 *118 Stat. 1011).*

6 (B) *The quantity and type of precision-*
7 *guided munitions necessary for Israel to protect*
8 *its homeland and counter Hezbollah, Hamas,*
9 *Palestinian Islamic Jihad, or any other armed*
10 *terror group or hostile forces in the region in the*
11 *event of a sustained armed confrontation.*

12 (C) *The quantity and type of other muni-*
13 *tions necessary for Israel to protect its homeland*
14 *and counter Hezbollah, Hamas, Palestinian Is-*
15 *lamic Jihad, or any other armed group or hostile*
16 *forces in the region in the event of a sustained*
17 *armed confrontation.*

18 (D) *The quantity and type of munitions,*
19 *including precision-guided munitions, necessary*
20 *for Israel to protect its homeland and counter*
21 *any combination of Hezbollah, Hamas, Pales-*
22 *tinian Islamic Jihad, and any other armed ter-*
23 *ror groups or hostile forces in the region in the*
24 *event of a multi-front, sustained armed con-*
25 *frontation.*

1 (E) *The resources the Government of Israel*
2 *would need to dedicate to acquire the quantity*
3 *and type of munitions, including precision-guid-*
4 *ed munitions, described in subparagraphs (B)*
5 *through (D).*

6 (F) *Whether, as of the date on which the ap-*
7 *plicable assessment is completed, sufficient quan-*
8 *tities and types of munitions, including preci-*
9 *sion-guided munitions, to conduct operations de-*
10 *scribed in subparagraphs (B) through (D) are*
11 *present in—*

12 (i) *the inventory of the military forces*
13 *of Israel;*

14 (ii) *the War Reserves Stock Allies-*
15 *Israel;*

16 (iii) *any other United States stockpile*
17 *or depot within the area of responsibility of*
18 *United States Central Command, as the*
19 *Secretary considers appropriate to disclose*
20 *to the Government of Israel; or*

21 (iv) *the inventory of the United States*
22 *Armed Forces, as the Secretary considers*
23 *appropriate to disclose to the Government of*
24 *Israel.*

1 (G) *The current inventory of such muni-*
2 *tions, including precision-guided munitions, pos-*
3 *essed by the United States, and whether, as of*
4 *the date on which the applicable assessment is*
5 *completed, the United States is assessed to have*
6 *sufficient munitions to meet the requirements of*
7 *current operation plans of the United States or*
8 *global other munitions requirements.*

9 (H) *United States planning and steps being*
10 *taken—*

11 (i) *to assist Israel to prepare for the*
12 *contingencies, and to conduct the oper-*
13 *ations, described in subparagraphs (B)*
14 *through (D); and*

15 (ii) *to resupply Israel with the quan-*
16 *tity and type of such munitions described*
17 *in such subparagraphs in the event of a sus-*
18 *tained armed confrontation described in*
19 *such subparagraphs.*

20 (I) *The quantity and pace at which the*
21 *United States is capable of pre-positioning, in-*
22 *creasing, stockpiling, or rapidly replenishing, or*
23 *assisting in the rapid replenishment of, such mu-*
24 *nitions in preparation for, and in the event of,*
25 *such a sustained armed confrontation.*

1 (2) *CONSULTATION.*—*In carrying out the assess-*
2 *ment required by paragraph (1), the Secretary shall*
3 *consult with the Israeli Ministry of Defense, provided*
4 *that the Israeli Ministry of Defense agrees to be so*
5 *consulted.*

6 (c) *REPORTS.*—

7 (1) *DEPARTMENT OF DEFENSE ASSESSMENT.*—
8 *Not later than 15 days after the date on which each*
9 *Department of Defense assessment required by sub-*
10 *section (b) is completed, the Secretary shall submit to*
11 *the appropriate committees of Congress a report on*
12 *such assessment.*

13 (2) *PRE-POSITIONING AND STOCKPILE IMPLE-*
14 *MENTATION REPORT.*—*Not later than 180 days after*
15 *the date on which the report required by paragraph*
16 *(1) is submitted, and every 180 days thereafter*
17 *through December 31, 2028, the Secretary shall sub-*
18 *mit to the appropriate committees of Congress a re-*
19 *port that—*

20 (A) *details the actions being taken by the*
21 *United States, if any, to pre-position, increase,*
22 *stockpile, address shortfalls, and otherwise ensure*
23 *that the War Reserves Stock Allies-Israel has,*
24 *and assist Israel in ensuring that Israel has, suf-*
25 *ficient quantities and types of munitions, includ-*

ing precision-guided munitions, to conduct the operations described in subparagraphs (B) through (D) of subsection (b)(1); and

(B) includes a description of procedures implemented by the United States, if any, for rapidly replenishing, or assisting in the rapid replenishment of, stockpiles of such munitions for use by Israel as may be necessary.

(3) *FORM.*—The report required by paragraph (1) shall be submitted in unclassified form but may contain a classified annex.

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

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

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

(d) *CONSOLIDATION OF REPORTS.*—

(1) Section 1273 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 2066) is amended by striking subsection (b).

1 (2) *Section 1275 of the William M. (Mac) Thorn-*
 2 *berry National Defense Authorization Act for Fiscal*
 3 *Year 2021 (Public Law 116–283; 134 Stat. 3979; 22*
 4 *U.S.C. 2321h note) is amended by striking subsection*
 5 *(d).*

6 **SEC. 1399J. IMPROVEMENTS TO SECURITY COOPERATION**
 7 **WORKFORCE AND DEFENSE ACQUISITION**
 8 **WORKFORCE.**

9 (a) *RESPONSIBILITIES OF SECRETARY OF DEFENSE.—*

10 (1) *IN GENERAL.—The Secretary of Defense*
 11 *shall, consistent with the requirements of section 384*
 12 *of title 10, United States Code, as amended by section*
 13 *1209 of this Act—*

14 (A) *carry out activities to professionalize,*
 15 *and increase the resources available to, the secu-*
 16 *rity cooperation workforce so as to enable the*
 17 *streamlining and expediting of the foreign mili-*
 18 *tary sales process; and*

19 (B) *seek to ensure that—*

20 (i) *members of the defense acquisition*
 21 *workforce involved in the foreign military*
 22 *sales process are aware of evolving United*
 23 *States regional and country-level defense ca-*
 24 *pability-building priorities; and*

1 (ii) members of the defense acquisition
2 workforce are professionally evaluated using
3 metrics to measure—

4 (I) responsiveness to foreign part-
5 ner requests;

6 (II) ability to meet foreign part-
7 ner capability and delivery schedule
8 requirements; and

9 (III) advancement of foreign ca-
10 pability-building priorities described
11 in the guidance updated under sub-
12 section (b).

13 (2) *REPORT.*—Not later than 180 days after the
14 date of the enactment of this Act, the Secretary of De-
15 fense shall submit to the Committees on Armed Serv-
16 ices of the Senate and the House of Representatives a
17 report on the resources necessary to implement para-
18 graph (1), including—

19 (A) the anticipated costs of new personnel
20 and training to carry out such paragraph;

21 (B) the estimated increase in foreign mili-
22 tary sales administrative user fees necessary to
23 offset such costs; and

24 (C) the feasibility and advisability of estab-
25 lishing, at the Department of Defense level or the

1 *military department level, a contracting capac-*
2 *ity that—*

3 *(i) is specific to the execution of con-*
4 *tracts for foreign military sales;*

5 *(ii) is fully funded by the Defense Se-*
6 *curity Cooperation Agency using foreign*
7 *military sales administrative funds so as to*
8 *ensure that such capacity is dedicated solely*
9 *to foreign military sales contracting;*

10 *(iii) is monitored by the Defense Secu-*
11 *rity Cooperation Agency Chief Performance*
12 *Office, in coordination with the Under Sec-*
13 *retary of Defense for Acquisition and*
14 *Sustainment, to ensure effectiveness in*
15 *meeting foreign military sales contracting*
16 *requirements; and*

17 *(iv) empowers the Director of the De-*
18 *fense Security Cooperation Agency, in co-*
19 *ordination with the Under Secretary of De-*
20 *fense for Policy and the Under Secretary of*
21 *Defense for Acquisition and Sustainment, to*
22 *increase or decrease foreign military sales*
23 *contracting capacity through the guidance*
24 *updated under subsection (b).*

25 *(b) GUIDANCE.—*

1 (1) *IN GENERAL.*—Not later than 180 days after
 2 the date of the enactment of this Act, the Secretary of
 3 Defense shall update, as necessary, Department of De-
 4 fense guidance governing the execution of foreign
 5 military sales by the Department to ensure that such
 6 guidance—

7 (A) incorporates the National Security
 8 Strategy and the National Defense Strategy;

9 (B) is informed by the theater campaign
 10 plans and theater security cooperation strategies
 11 of the combatant commands; and

12 (C) is disseminated to the security coopera-
 13 tion workforce and the defense acquisition work-
 14 force.

15 (2) *ELEMENTS.*—The updated guidance required
 16 by paragraph (1) shall—

17 (A) identify—

18 (i) regional and country-level foreign
 19 defense capability-building priorities; and

20 (ii) levels of urgency and desired
 21 timelines for achieving foreign capability-
 22 building objectives; and

23 (B) provide guidance to the defense acquisi-
 24 tion workforce regarding levels of resourcing, in-

1 novation, and risk tolerance that should be con-
2 sidered in meeting urgent needs.

3 (c) *FOREIGN MILITARY SALES CONTINUOUS PROCESS*
4 *IMPROVEMENT BOARD.*—

5 (1) *ESTABLISHMENT.*—*The Secretary of Defense*
6 *may establish a Foreign Military Sales Continuous*
7 *Process Improvement Board (in this section referred*
8 *to as the “Board”) to serve as an enduring govern-*
9 *ance structure within the Department of Defense that*
10 *reports to the Secretary on matters relating to the for-*
11 *ign military sales process so as to enhance account-*
12 *ability and continuous improvement within the De-*
13 *partment, including the objectives of—*

14 (A) *improving the understanding, among*
15 *officials of the Department, of ally and partner*
16 *requirements;*

17 (B) *enabling efficient reviews for release of*
18 *technology;*

19 (C) *providing allies and partner countries*
20 *with relevant priority equipment;*

21 (D) *accelerating acquisition and con-*
22 *tracting support;*

23 (E) *expanding the capacity of the defense*
24 *industrial base; and*

1 (F) *working with other departments and*
 2 *agencies to promote broad United States Govern-*
 3 *ment support.*

4 (2) *MEMBERSHIP.—*

5 (A) *IN GENERAL.—The Board shall be com-*
 6 *posed of not fewer than seven members, each of*
 7 *whom shall have expertise in the foreign military*
 8 *sales process.*

9 (B) *RESTRICTION.—The Board may not*
 10 *have as a member—*

11 (i) *an officer or employee of the De-*
 12 *partment of Defense; or*

13 (ii) *a member of the United States*
 14 *Armed Forces.*

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

16 (1) *DEFENSE ACQUISITION WORKFORCE.—The*
 17 *term “defense acquisition workforce” means the De-*
 18 *partment of Defense acquisition workforce described*
 19 *in chapter 87 of title 10, United States Code.*

20 (2) *SECURITY COOPERATION WORKFORCE.—The*
 21 *term “security cooperation workforce” has the mean-*
 22 *ing given the term in section 384 of title 10, United*
 23 *States Code.*

1 **SEC. 1399K. MODIFICATION OF FOREIGN MILITARY SALES**

2 **PROCESSING.**

3 *(a) RESPONSES.—*

4 *(1) LETTERS OF REQUEST FOR PRICING AND*
5 *AVAILABILITY.—The Secretary of Defense shall seek to*
6 *ensure that an eligible foreign purchaser that has sub-*
7 *mitted a letter of request for pricing and availability*
8 *data receives a response to the letter not later than 45*
9 *days after the date on which the letter is received by*
10 *a United States security cooperation organization, the*
11 *Defense Security Cooperation Agency, or other imple-*
12 *menting agency.*

13 *(2) LETTERS OF REQUEST FOR LETTERS OF*
14 *OFFER AND ACCEPTANCE.—The Secretary of Defense*
15 *shall seek to ensure that an eligible foreign purchaser*
16 *that has submitted a letter of request for a letter of*
17 *offer and acceptance receives a response—*

18 *(A) in the case of a letter of request for a*
19 *blanket-order letter of offer and acceptance, coop-*
20 *erative logistics supply support arrangements, or*
21 *associated amendments and modifications, not*
22 *later than 45 days after the date on which the*
23 *letter of request is received by a United States se-*
24 *curity cooperation organization, the Defense Se-*
25 *curity Cooperation Agency, or other imple-*
26 *menting agency;*

1 (B) *in the case of a letter of request for a*
 2 *defined-order letter of offer and acceptance or as-*
 3 *sociated amendments and modifications, not*
 4 *later than 100 days after such date; and*

5 (C) *in the case of a letter of request for a*
 6 *defined-order letter of offer and acceptance or as-*
 7 *sociated amendments that involve extenuating*
 8 *factors, as approved by the Director of the De-*
 9 *fense Security Cooperation Agency, not later*
 10 *than 150 days after such date.*

11 (3) *WAIVER.—The Secretary of Defense may*
 12 *waive paragraphs (1) and (2) if—*

13 (A) *such a waiver is in the national secu-*
 14 *rity interests of the United States; and*

15 (B) *not later than 5 days after exercising*
 16 *such waiver authority, the Secretary provides to*
 17 *the Committee on Foreign Relations of the Sen-*
 18 *ate and the Committee on Foreign Affairs of the*
 19 *House of Representatives notice of the exercise of*
 20 *such authority, including an explanation of the*
 21 *one or more reasons for failing to meet the appli-*
 22 *cable deadline.*

23 (b) *EXPANSION OF COUNTRY PRIORITIZATION.—With*
 24 *respect to foreign military sales to member countries of the*
 25 *North Atlantic Treaty Organization, major non-NATO al-*

1 *lies, major defense partners, and major security partners,*
 2 *the Secretary of Defense may assign a Defense Priorities*
 3 *and Allocations System order rating of DX (within the*
 4 *meaning of section 700.11 of title 15, Code of Federal Regu-*
 5 *lations (as in effect on the date of the enactment of this*
 6 *Act)).*

7 *(c) DEFINITIONS.—In this section:*

8 *(1) BLANKET-ORDER LETTER OF OFFER AND AC-*
 9 *CEPTANCE.—The term “blanket-order letter of offer*
 10 *and acceptance” means an agreement between an eli-*
 11 *gible foreign purchaser and the United States Govern-*
 12 *ment for a specific category of items or services (in-*
 13 *cluding training) that—*

14 *(A) does not include a definitive listing of*
 15 *items or quantities; and*

16 *(B) specifies a maximum dollar amount*
 17 *against which orders for defense articles and*
 18 *services may be placed.*

19 *(2) COOPERATIVE LOGISTICS SUPPLY SUPPORT*
 20 *ARRANGEMENT.—The term “cooperative logistics sup-*
 21 *ply support arrangement” means a military logistics*
 22 *support arrangement designed to provide responsive*
 23 *and continuous supply support at the depot level for*
 24 *United States-made military materiel possessed by*
 25 *foreign countries or international organizations.*

1 (3) *DEFINED-ORDER LETTER OF OFFER AND AC-*
 2 *CEPTANCE.*—*The term “defined-order letter of offer*
 3 *and acceptance” means a foreign military sales case*
 4 *characterized by an order for a specific defense article*
 5 *or service that is separately identified as a line item*
 6 *on a letter of offer and acceptance.*

7 (4) *IMPLEMENTING AGENCY.*—*The term “imple-*
 8 *menting agency” means the military department or*
 9 *defense agency assigned, by the Director of the Defense*
 10 *Security Cooperation Agency, the responsibilities of—*

11 (A) *preparing a letter of offer and accept-*
 12 *ance;*

13 (B) *implementing a foreign military sales*
 14 *case; and*

15 (C) *carrying out the overall management of*
 16 *the activities that—*

17 (i) *will result in the delivery of the de-*
 18 *fense articles or services set forth in the let-*
 19 *ter of offer and acceptance; and*

20 (ii) *was accepted by an eligible foreign*
 21 *purchaser.*

22 (5) *LETTER OF REQUEST.*—*The term “letter of*
 23 *request”—*

24 (A) *means a written document—*

1 (i) submitted to a United States secu-
2 rity cooperation organization, the Defense
3 Security Cooperation Agency, or an imple-
4 menting agency by an eligible foreign pur-
5 chaser for the purpose of requesting to pur-
6 chase or otherwise obtain a United States
7 defense article or defense service through the
8 foreign military sales process; and

9 (ii) that contains all relevant informa-
10 tion in such form as may be required by the
11 Secretary of Defense; and

12 (B) includes—

13 (i) a formal letter;

14 (ii) an e-mail;

15 (iii) signed meeting minutes from a
16 recognized official of the government of an
17 eligible foreign purchaser; and

18 (iv) any other form of written docu-
19 ment, as determined by the Secretary of De-
20 fense or the Director of the Defense Security
21 Cooperation Agency.

22 (6) *MAJOR DEFENSE PARTNER.*—The term
23 “major defense partner” means—

24 (A) India; and

1 (B) any other country, as designated by the
2 Secretary of Defense.

3 (7) MAJOR NON-NATO ALLY.—The term “major
4 non-NATO ally”—

5 (A) has the meaning given the term in sec-
6 tion 644 of the Foreign Assistance Act of 1961
7 (22 U.S.C. 2403)); and

8 (B) includes Taiwan, as required by section
9 1206 of the Security Assistance Act of 2002
10 (Public Law 107–228; 22U.S.C. 2321k note).

11 (8) MAJOR SECURITY PARTNER.—The term
12 “major security partner” means—

13 (A) the United Arab Emirates;

14 (B) Bahrain;

15 (C) Saudi Arabia; and

16 (D) any other country, as designated by the
17 Secretary of Defense, in consultation with the
18 Secretary of State and the Director of National
19 Intelligence.

20 **SEC. 1399L. ENDING CHINA’S DEVELOPING NATION STATUS.**

21 (a) SHORT TITLE.—This section may be cited as the
22 “Ending China’s Developing Nation Status Act”.

23 (b) FINDING; STATEMENT OF POLICY.—

24 (1) FINDING.—Congress finds that the People’s
25 Republic of China is still classified as a developing

1 *nation under multiple treaties and international or-*
2 *ganization structures, even though China has grown*
3 *to be the second largest economy in the world.*

4 (2) *STATEMENT OF POLICY.—It is the policy of*
5 *the United States—*

6 (A) *to oppose the labeling or treatment of*
7 *the People’s Republic of China as a developing*
8 *nation in current and future treaty negotiations*
9 *and in each international organization of which*
10 *the United States and the People’s Republic of*
11 *China are both current members;*

12 (B) *to pursue the labeling or treatment of*
13 *the People’s Republic of China as a developed*
14 *nation in each international organization of*
15 *which the United States and the People’s Repub-*
16 *lic of China are both current members; and*

17 (C) *to work with allies and partners of the*
18 *United States to implement the policies described*
19 *in paragraphs (1) and (2).*

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

21 (1) *APPROPRIATE COMMITTEES OF CONGRESS.—*
22 *The term “appropriate committees of Congress”*
23 *means—*

1 (A) *the Committee on Foreign Relations of*
 2 *the Senate and the Committee on Foreign Affairs*
 3 *of the House of Representatives with respect to—*

4 (i) *reports produced by the Secretary*
 5 *of State; and*

6 (ii) *a waiver exercised pursuant to*
 7 *subsection (f)(2), except with respect to any*
 8 *international organization for which the*
 9 *United States Trade Representative is the*
 10 *chief representative of the United States;*
 11 *and*

12 (B) *the Committee on Finance of the Senate*
 13 *and the Committee on Ways and Means of the*
 14 *House of Representatives with respect to—*

15 (i) *reports produced by the United*
 16 *States Trade Representative; and*

17 (ii) *a waiver exercised pursuant to*
 18 *subsection (f)(2) with respect to any inter-*
 19 *national organization for which the United*
 20 *States Trade Representative is the chief rep-*
 21 *resentative of the United States.*

22 (2) *SECRETARY.—*

23 (A) *IN GENERAL.—Except as provided in*
 24 *subparagraph (B), the term “Secretary” means*
 25 *the Secretary of State.*

1 (B) *EXCEPTION.*—*The term “Secretary”*
 2 *shall mean the United States Trade Representa-*
 3 *tive with respect to any international organiza-*
 4 *tion for which the United States Trade Rep-*
 5 *resentative is the chief representative of the*
 6 *United States.*

7 (d) *REPORT ON DEVELOPMENT STATUS IN CURRENT*
 8 *TREATY NEGOTIATIONS.*—*Not later than 180 days after the*
 9 *date of the enactment of this Act, the Secretary shall submit*
 10 *a report to the appropriate committees of Congress that—*

11 (1) *identifies all current treaty negotiations in*
 12 *which—*

13 (A) *the proposed treaty would provide for*
 14 *different treatment or standards for enforcement*
 15 *of the treaty based on respective development sta-*
 16 *tus of the states that are party to the treaty; and*

17 (B) *the People’s Republic of China is ac-*
 18 *tively participating in the negotiations, or it is*
 19 *reasonably foreseeable that the People’s Republic*
 20 *of China would seek to become a party to the*
 21 *treaty; and*

22 (2) *for each treaty negotiation identified pursu-*
 23 *ant to paragraph (1), describes how the treaty under*
 24 *negotiation would provide different treatment or*

1 standards for enforcement of the treaty based on de-
 2 velopment status of the states parties.

3 (e) *REPORT ON DEVELOPMENT STATUS IN EXISTING*
 4 *ORGANIZATIONS AND TREATIES.*—Not later than 180 days
 5 after the date of the enactment of this Act, the Secretary
 6 shall submit a report to the appropriate committees of Con-
 7 gress that—

8 (1) identifies all international organizations or
 9 treaties, of which the United States is a member, that
 10 provide different treatment or standards for enforce-
 11 ment based on the respective development status of the
 12 member states or states parties;

13 (2) describes the mechanisms for changing the
 14 country designation for each relevant treaty or orga-
 15 nization; and

16 (3) for each of the organizations or treaties iden-
 17 tified pursuant to paragraph (1)—

18 (A) includes a list of countries that—

19 (i) are labeled as developing nations or
 20 receive the benefits of a developing nation
 21 under the terms of the organization or trea-
 22 ty; and

23 (ii) meet the World Bank classification
 24 for upper middle income or high-income
 25 countries; and

1 (B) describes how the organization or treaty
 2 provides different treatment or standards for en-
 3 forcement based on development status of the
 4 member states or states parties.

5 (f) *MECHANISMS FOR CHANGING DEVELOPMENT STA-*
 6 *TUS.—*

7 (1) *IN GENERAL.—In any international organi-*
 8 *zation of which the United States and the People’s*
 9 *Republic of China are both current members, the Sec-*
 10 *retary, in consultation with allies and partners of the*
 11 *United States, shall pursue—*

12 (A) *changing the status of the People’s Re-*
 13 *public of China from developing nation to devel-*
 14 *oped nation if a mechanism exists in such orga-*
 15 *nization to make such status change; or*

16 (B) *proposing the development of a mecha-*
 17 *nism described in paragraph (1) to change the*
 18 *status of the People’s Republic of China in such*
 19 *organization from developing nation to developed*
 20 *nation.*

21 (2) *WAIVER.—The President may waive the ap-*
 22 *plication of subparagraph (A) or (B) of paragraph*
 23 *(1) with respect to any international organization if*
 24 *the President notifies the appropriate committees of*

1 Congress that such a waiver is in the national inter-
2 ests of the United States.

3 **SEC. 1399M. SHARING OF INFORMATION WITH RESPECT TO**
4 **SUSPECTED VIOLATIONS OF INTELLECTUAL**
5 **PROPERTY RIGHTS.**

6 Section 628A of the Tariff Act of 1930 (19 U.S.C.
7 1628a) is amended—

8 (1) in subsection (a)(1), by inserting “, packing
9 materials, shipping containers,” after “its packaging”
10 each place it appears; and

11 (2) in subsection (b)—

12 (A) in paragraph (3), by striking “; and”
13 and inserting a semicolon;

14 (B) in paragraph (4), by striking the period
15 at the end and inserting “; and”; and

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

17 “(5) any other party with an interest in the
18 merchandise, as determined appropriate by the Com-
19 missioner.”.

20 **SEC. 1399N. FOREIGN PORT SECURITY ASSESSMENTS.**

21 (a) *SHORT TITLE.*—This section may be cited as the
22 “International Port Security Enforcement Act”.

23 (b) *IN GENERAL.*—Section 70108 of title 46, United
24 States Code, is amended—

25 (1) in subsection (f)—

1 (A) in paragraph (1), by striking “provided
2 that” and all that follows and inserting the fol-
3 lowing: “if—

4 “(A) the Secretary certifies that the foreign
5 government or international organization—

6 “(i) has conducted the assessment in
7 accordance with subsection (b); and

8 “(ii) has provided the Secretary with
9 sufficient information pertaining to its as-
10 sessment (including information regarding
11 the outcome of the assessment); and

12 “(B) the foreign government that conducted
13 the assessment is not a state sponsor of terrorism
14 (as defined in section 3316(h).”); and

15 (B) by amending paragraph (3) to read as
16 follows:

17 “(3) LIMITATIONS.—Nothing in this section may
18 be construed—

19 “(A) to require the Secretary to treat an as-
20 sessment conducted by a foreign government or
21 an international organization as an assessment
22 that satisfies the requirement under subsection
23 (a);

1 “(B) to limit the discretion or ability of the
2 Secretary to conduct an assessment under this
3 section;

4 “(C) to limit the authority of the Secretary
5 to repatriate aliens to their respective countries
6 of origin; or

7 “(D) to prevent the Secretary from request-
8 ing security and safety measures that the Sec-
9 retary considers necessary to safeguard Coast
10 Guard personnel during the repatriation of
11 aliens to their respective countries of origin.”;
12 and

13 (2) by adding at the end the following:

14 “(g) *STATE SPONSORS OF TERRORISM AND INTER-*
15 *NATIONAL TERRORIST ORGANIZATIONS.—The Secretary—*

16 “(1) may not enter into an agreement under sub-
17 section (f)(2) with—

18 “(A) a foreign government that is a state
19 sponsor of terrorism; or

20 “(B) a foreign terrorist organization; and

21 “(2) shall—

22 “(A) deem any port that is under the juris-
23 diction of a foreign government that is a state
24 sponsor of terrorism as not having effective

1 *antiterrorism measures for purposes of this sec-*
 2 *tion and section 70109; and*

3 *“(B) immediately apply the sanctions de-*
 4 *scribed in section 70110(a) to such port.”.*

5 **SEC. 13990. LEGAL PREPAREDNESS FOR SERVICEMEMBERS**
 6 **ABROAD.**

7 *(a) REVIEW REQUIRED.—Not later than December 31,*
 8 *2024, the Secretary of State, in coordination with the Sec-*
 9 *retary of Defense, shall—*

10 *(1) review the 10 largest foreign countries by*
 11 *United States Armed Forces presence and evaluate*
 12 *local legal systems, protections afforded by bilateral*
 13 *agreements between the United States and countries*
 14 *being evaluated, and how the rights and privileges af-*
 15 *forded under such agreements may differ from United*
 16 *States law; and*

17 *(2) brief the Committee on Armed Services and*
 18 *the Committee on Foreign Affairs of the House of*
 19 *Representatives and the Committee on Armed Services*
 20 *and the Committee on Foreign Relations of the Senate*
 21 *on the findings of the review.*

22 *(b) TRAINING REQUIRED.—The Secretary of Defense*
 23 *shall review and improve as necessary training and edu-*
 24 *cational materials for members of the Armed Forces, their*
 25 *spouses, and dependents, as appropriate, who are stationed*

1 *in a country reviewed pursuant to subsection (a)(1) regard-*
 2 *ing relevant foreign laws, how such foreign laws may differ*
 3 *from the laws of the United States, and the rights of accused*
 4 *in common scenarios under such foreign laws.*

5 (c) *TRANSLATION STANDARDS AND READINESS.—The*
 6 *Secretary of Defense, in coordination with the Secretary of*
 7 *State, shall review foreign language standards for*
 8 *servicemembers and employees of the Department of Defense*
 9 *and Department of State who are responsible for providing*
 10 *foreign language translation services in situations involving*
 11 *foreign law enforcement where a servicemember may be*
 12 *being detained, to ensure such persons maintain an appro-*
 13 *priate proficiency in the legal terminology and meaning of*
 14 *essential terms in a relevant language.*

15 ***Subtitle H—Limitation on***
 16 ***Withdrawal From NATO***

17 ***SEC. 1399AA. OPPOSITION OF CONGRESS TO SUSPENSION,***
 18 ***TERMINATION, DENUNCIATION, OR WITH-***
 19 ***DRAWAL FROM NORTH ATLANTIC TREATY.***

20 *The President shall not suspend, terminate, denounce,*
 21 *or withdraw the United States from the North Atlantic*
 22 *Treaty, done at Washington, DC, April 4, 1949, except by*
 23 *and with the advice and consent of the Senate, provided*
 24 *that two-thirds of the Senators present concur, or pursuant*
 25 *to an Act of Congress.*

1 **SEC. 1399BB. LIMITATION ON THE USE OF FUNDS.**

2 *No funds authorized or appropriated by any Act may*
 3 *be used to support, directly or indirectly, any decision on*
 4 *the part of any United States Government official to sus-*
 5 *pend, terminate, denounce, or withdraw the United States*
 6 *from the North Atlantic Treaty, done at Washington, DC,*
 7 *April 4, 1949, until such time as both the Senate and the*
 8 *House of Representatives pass, by an affirmative vote of*
 9 *two-thirds of Members, a joint resolution approving the*
 10 *withdrawal of the United States from the treaty, or pursu-*
 11 *ant to an Act of Congress.*

12 **SEC. 1399CC. NOTIFICATION OF TREATY ACTION.**

13 *(a) CONSULTATION.—Prior to the notification de-*
 14 *scribed in subsection (b), the President shall consult with*
 15 *the Committee on Foreign Relations of the Senate and the*
 16 *Committee on Foreign Affairs of the House of Representa-*
 17 *tives in relation to any initiative to suspend, terminate,*
 18 *denounce, or withdraw the United States from the North*
 19 *Atlantic Treaty.*

20 *(b) NOTIFICATION.—The President shall notify the*
 21 *Committee on Foreign Relations of the Senate and the Com-*
 22 *mittee on Foreign Affairs of the House of Representatives*
 23 *in writing of any deliberation or decision to suspend, termi-*
 24 *nate, denounce, or withdraw the United States from the*
 25 *North Atlantic Treaty, as soon as possible but in no event*
 26 *later than 180 days prior to taking such action.*

1 **SEC. 1399DD. AUTHORIZATION OF LEGAL COUNSEL TO REP-**
 2 **RESENT CONGRESS.**

3 (a) *IN GENERAL.*—By adoption of a resolution of the
 4 Senate or the House of Representatives, respectively, the
 5 Senate Legal Counsel or the General Counsel to the House
 6 of Representatives may be authorized to initiate, or inter-
 7 vene in, in the name of the Senate or the House of Rep-
 8 resentatives, as the case may be, independently, or jointly,
 9 any judicial proceedings in any Federal court of competent
 10 jurisdiction in order to oppose any action to suspend, ter-
 11 minate, denounce, or withdraw the United States from the
 12 North Atlantic Treaty in a manner inconsistent with this
 13 subtitle.

14 (b) *CONSIDERATION.*—Any resolution or joint resolu-
 15 tion introduced relating to any action to suspend, termi-
 16 nate, denounce or withdraw the United States from the
 17 North Atlantic Treaty and introduced pursuant to section
 18 4(a) of this title shall be considered in accordance with the
 19 procedures of section 601(b) of the International Security
 20 Assistance and Arms Export Control Act of 1976 (Public
 21 Law 94–329; 90 Stat. 765).

22 **SEC. 1399EE. REPORTING REQUIREMENT.**

23 Any legal counsel operating pursuant to section 1299R
 24 shall report as soon as practicable to the Committee on For-
 25 eign Relations of the Senate or the Committee on Foreign
 26 Affairs of the House of Representatives with respect to any

1 *judicial proceedings which the Senate Legal Counsel or the*
 2 *General Counsel to the House of Representatives, as the case*
 3 *may be, initiates or in which it intervenes pursuant to sec-*
 4 *tion 1299R.*

5 **SEC. 1399FF. RULE OF CONSTRUCTION.**

6 *Nothing in this subtitle shall be construed to authorize,*
 7 *imply, or otherwise indicate that the President may sus-*
 8 *pend, terminate, denounce, or withdraw from any treaty*
 9 *to which the Senate has provided its advice and consent*
 10 *without the advice and consent of the Senate to such act*
 11 *or pursuant to an Act of Congress.*

12 **SEC. 1399GG. SEVERABILITY.**

13 *If any provision of this subtitle or the application of*
 14 *such provision is held by a Federal court to be unconstitu-*
 15 *tional, the remainder of this subtitle and the application*
 16 *of such provisions to any other person or circumstance shall*
 17 *not be affected thereby.*

18 **SEC. 1399HH. DEFINITIONS.**

19 *In this subtitle, the terms “withdrawal”, “denuncia-*
 20 *tion”, “suspension”, and “termination” have the meaning*
 21 *given the terms in the Vienna Convention on the Law of*
 22 *Treaties, concluded at Vienna May 23, 1969.*

1 ***Subtitle I—Combating Global***
 2 ***Corruption***

3 **SEC. 1399AAA. SHORT TITLE.**

4 *This subtitle may be cited as the “Combating Global*
 5 *Corruption Act”.*

6 **SEC. 1399BBB. DEFINITIONS.**

7 *In this subtitle:*

8 (1) *CORRUPT ACTOR.*—*The term “corrupt actor”*
 9 *means—*

10 (A) *any foreign person or entity that is a*
 11 *government official or government entity respon-*
 12 *sible for, or complicit in, an act of corruption;*
 13 *and*

14 (B) *any company, in which a person or en-*
 15 *tity described in subparagraph (A) has a signifi-*
 16 *cant stake, which is responsible for, or complicit*
 17 *in, an act of corruption.*

18 (2) *CORRUPTION.*—*The term “corruption” means*
 19 *the unlawful exercise of entrusted public power for*
 20 *private gain, including by bribery, nepotism, fraud,*
 21 *or embezzlement.*

22 (3) *SIGNIFICANT CORRUPTION.*—*The term “sig-*
 23 *nificant corruption” means corruption committed at*
 24 *a high level of government that has some or all of the*
 25 *following characteristics:*

1 (A) *Illegitimately distorts major decision-*
 2 *making, such as policy or resource determina-*
 3 *tions, or other fundamental functions of govern-*
 4 *ance.*

5 (B) *Involves economically or socially large-*
 6 *scale government activities.*

7 **SEC. 1399CCC. PUBLICATION OF TIERED RANKING LIST.**

8 (a) *IN GENERAL.*—*The Secretary of State shall annu-*
 9 *ally publish, on a publicly accessible website, a tiered rank-*
 10 *ing of all foreign countries.*

11 (b) *TIER 1 COUNTRIES.*—*A country shall be ranked*
 12 *as a tier 1 country in the ranking published under sub-*
 13 *section (a) if the government of such country is complying*
 14 *with the minimum standards set forth in section 1299R.*

15 (c) *TIER 2 COUNTRIES.*—*A country shall be ranked*
 16 *as a tier 2 country in the ranking published under sub-*
 17 *section (a) if the government of such country is making ef-*
 18 *forts to comply with the minimum standards set forth in*
 19 *section 1299R, but is not achieving the requisite level of*
 20 *compliance to be ranked as a tier 1 country.*

21 (d) *TIER 3 COUNTRIES.*—*A country shall be ranked*
 22 *as a tier 3 country in the ranking published under sub-*
 23 *section (a) if the government of such country is making de-*
 24 *minimis or no efforts to comply with the minimum stand-*
 25 *ards set forth in section 1299R.*

1 **SEC. 1399DDD. MINIMUM STANDARDS FOR THE ELIMI-**
 2 **NATION OF CORRUPTION AND ASSESSMENT**
 3 **OF EFFORTS TO COMBAT CORRUPTION.**

4 (a) *IN GENERAL.*—*The government of a country is*
 5 *complying with the minimum standards for the elimination*
 6 *of corruption if the government—*

7 (1) *has enacted and implemented laws and es-*
 8 *tablished government structures, policies, and prac-*
 9 *tices that prohibit corruption, including significant*
 10 *corruption;*

11 (2) *enforces the laws described in paragraph (1)*
 12 *by punishing any person who is found, through a fair*
 13 *judicial process, to have violated such laws;*

14 (3) *prescribes punishment for significant corrup-*
 15 *tion that is commensurate with the punishment pre-*
 16 *scribed for serious crimes; and*

17 (4) *is making serious and sustained efforts to ad-*
 18 *dress corruption, including through prevention.*

19 (b) *FACTORS FOR ASSESSING GOVERNMENT EFFORTS*
 20 *TO COMBAT CORRUPTION.*—*In determining whether a gov-*
 21 *ernment is making serious and sustained efforts to address*
 22 *corruption, the Secretary of State shall consider, to the ex-*
 23 *tent relevant or appropriate, factors such as—*

24 (1) *whether the government of the country has*
 25 *criminalized corruption, investigates and prosecutes*
 26 *acts of corruption, and convicts and sentences persons*

1 *responsible for such acts over which it has jurisdic-*
2 *tion, including, as appropriate, incarcerating indi-*
3 *viduals convicted of such acts;*

4 *(2) whether the government of the country vigor-*
5 *ously investigates, prosecutes, convicts, and sentences*
6 *public officials who participate in or facilitate cor-*
7 *ruption, including nationals of the country who are*
8 *deployed in foreign military assignments, trade dele-*
9 *gations abroad, or other similar missions, who engage*
10 *in or facilitate significant corruption;*

11 *(3) whether the government of the country has*
12 *adopted measures to prevent corruption, such as*
13 *measures to inform and educate the public, including*
14 *potential victims, about the causes and consequences*
15 *of corruption;*

16 *(4) what steps the government of the country has*
17 *taken to prohibit government officials from partici-*
18 *pating in, facilitating, or condoning corruption, in-*
19 *cluding the investigation, prosecution, and conviction*
20 *of such officials;*

21 *(5) the extent to which the country provides ac-*
22 *cess, or, as appropriate, makes adequate resources*
23 *available, to civil society organizations and other in-*
24 *stitutions to combat corruption, including reporting,*
25 *investigating, and monitoring;*

1 (6) *whether an independent judiciary or judicial*
2 *body in the country is responsible for, and effectively*
3 *capable of, deciding corruption cases impartially, on*
4 *the basis of facts and in accordance with the law,*
5 *without any improper restrictions, influences, induce-*
6 *ments, pressures, threats, or interferences (direct or*
7 *indirect);*

8 (7) *whether the government of the country is as-*
9 *sisting in international investigations of*
10 *transnational corruption networks and in other coop-*
11 *erative efforts to combat significant corruption, in-*
12 *cluding, as appropriate, cooperating with the govern-*
13 *ments of other countries to extradite corrupt actors;*

14 (8) *whether the government of the country recog-*
15 *nizes the rights of victims of corruption, ensures their*
16 *access to justice, and takes steps to prevent victims*
17 *from being further victimized or persecuted by corrupt*
18 *actors, government officials, or others;*

19 (9) *whether the government of the country pro-*
20 *tects victims of corruption or whistleblowers from re-*
21 *prisal due to such persons having assisted in exposing*
22 *corruption, and refrains from other discriminatory*
23 *treatment of such persons;*

1 (10) *whether the government of the country is*
 2 *willing and able to recover and, as appropriate, re-*
 3 *turn the proceeds of corruption;*

4 (11) *whether the government of the country is*
 5 *taking steps to implement financial transparency*
 6 *measures in line with the Financial Action Task*
 7 *Force recommendations, including due diligence and*
 8 *beneficial ownership transparency requirements;*

9 (12) *whether the government of the country is fa-*
 10 *cilitating corruption in other countries in connection*
 11 *with state-directed investment, loans or grants for*
 12 *major infrastructure, or other initiatives; and*

13 (13) *such other information relating to corrup-*
 14 *tion as the Secretary of State considers appropriate.*

15 (c) *ASSESSING GOVERNMENT EFFORTS TO COMBAT*
 16 *CORRUPTION IN RELATION TO RELEVANT INTERNATIONAL*
 17 *COMMITMENTS.—In determining whether a government is*
 18 *making serious and sustained efforts to address corruption,*
 19 *the Secretary of State shall consider the government of a*
 20 *country’s compliance with the following, as relevant:*

21 (1) *The Inter-American Convention against Cor-*
 22 *ruption of the Organization of American States, done*
 23 *at Caracas March 29, 1996.*

24 (2) *The Convention on Combating Bribery of*
 25 *Foreign Public Officials in International Business*

1 *Transactions of the Organisation of Economic Co-op-*
 2 *eration and Development, done at Paris December 21,*
 3 *1997 (commonly referred to as the “Anti-Bribery*
 4 *Convention”).*

5 *(3) The United Nations Convention against*
 6 *Transnational Organized Crime, done at New York*
 7 *November 15, 2000.*

8 *(4) The United Nations Convention against Cor-*
 9 *ruption, done at New York October 31, 2003.*

10 *(5) Such other treaties, agreements, and inter-*
 11 *national standards as the Secretary of State considers*
 12 *appropriate.*

13 **SEC. 1399EEE. IMPOSITION OF SANCTIONS UNDER GLOBAL**
 14 **MAGNITSKY HUMAN RIGHTS ACCOUNT-**
 15 **ABILITY ACT.**

16 *(a) IN GENERAL.—The Secretary of State, in coordi-*
 17 *nation with the Secretary of the Treasury, should evaluate*
 18 *whether there are foreign persons engaged in significant*
 19 *corruption for the purposes of potential imposition of sanc-*
 20 *tions under the Global Magnitsky Human Rights Account-*
 21 *ability Act (subtitle F of title XII of Public Law 114–328;*
 22 *22 U.S.C. 2656 note)—*

23 *(1) in all countries identified as tier 3 countries*
 24 *under section 1299Q(d); or*

1 (2) *in relation to the planning or construction or*
2 *any operation of the Nord Stream 2 pipeline.*

3 (b) *REPORT REQUIRED.*—*Not later than 180 days*
4 *after publishing the list required by section 1299Q(a) and*
5 *annually thereafter, the Secretary of State shall submit to*
6 *the committees specified in subsection (e) a report that in-*
7 *cludes—*

8 (1) *a list of foreign persons with respect to which*
9 *the President imposed sanctions pursuant to the eval-*
10 *uation under subsection (a);*

11 (2) *the dates on which such sanctions were im-*
12 *posed;*

13 (3) *the reasons for imposing such sanctions; and*

14 (4) *a list of all foreign persons that have been*
15 *engaged in significant corruption in relation to the*
16 *planning, construction, or operation of the Nord*
17 *Stream 2 pipeline.*

18 (c) *FORM OF REPORT.*—*Each report required by sub-*
19 *section (b) shall be submitted in unclassified form but may*
20 *include a classified annex.*

21 (d) *BRIEFING IN LIEU OF REPORT.*—*The Secretary of*
22 *State, in coordination with the Secretary of the Treasury,*
23 *may (except with respect to the list required by subsection*
24 *(b)(4)) provide a briefing to the committees specified in sub-*
25 *section (e) instead of submitting a written report required*

1 *under subsection (b), if doing so would better serve existing*
 2 *United States anti-corruption efforts or the national inter-*
 3 *ests of the United States.*

4 *(e) TERMINATION OF REQUIREMENTS RELATING TO*
 5 *NORD STREAM 2.—The requirements under subsections*
 6 *(a)(2) and (b)(4) shall terminate on the date that is 5 years*
 7 *after the date of the enactment of this Act.*

8 *(f) COMMITTEES SPECIFIED.—The committees speci-*
 9 *fied in this subsection are—*

10 *(1) the Committee on Foreign Relations, the*
 11 *Committee on Appropriations, the Committee on*
 12 *Banking, Housing, and Urban Affairs, and the Com-*
 13 *mittee on the Judiciary of the Senate; and*

14 *(2) the Committee on Foreign Affairs, the Com-*
 15 *mittee on Appropriations, the Committee on Finan-*
 16 *cial Services, and the Committee on the Judiciary of*
 17 *the House of Representatives.*

18 **SEC. 1399FFF. DESIGNATION OF EMBASSY ANTI-CORRUP-**
 19 **TION POINTS OF CONTACT.**

20 *(a) IN GENERAL.—The Secretary of State shall annu-*
 21 *ally designate an anti-corruption point of contact at the*
 22 *United States diplomatic post to each country identified as*
 23 *tier 2 or tier 3 under section 1299Q, or which the Secretary*
 24 *otherwise determines is in need of such a point of contact.*

1 *The point of contact shall be the chief of mission or the*
 2 *chief of mission’s designee.*

3 (b) *RESPONSIBILITIES.—Each anti-corruption point*
 4 *of contact designated under subsection (a) shall be respon-*
 5 *sible for enhancing coordination and promoting the imple-*
 6 *mentation of a whole-of-government approach among the*
 7 *relevant Federal departments and agencies undertaking ef-*
 8 *forts to—*

9 (1) *promote good governance in foreign coun-*
 10 *tries; and*

11 (2) *enhance the ability of such countries—*

12 (A) *to combat public corruption; and*

13 (B) *to develop and implement corruption*
 14 *risk assessment tools and mitigation strategies.*

15 (c) *TRAINING.—The Secretary of State shall imple-*
 16 *ment appropriate training for anti-corruption points of*
 17 *contact designated under subsection (a).*

18 ***Subtitle J—International Children***
 19 ***With Disabilities Protection***

20 ***SEC. 1399AAAA. SHORT TITLE.***

21 *This subtitle may be cited as the “International Chil-*
 22 *dren with Disabilities Protection Act of 2023”.*

23 ***SEC. 1399BBBB. SENSE OF CONGRESS.***

24 *It is the sense of Congress that—*

1 (1) *stigma and discrimination against children*
 2 *with disabilities, particularly intellectual and other*
 3 *developmental disabilities, and lack of support for*
 4 *community inclusion have left people with disabilities*
 5 *and their families economically and socially*
 6 *marginalized;*

7 (2) *organizations of persons with disabilities and*
 8 *family members of persons with disabilities are often*
 9 *too small to apply for or obtain funds from domestic*
 10 *or international sources or ineligible to receive funds*
 11 *from such sources;*

12 (3) *as a result of the factors described in para-*
 13 *graphs (1) and (2), key stakeholders have often been*
 14 *left out of public policymaking on matters that affect*
 15 *children with disabilities; and*

16 (4) *financial support, technical assistance, and*
 17 *active engagement of persons with disabilities and*
 18 *their families is needed to ensure the development of*
 19 *effective policies that protect families, ensure the full*
 20 *inclusion in society of children with disabilities, and*
 21 *promote the ability of persons with disabilities to live*
 22 *in the community with choices equal to others.*

23 **SEC. 1399CCCC. DEFINITIONS.**

24 *In this subtitle:*

1 (1) *DEPARTMENT.*—*The term “Department”*
 2 *means the Department of State.*

3 (2) *ELIGIBLE IMPLEMENTING PARTNER.*—*The*
 4 *term “eligible implementing partner” means a non-*
 5 *governmental organization or other civil society orga-*
 6 *nization that—*

7 *(A) has the capacity to administer grants*
 8 *directly or through subgrants that can be effec-*
 9 *tively used by local organizations of persons with*
 10 *disabilities; and*

11 *(B) has international expertise in the rights*
 12 *of persons with disabilities, including children*
 13 *with disabilities and their families.*

14 (3) *ORGANIZATION OF PERSONS WITH DISABIL-*
 15 *ITIES.*—*The term “organization of persons with dis-*
 16 *abilities” means a nongovernmental civil society or-*
 17 *ganization run by and for persons with disabilities*
 18 *and families of children with disabilities.*

19 **SEC. 1399DDDD. STATEMENT OF POLICY.**

20 *It is the policy of the United States to—*

21 *(1) assist partner countries in developing poli-*
 22 *cies and programs that recognize, support, and pro-*
 23 *tect the civil and political rights of and enjoyment of*
 24 *fundamental freedoms by persons with disabilities, in-*
 25 *cluding children, such that the latter may grow and*

1 *thrive in supportive family environments and make*
2 *the transition to independent living as adults;*

3 (2) *promote the development of advocacy and*
4 *leadership skills among persons with disabilities and*
5 *their families in a manner that enables effective civic*
6 *engagement, including at the local, national, and re-*
7 *gional levels, and promote policy reforms and pro-*
8 *grams that support full economic and civic inclusion*
9 *of persons with disabilities and their families;*

10 (3) *promote the development of laws and policies*
11 *that—*

12 (A) *strengthen families and protect against*
13 *the unnecessary institutionalization of children*
14 *with disabilities; and*

15 (B) *create opportunities for children and*
16 *youth with disabilities to access the resources*
17 *and support needed to achieve their full potential*
18 *to live independently in the community with*
19 *choices equal to others;*

20 (4) *promote the participation of persons with*
21 *disabilities and their families in advocacy efforts and*
22 *legal frameworks to recognize, support, and protect*
23 *the civil and political rights of and enjoyment of fun-*
24 *damental freedoms by persons with disabilities; and*

1 (5) *promote the sustainable action needed to*
 2 *bring about changes in law, policy, and programs to*
 3 *ensure full family inclusion of children with disabil-*
 4 *ities and the transition of children with disabilities to*
 5 *independent living as adults.*

6 **SEC. 1399EEEE. INTERNATIONAL CHILDREN WITH DISABIL-**
 7 **ITIES PROTECTION PROGRAM AND CAPACITY**
 8 **BUILDING.**

9 (a) *INTERNATIONAL CHILDREN WITH DISABILITIES*
 10 *PROTECTION PROGRAM.*—

11 (1) *IN GENERAL.*—*There is authorized to be es-*
 12 *tablished within the Department of State a program*
 13 *to be known as the “International Children with Dis-*
 14 *abilities Protection Program” (in this section referred*
 15 *to as the “Program”)* *to carry out the policy described*
 16 *in [section __4].*

17 (2) *CRITERIA.*—*In carrying out the Program*
 18 *under this section, the Secretary of State, in consulta-*
 19 *tion with leading civil society groups with expertise*
 20 *in the protection of civil and political rights of and*
 21 *enjoyment of fundamental freedoms by persons with*
 22 *disabilities, may establish criteria for priority activi-*
 23 *ties under the Program in selected countries.*

24 (3) *DISABILITY INCLUSION GRANTS.*—*The Sec-*
 25 *retary of State may award grants to eligible imple-*

1 *menting partners to administer grant amounts di-*
 2 *rectly or through subgrants.*

3 (4) *SUBGRANTS.—An eligible implementing*
 4 *partner that receives a grant under paragraph (3)*
 5 *should provide subgrants and, in doing so, shall*
 6 *prioritize local organizations of persons with disabil-*
 7 *ities working within a focus country or region to ad-*
 8 *vance the policy described in [section __4].*

9 (b) *AUTHORIZATION OF APPROPRIATIONS.—*

10 (1) *IN GENERAL.—Of funds made available in*
 11 *fiscal years 2024 through 2029 to carry out the pur-*
 12 *poses of the Foreign Assistance Act of 1961 (22 U.S.C.*
 13 *2151 et seq), there are authorized to be appropriated*
 14 *to carry out this subtitle amounts as follows:*

15 (A) *\$2,000,000 for fiscal year 2024.*

16 (B) *\$5,000,000 for each of fiscal years 2025*
 17 *through 2029.*

18 (2) *CAPACITY-BUILDING AND TECHNICAL ASSIST-*
 19 *ANCE PROGRAMS.—Of the amounts authorized to be*
 20 *appropriated by paragraph (1), not less than*
 21 *\$1,000,000 for each of fiscal years 2024 through 2029*
 22 *should be available for capacity-building and tech-*
 23 *nical assistance programs to—*

24 (A) *develop the leadership skills of persons*
 25 *with disabilities, legislators, policymakers, and*

1 *service providers in the planning and implemen-*
2 *tation of programs to advance the policy de-*
3 *scribed in [section __4];*

4 *(B) increase awareness of successful models*
5 *of the promotion of civil and political rights and*
6 *fundamental freedoms, family support, and eco-*
7 *nomie and civic inclusion among organizations*
8 *of persons with disabilities and allied civil soci-*
9 *ety advocates, attorneys, and professionals to ad-*
10 *vance the policy described in [section __4]; and*

11 *(C) create online programs to train policy-*
12 *makers, advocates, and other individuals on suc-*
13 *cessful models to advance reforms, services, and*
14 *protection measures that enable children with*
15 *disabilities to live within supportive family envi-*
16 *ronments and become full participants in soci-*
17 *ety, which—*

18 *(i) are available globally;*

19 *(ii) offer low-cost or no-cost training*
20 *accessible to persons with disabilities, fam-*
21 *ily members of such persons, and other indi-*
22 *viduals with potential to offer future leader-*
23 *ship in the advancement of the goals of fam-*
24 *ily inclusion, transition to independent liv-*

ing as adults, and protection measures for
children with disabilities; and

(iii) should be targeted to government
policymakers, advocates, and other potential
allies and supporters among civil society
groups.

SEC. 1399FFFF. ANNUAL REPORT ON IMPLEMENTATION.

(a) *ANNUAL REPORT REQUIRED.*—

(1) *IN GENERAL.*—Not less frequently than an-
nually through fiscal year 2029, the Secretary of
State shall submit to the Committee on Foreign Rela-
tions and the Committee on Appropriations of the
Senate and the Committee on Foreign Affairs and the
Committee on Appropriations of the House of Rep-
resentatives a report on—

(A) the programs and activities carried out
to advance the policy described in **section**
__4; and

(B) any broader work of the Department in
advancing that policy.

(2) *ELEMENTS.*—Each report required by para-
graph (1) shall include, with respect to each program
carried out under **section __5**—

(A) the rationale for the country and pro-
gram selection;

1 (B) the goals and objectives of the program,
 2 and the kinds of participants in the activities
 3 and programs supported;

4 (C) a description of the types of technical
 5 assistance and capacity building provided; and

6 (D) an identification of any gaps in fund-
 7 ing or support needed to ensure full participa-
 8 tion of organizations of persons with disabilities
 9 or inclusion of children with disabilities in the
 10 program.

11 (3) CONSULTATION.—In preparing each report
 12 required by paragraph (1), the Secretary of State
 13 shall consult with organizations of persons with dis-
 14 abilities.

15 **SEC. 1399GGGG. PROMOTING INTERNATIONAL PROTECTION**
 16 **AND ADVOCACY FOR CHILDREN WITH DIS-**
 17 **ABILITIES.**

18 (a) SENSE OF CONGRESS ON PROGRAMMING AND PRO-
 19 GRAMS.—It is the sense of Congress that—

20 (1) all programming of the Department and the
 21 United States Agency for International Development
 22 related to health systems strengthening, primary and
 23 secondary education, and the protection of civil and
 24 political rights of persons with disabilities should seek

1 to be consistent with the policy described in [section
2 __4]; and

3 (2) programs of the Department and the United
4 States Agency for International Development related
5 to children, global health, and education—

6 (A) should—

7 (i) engage organizations of persons
8 with disabilities in policymaking and pro-
9 gram implementation; and

10 (ii) support full inclusion of children
11 with disabilities in families; and

12 (B) should aim to avoid support for resi-
13 dential institutions for children with disabilities
14 except in situations of conflict or emergency in
15 a manner that protects family connections as de-
16 scribed in subsection (b).

17 (b) *SENSE OF CONGRESS ON CONFLICT AND EMER-*
18 *GENCIES.—It is the sense of Congress that—*

19 (1) programs of the Department and the United
20 States Agency for International Development serving
21 children in situations of conflict or emergency, among
22 displaced or refugee populations, or in natural disas-
23 ters should seek to ensure that children with and
24 without disabilities can maintain family ties; and

1 (2) *in situations of emergency, if children are*
 2 *separated from parents or have no family, every effort*
 3 *should be made to ensure that children are placed*
 4 *with extended family, in kinship care, or in an adop-*
 5 *tive or foster family.*

6 ***Subtitle K—Western Hemisphere***
 7 ***Partnership Act of 2023***

8 ***SEC. 1399AAAAA. SHORT TITLE.***

9 *This subtitle may be cited as the “Western Hemisphere*
 10 *Partnership Act of 2023”.*

11 ***SEC. 1399BBBBB. UNITED STATES POLICY IN THE WESTERN***
 12 ***HEMISPHERE.***

13 *It is the policy of the United States to promote eco-*
 14 *nom ic competitiveness, democratic governance, and security*
 15 *in the Western Hemisphere by—*

16 (1) *encouraging stronger economic relations, re-*
 17 *spect for property rights, the rule of law, and enforce-*
 18 *able investment rules and labor and environmental*
 19 *standards;*

20 (2) *advancing the principles and practices ex-*
 21 *pressed in the Charter of the Organization of Amer-*
 22 *ican States, the American Declaration on the Rights*
 23 *and Duties of Man, and the Inter-American Demo-*
 24 *cratic Charter; and*

1 (3) *enhancing the capacity and technical capa-*
 2 *bilities of democratic partner nation government in-*
 3 *stitutions, including civilian law enforcement, the ju-*
 4 *diciary, attorneys general, and security forces.*

5 **SEC. 1399CCCC. PROMOTING SECURITY AND THE RULE OF**
 6 **LAW IN THE WESTERN HEMISPHERE.**

7 (a) *SENSE OF CONGRESS.—It is the sense of Congress*
 8 *that the United States should strengthen security coopera-*
 9 *tion with democratic partner nations in the Western Hemi-*
 10 *sphere to promote a secure hemisphere and to address the*
 11 *negative impacts of transnational criminal organizations*
 12 *and malign external state actors.*

13 (b) *COLLABORATIVE EFFORTS.—The Secretary of*
 14 *State, in coordination with the heads of other relevant Fed-*
 15 *eral agencies, should support the improvement of security*
 16 *conditions and the rule of law in the Western Hemisphere*
 17 *through collaborative efforts with democratic partners*
 18 *that—*

19 (1) *enhance the institutional capacity and tech-*
 20 *nical capabilities of defense and security institutions*
 21 *in democratic partner nations to conduct national or*
 22 *regional security missions, including through regular*
 23 *bilateral and multilateral engagements, foreign mili-*
 24 *tary sales and financing, international military edu-*
 25 *cation and training programs, expanding the Na-*

1 *tional Guard State Partnership Programs, and other*
2 *means;*

3 (2) *provide technical assistance and material*
4 *support (including, as appropriate, radars, vessels,*
5 *and communications equipment) to relevant security*
6 *forces to disrupt, degrade, and dismantle organiza-*
7 *tions involved in the illicit trafficking of narcotics*
8 *and precursor chemicals, transnational criminal ac-*
9 *tivities, illicit mining, and illegal, unreported, and*
10 *unregulated fishing, and other illicit activities;*

11 (3) *enhance the institutional capacity, legit-*
12 *imacy, and technical capabilities of relevant civilian*
13 *law enforcement, attorneys general, and judicial insti-*
14 *tutions to—*

15 (A) *strengthen the rule of law and trans-*
16 *parent governance;*

17 (B) *combat corruption and kleptocracy in*
18 *the region; and*

19 (C) *improve regional cooperation to disrupt,*
20 *degrade, and dismantle transnational organized*
21 *criminal networks and terrorist organizations,*
22 *including through training, anticorruption ini-*
23 *tiatives, anti-money laundering programs, and*
24 *strengthening cyber capabilities and resources;*

1 (4) *enhance port management and maritime se-*
2 *curity partnerships and airport management and*
3 *aviation security partnerships to disrupt, degrade,*
4 *and dismantle transnational criminal networks and*
5 *facilitate the legitimate flow of people, goods, and*
6 *services;*

7 (5) *strengthen cooperation to improve border se-*
8 *curity across the Western Hemisphere, dismantle*
9 *human smuggling and trafficking networks, and in-*
10 *crease cooperation to demonstrably strengthen migra-*
11 *tion management systems;*

12 (6) *counter the malign influence of state and*
13 *non-state actors and disinformation campaigns;*

14 (7) *disrupt illicit domestic and transnational fi-*
15 *nancial networks;*

16 (8) *foster mechanisms for cooperation on emer-*
17 *gency preparedness and rapid recovery from natural*
18 *disasters, including by—*

19 (A) *supporting regional preparedness, re-*
20 *covery, and emergency management centers to*
21 *facilitate rapid response to survey and help*
22 *maintain planning on regional disaster antici-*
23 *pated needs and possible resources;*

1 *(B) training disaster recovery officials on*
2 *latest techniques and lessons learned from United*
3 *States experiences;*

4 *(C) making available, preparing, and trans-*
5 *ferring on-hand nonlethal supplies, and pro-*
6 *viding training on the use of such supplies, for*
7 *humanitarian or health purposes to respond to*
8 *unforeseen emergencies; and*

9 *(D) conducting medical support operations*
10 *and medical humanitarian missions, such as*
11 *hospital ship deployments and base-operating*
12 *services, to the extent required by the operation;*

13 *(9) foster regional mechanisms for early warning*
14 *and response to pandemics in the Western Hemi-*
15 *sphere, including through—*

16 *(A) improved cooperation with and research*
17 *by the United States Centers for Disease Control*
18 *and Prevention through regional pandemic re-*
19 *sponse centers;*

20 *(B) personnel exchanges for technology*
21 *transfer and skills development; and*

22 *(C) surveying and mapping of health net-*
23 *works to build local health capacity;*

24 *(10) promote the meaningful participation of*
25 *women across all political processes, including con-*

1 *flit prevention and conflict resolution and post-con-*
 2 *flit relief and recovery efforts; and*

3 *(11) hold accountable actors that violate political*
 4 *and civil rights.*

5 *(c) LIMITATIONS ON USE OF TECHNOLOGIES.—Oper-*
 6 *ational technologies transferred pursuant to subsection (b)*
 7 *to partner governments for intelligence, defense, or law en-*
 8 *forcement purposes shall be used solely for the purposes for*
 9 *which the technology was intended. The United States shall*
 10 *take all necessary steps to ensure that the use of such oper-*
 11 *ational technologies is consistent with United States law,*
 12 *including protections of freedom of expression, freedom of*
 13 *movement, and freedom of association.*

14 *(d) STRATEGY.—*

15 *(1) IN GENERAL.—Not later than 180 days after*
 16 *the date of the enactment of this Act, the Secretary of*
 17 *State, in coordination with the heads of other relevant*
 18 *Federal agencies, shall submit to the Committee on*
 19 *Foreign Relations of the Senate and the Committee on*
 20 *Foreign Affairs of the House of Representatives a 5-*
 21 *year strategy to promote security and the rule of law*
 22 *in the Western Hemisphere in accordance to this sec-*
 23 *tion.*

24 *(2) ELEMENTS.—The strategy required under*
 25 *paragraph (1) shall include the following elements:*

1 (A) *A detailed assessment of the resources*
2 *required to carry out such collaborative efforts.*

3 (B) *Annual benchmarks to track progress*
4 *and obstacles in undertaking such collaborative*
5 *efforts.*

6 (C) *A public diplomacy component to en-*
7 *gage the people of the Western Hemisphere with*
8 *the purpose of demonstrating that the security of*
9 *their countries is enhanced to a greater extent*
10 *through alignment with the United States and*
11 *democratic values rather than with authori-*
12 *tarian countries such as the People's Republic of*
13 *China, the Russian Federation, and the Islamic*
14 *Republic of Iran.*

15 (3) *BRIEFING.*—*Not later than 1 year after sub-*
16 *mission of the strategy required under paragraph (1),*
17 *and annually thereafter, the Secretary of State shall*
18 *provide to the Committee on Foreign Relations of the*
19 *Senate and the Committee on Foreign Affairs of the*
20 *House of Representatives a briefing on the implemen-*
21 *tation of the strategy.*

1 **SEC. 1399DDDDD. PROMOTING DIGITALIZATION AND CY-**
 2 **BERSECURITY IN THE WESTERN HEMI-**
 3 **SPHERE.**

4 (a) *SENSE OF CONGRESS.*—*It is the sense of Congress*
 5 *that the United States should support digitalization and*
 6 *expand cybersecurity cooperation in the Western Hemi-*
 7 *sphere to promote regional economic prosperity and secu-*
 8 *rity.*

9 (b) *PROMOTION OF DIGITALIZATION AND CYBERSECU-*
 10 *RITY.*—*The Secretary of State, in coordination with the*
 11 *heads of other relevant Federal agencies, should promote*
 12 *digitalization and cybersecurity in the Western Hemisphere*
 13 *through collaborative efforts with democratic partners*
 14 *that—*

15 (1) *promote digital connectivity and facilitate e-*
 16 *commerce by expanding access to information and*
 17 *communications technology (ICT) supply chains that*
 18 *adhere to high-quality security and reliability stand-*
 19 *ards, including—*

20 (A) *to open market access on a national*
 21 *treatment, nondiscriminatory basis; and*

22 (B) *to strengthen the cybersecurity and*
 23 *cyber resilience of partner countries;*

24 (2) *advance the provision of digital government*
 25 *services (e-government) that, to the greatest extent*
 26 *possible, promote transparency, lower business costs,*

1 *and expand citizens' access to public services and*
 2 *public information; and*

3 *(3) develop robust cybersecurity partnerships*
 4 *to—*

5 *(A) promote the inclusion of components*
 6 *and architectures in information and commu-*
 7 *nications technology (ICT) supply chains from*
 8 *participants in initiatives that adhere to high-*
 9 *quality security and reliability standards;*

10 *(B) share best practices to mitigate cyber*
 11 *threats to critical infrastructure from ICT archi-*
 12 *tectures by technology providers that supply*
 13 *equipment and services covered under section 2*
 14 *of the Secure and Trusted Communications Net-*
 15 *works Act of 2019 (47 U.S.C. 1601);*

16 *(C) effectively respond to cybersecurity*
 17 *threats, including state-sponsored threats; and*

18 *(D) to strengthen resilience against*
 19 *cyberattacks and cybercrime.*

20 **SEC. 1399EEEE. PROMOTING ECONOMIC AND COMMER-**
 21 **CIAL PARTNERSHIPS IN THE WESTERN HEMI-**
 22 **SPHERE.**

23 *(a) SENSE OF CONGRESS.—It is the sense of Congress*
 24 *that the United States should enhance economic and com-*
 25 *mercial ties with democratic partners to promote prosperity*

1 *in the Western Hemisphere by modernizing and strength-*
 2 *ening trade capacity-building and trade facilitation initia-*
 3 *tives, encouraging market-based economic reforms that en-*
 4 *able inclusive economic growth, strengthening labor and en-*
 5 *vironmental standards, addressing economic disparities of*
 6 *women, and encouraging transparency and adherence to the*
 7 *rule of law in investment dealings.*

8 (b) *IN GENERAL.—The Secretary of State, in coordi-*
 9 *nation with the United States Trade Representative, the*
 10 *Chief Executive Officer of the Development Finance Cor-*
 11 *poration, and the heads of other relevant Federal agencies,*
 12 *should support the improvement of economic conditions in*
 13 *the Western Hemisphere through collaborative efforts with*
 14 *democratic partners that—*

15 (1) *facilitate a more open, transparent, and com-*
 16 *petitive environment for United States businesses and*
 17 *promote robust and comprehensive trade capacity-*
 18 *building and trade facilitation by—*

19 (A) *reducing trade and nontariff barriers*
 20 *between the countries in the region, establishing*
 21 *a mechanism for pursuing Mutual Recognition*
 22 *Agreements and Formalized Regulatory Coopera-*
 23 *tion Agreements in priority sectors of the econ-*
 24 *omy;*

1 (B) establishing a forum for discussing and
2 evaluating technical and other assistance needs
3 to help establish streamlined “single window”
4 processes to facilitate movement of goods and
5 common customs arrangements and procedures
6 to lower costs of goods in transit and speed to
7 destination;

8 (C) building relationships and exchanges be-
9 tween relevant regulatory bodies in the United
10 States and democratic partners in the Western
11 Hemisphere to promote best practices and trans-
12 parency in rulemaking, implementation, and en-
13 forcement, and provide training and assistance
14 to help improve supply chain management in the
15 Western Hemisphere;

16 (D) establishing regional fora for identi-
17 fying, raising, and addressing supply chain
18 management issues, including infrastructure
19 needs and strengthening of investment rules and
20 regulatory frameworks;

21 (E) establishing a dedicated program of
22 trade missions and reverse trade missions to in-
23 crease commercial contacts and ties between the
24 United States and Western Hemisphere partner
25 countries; and

1 (F) strengthening labor and environmental
2 standards in the region;

3 (2) establish frameworks or mechanisms to re-
4 view and address the long-term financial sustain-
5 ability and national security implications of foreign
6 investments in strategic sectors or services;

7 (3) establish competitive and transparent infra-
8 structure project selection and procurement processes
9 that promote transparency, open competition, finan-
10 cial sustainability, and robust adherence to global
11 standards and norms; and

12 (4) advance robust and comprehensive energy
13 production and integration, including through a more
14 open, transparent, and competitive environment for
15 United States companies competing in the Western
16 Hemisphere, including by—

17 (A) facilitating further development of inte-
18 grated regional energy markets;

19 (B) improving management of grids, in-
20 cluding technical capability to ensure the
21 functionality, safe and responsible management,
22 and quality of service of electricity providers,
23 carriers, and management and distribution sys-
24 tems;

1 (C) *facilitating private sector-led develop-*
2 *ment of reliable and affordable power generation*
3 *capacity;*

4 (D) *establishing a process for surveying*
5 *grid capacity and management focused on iden-*
6 *tifying electricity service efficiencies and estab-*
7 *lishing cooperative mechanisms for providing*
8 *technical assistance for—*

9 (i) *grid management, power pricing,*
10 *and tariff issues;*

11 (ii) *establishing and maintaining ap-*
12 *propriate regulatory best practices; and*

13 (iii) *proposals to establish regional*
14 *power grids for the purpose of promoting*
15 *the sale of excess supply to consumers across*
16 *borders;*

17 (E) *assessing the viability and effectiveness*
18 *of decentralizing power production and trans-*
19 *mission and building micro-grid power networks*
20 *to improve, when feasible, access to electricity,*
21 *particularly in rural and underserved commu-*
22 *nities where centralized power grid connections*
23 *may not be feasible in the short to medium term;*
24 *and*

1 (F) exploring opportunities to partner with
 2 the private sector and multilateral institutions,
 3 such as the World Bank and the Inter-American
 4 Development Bank, to promote universal access
 5 to reliable and affordable electricity in the West-
 6 ern Hemisphere.

7 **SEC. 1399FFFFF. PROMOTING TRANSPARENCY AND DEMO-**
 8 **CRATIC GOVERNANCE IN THE WESTERN**
 9 **HEMISPHERE.**

10 (a) *SENSE OF CONGRESS.*—It is the sense of Congress
 11 that the United States should support efforts to strengthen
 12 the capacity and legitimacy of democratic institutions and
 13 inclusive processes in the Western Hemisphere to promote
 14 a more transparent, democratic, and prosperous region.

15 (b) *IN GENERAL.*—The Secretary of State, in coordi-
 16 nation with the Administrator of the United States Agency
 17 for International Development and heads of other relevant
 18 Federal agencies, should support transparent, accountable,
 19 and democratic governance in the Western Hemisphere
 20 through collaborative efforts with democratic partners
 21 that—

22 (1) strengthen the capacity of national electoral
 23 institutions to ensure free, fair, and transparent elec-
 24 toral processes, including through pre-election assess-
 25 ment missions, technical assistance, and independent

1 *local and international election monitoring and obser-*
2 *vation missions;*

3 (2) *enhance the capabilities of democratically*
4 *elected national legislatures, parliamentary bodies,*
5 *and autonomous regulatory institutions to conduct*
6 *oversight;*

7 (3) *strengthen the capacity of subnational gov-*
8 *ernment institutions to govern in a transparent, ac-*
9 *countable, and democratic manner, including through*
10 *training and technical assistance;*

11 (4) *combat corruption at local and national lev-*
12 *els, including through trainings, cooperation agree-*
13 *ments, initiatives aimed at dismantling corrupt net-*
14 *works, and political support for bilateral or multilat-*
15 *eral anticorruption mechanisms that strengthen attor-*
16 *neys general and prosecutors' offices;*

17 (5) *strengthen the capacity of civil society to*
18 *conduct oversight of government institutions, build*
19 *the capacity of independent professional journalism,*
20 *facilitate substantive dialogue with government and*
21 *the private sector to generate issue-based policies, and*
22 *mobilize local resources to carry out such activities;*

23 (6) *promote the meaningful and significant par-*
24 *ticipation of women in democratic processes, includ-*

1 *ing in national and subnational government and civil*
 2 *society; and*

3 *(7) support the creation of procedures for the Or-*
 4 *ganization of American States (OAS) to create an an-*
 5 *nual forum for democratically elected national legisla-*
 6 *tures from OAS member States to discuss issues of*
 7 *hemispheric importance, as expressed in section 4 of*
 8 *the Organization of American States Legislative En-*
 9 *gagement Act of 2020 (Public Law 116–343).*

10 **SEC. 1399GGGGG. INVESTMENT, TRADE, AND DEVELOP-**
 11 **MENT IN AFRICA AND LATIN AMERICA AND**
 12 **THE CARIBBEAN.**

13 *(a) STRATEGY REQUIRED.—*

14 *(1) IN GENERAL.—The President shall establish*
 15 *a comprehensive United States strategy for public*
 16 *and private investment, trade, and development in*
 17 *Africa and Latin America and the Caribbean.*

18 *(2) FOCUS OF STRATEGY.—The strategy required*
 19 *by paragraph (1) shall focus on increasing exports of*
 20 *United States goods and services to Africa and Latin*
 21 *America and the Caribbean by 200 percent in real*
 22 *dollar value by the date that is 10 years after the date*
 23 *of the enactment of this Act.*

1 (3) *CONSULTATIONS.*—*In developing the strategy*
2 *required by paragraph (1), the President shall consult*
3 *with—*

4 (A) *Congress;*

5 (B) *each agency that is a member of the*
6 *Trade Promotion Coordinating Committee;*

7 (C) *the relevant multilateral development*
8 *banks, in coordination with the Secretary of the*
9 *Treasury and the respective United States Exec-*
10 *utive Directors of such banks;*

11 (D) *each agency that participates in the*
12 *Trade Policy Staff Committee established;*

13 (E) *the President's Export Council;*

14 (F) *each of the development agencies;*

15 (G) *any other Federal agencies with respon-*
16 *sibility for export promotion or financing and*
17 *development; and*

18 (H) *the private sector, including businesses,*
19 *nongovernmental organizations, and African and*
20 *Latin American and Caribbean diaspora groups.*

21 (4) *SUBMISSION TO APPROPRIATE CONGRES-*
22 *SIONAL COMMITTEES.*—

23 (A) *STRATEGY.*—*Not later than 200 days*
24 *after the date of the enactment of this Act, the*

1 *President shall submit to Congress the strategy*
 2 *required by subsection (a).*

3 *(B) PROGRESS REPORT.—Not later than 3*
 4 *years after the date of the enactment of this Act,*
 5 *the President shall submit to Congress a report*
 6 *on the implementation of the strategy required*
 7 *by paragraph (1).*

8 *(b) SPECIAL AFRICA AND LATIN AMERICA AND THE*
 9 *CARIBBEAN EXPORT STRATEGY COORDINATORS.—The Sec-*
 10 *retary of Commerce shall designate an individual within*
 11 *the Department of Commerce to serve as Special Africa Ex-*
 12 *port Strategy Coordinator and an individual within the*
 13 *Department of Commerce to serve as Special Latin America*
 14 *and the Caribbean Export Strategy Coordinator—*

15 *(1) to oversee the development and implementa-*
 16 *tion of the strategy required by subsection (a);*

17 *(2) to coordinate developing and implementing*
 18 *the strategy with—*

19 *(A) the Trade Promotion Coordinating*
 20 *Committee;*

21 *(B) the Director General for the U.S. and*
 22 *Foreign Commercial Service and the Assistant*
 23 *Secretary for Global Markets;*

24 *(C) the Assistant United States Trade Rep-*
 25 *resentative for African Affairs or the Assistant*

1 *United States Trade Representative for the West-*
 2 *ern Hemisphere, as appropriate;*

3 *(D) the Assistant Secretary of State for Af-*
 4 *rican Affairs or the Assistant Secretary of State*
 5 *for Western Hemisphere Affairs, as appropriate;*

6 *(E) the Foreign Agricultural Service of the*
 7 *Department of Agriculture;*

8 *(F) the Export-Import Bank of the United*
 9 *States;*

10 *(G) the United States International Devel-*
 11 *opment Finance Corporation; and*

12 *(H) the development agencies; and*

13 *(3) considering and reflecting the impact of pro-*
 14 *motion of United States exports on the economy and*
 15 *employment opportunities of importing country, with*
 16 *a view to improving secure supply chains, avoiding*
 17 *economic disruptions, and stabilizing economic*
 18 *growth in a trade and export strategy.*

19 *(c) TRADE MISSIONS TO AFRICA AND LATIN AMERICA*
 20 *AND THE CARIBBEAN.—It is the sense of Congress that, not*
 21 *later than one year after the date of the enactment of this*
 22 *Act, the Secretary of Commerce and other high-level officials*
 23 *of the United States Government with responsibility for ex-*
 24 *port promotion, financing, and development should conduct*

1 *joint trade missions to Africa and to Latin America and*
 2 *the Caribbean.*

3 (d) *TRAINING.—The President shall develop a plan—*

4 (1) *to standardize the training received by*
 5 *United States and Foreign Commercial Service offi-*
 6 *cers, economic officers of the Department of State,*
 7 *and economic officers of the United States Agency for*
 8 *International Development with respect to the pro-*
 9 *grams and procedures of the Export-Import Bank of*
 10 *the United States, the United States International*
 11 *Development Finance Corporation, the Small Busi-*
 12 *ness Administration, and the United States Trade*
 13 *and Development Agency; and*

14 (2) *to ensure that, not later than one year after*
 15 *the date of the enactment of this Act—*

16 (A) *all United States and Foreign Commer-*
 17 *cial Service officers that are stationed overseas*
 18 *receive the training described in paragraph (1);*
 19 *and*

20 (B) *in the case of a country to which no*
 21 *United States and Foreign Commercial Service*
 22 *officer is assigned, any economic officer of the*
 23 *Department of State stationed in that country*
 24 *receives that training.*

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

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

(A) *the Committee on Foreign Relations, the Committee on Finance, the Committee on Commerce, Science, and Transportation, and the Committee on Banking, Housing, and Urban Affairs of the Senate; and*

(B) *the Committee on Foreign Affairs, the Committee on Ways and Means, and the Committee on Energy and Commerce of the House of Representatives.*

(2) *DEVELOPMENT AGENCIES.*—The term “development agencies” means *the United States Department of State, the United States Agency for International Development, the Millennium Challenge Corporation, the United States International Development Finance Corporation, the United States Trade and Development Agency, the United States Department of Agriculture, and relevant multilateral development banks.*

(3) *MULTILATERAL DEVELOPMENT BANKS.*—The term “multilateral development banks” has the meaning given that term in section 1701(c)(4) of the *International Financial Institutions Act* (22 U.S.C.

1 262r(c)(4)) and includes the African Development
2 Foundation.

3 (4) *TRADE POLICY STAFF COMMITTEE.*—The
4 term “Trade Policy Staff Committee” means the
5 Trade Policy Staff Committee established pursuant to
6 section 2002.2 of title 15, Code of Federal Regula-
7 tions.

8 (5) *TRADE PROMOTION COORDINATING COM-*
9 *MITTEE.*—The term “Trade Promotion Coordinating
10 Committee” means the Trade Promotion Coordi-
11 nating Committee established under section 2312 of
12 the Export Enhancement Act of 1988 (15 U.S.C.
13 4727).

14 (6) *UNITED STATES AND FOREIGN COMMERCIAL*
15 *SERVICE.*—The term “United States and Foreign
16 Commercial Service” means the United States and
17 Foreign Commercial Service established by section
18 2301 of the Export Enhancement Act of 1988 (15
19 U.S.C. 4721).

20 **SEC. 1399HHHHH. SENSE OF CONGRESS ON PRIORITIZING**
21 **NOMINATION AND CONFIRMATION OF QUALI-**
22 **FIED AMBASSADORS.**

23 *It is the sense of Congress that it is critically impor-*
24 *tant that both the President and the Senate play their re-*

1 *spective roles to nominate and confirm qualified ambas-*
 2 *sadors as quickly as possible.*

3 **SEC. 1399IIII. WESTERN HEMISPHERE DEFINED.**

4 *In this subtitle, the term “Western Hemisphere” does*
 5 *not include Cuba, Nicaragua, or Venezuela.*

6 **SEC. 1399JJJJ. REPORT ON EFFORTS TO CAPTURE AND**
 7 **DETAIN UNITED STATES CITIZENS AS HOS-**
 8 **TAGES.**

9 *(a) IN GENERAL.—Not later than 30 days after the*
 10 *date of the enactment of this Act, the Secretary of State*
 11 *shall submit to the Committee on Foreign Relations of the*
 12 *Senate and the Committee on Foreign Affairs of the House*
 13 *of Representatives a report on efforts by the Maduro regime*
 14 *of Venezuela to detain United States citizens and lawful*
 15 *permanent residents.*

16 *(b) ELEMENTS.—The report required by subsection (a)*
 17 *shall include, regarding the arrest, capture, detainment,*
 18 *and imprisonment of United States citizens and lawful per-*
 19 *manent residents—*

20 *(1) the names, positions, and institutional affili-*
 21 *ation of Venezuelan individuals, or those acting on*
 22 *their behalf, who have engaged in such activities;*

23 *(2) a description of any role played by*
 24 *transnational criminal organizations, and an identi-*
 25 *fication of such organizations; and*

1 (3) *where relevant, an assessment of whether and*
 2 *how United States citizens and lawful permanent*
 3 *residents have been lured to Venezuela.*

4 (c) *FORM.—The report required under subsection (a)*
 5 *shall be submitted in unclassified form, but shall include*
 6 *a classified annex, which shall include a list of the total*
 7 *number of United States citizens and lawful permanent*
 8 *residents detained or imprisoned in Venezuela as of the date*
 9 *on which the report is submitted.*

10 ***TITLE XIV—COOPERATIVE*** 11 ***THREAT REDUCTION***

12 ***SEC. 1401. COOPERATIVE THREAT REDUCTION FUNDS.***

13 (a) *FUNDING ALLOCATION.—Of the \$350,999,000 au-*
 14 *thorized to be appropriated to the Department of Defense*
 15 *for fiscal year 2024 in section 301 and made available by*
 16 *the funding table in division D for the Department of De-*
 17 *fense Cooperative Threat Reduction Program established*
 18 *under section 1321 of the Department of Defense Coopera-*
 19 *tive Threat Reduction Act (50 U.S.C. 3711), the following*
 20 *amounts may be obligated for the purposes specified:*

21 (1) *For strategic offensive arms elimination,*
 22 *\$6,815,000.*

23 (2) *For chemical weapons destruction,*
 24 *\$16,400,000.*

25 (3) *For global nuclear security, \$19,406,000.*

1 (4) *For cooperative biological engagement,*
 2 \$228,030,000.

3 (5) *For proliferation prevention, \$46,324,000.*

4 (6) *For activities designated as Other Assess-*
 5 *ments/Administrative Costs, \$34,024,000.*

6 (b) *SPECIFICATION OF COOPERATIVE THREAT REDUC-*
 7 *TION FUNDS.—Funds appropriated pursuant to the author-*
 8 *ization of appropriations in section 301 and made avail-*
 9 *able by the funding table in division D for the Department*
 10 *of Defense Cooperative Threat Reduction Program shall be*
 11 *available for obligation for fiscal years 2024, 2025, and*
 12 *2026.*

13 **TITLE XV—OTHER** 14 **AUTHORIZATIONS**

15 **Subtitle A—Military Programs**

16 **SEC. 1501. WORKING CAPITAL FUNDS.**

17 *Funds are hereby authorized to be appropriated for fis-*
 18 *cal year 2024 for the use of the Armed Forces and other*
 19 *activities and agencies of the Department of Defense for*
 20 *providing capital for working capital and revolving funds,*
 21 *as specified in the funding table in section 4501.*

22 **SEC. 1502. CHEMICAL AGENTS AND MUNITIONS DESTRUC-** 23 **TION, DEFENSE.**

24 (a) *AUTHORIZATION OF APPROPRIATIONS.—Funds are*
 25 *hereby authorized to be appropriated for the Department*

1 of Defense for fiscal year 2024 for expenses, not otherwise
 2 provided for, for Chemical Agents and Munitions Destruc-
 3 tion, Defense, as specified in the funding table in section
 4 4501.

5 (b) *USE.*—Amounts authorized to be appropriated
 6 under subsection (a) are authorized for—

7 (1) the destruction of lethal chemical agents and
 8 munitions in accordance with section 1412 of the De-
 9 partment of Defense Authorization Act, 1986 (50
 10 U.S.C. 1521); and

11 (2) the destruction of chemical warfare materiel
 12 of the United States that is not covered by section
 13 1412 of such Act.

14 **SEC. 1503. DRUG INTERDICTION AND COUNTER-DRUG AC-**
 15 **TIVITIES, DEFENSE-WIDE.**

16 Funds are hereby authorized to be appropriated for the
 17 Department of Defense for fiscal year 2024 for expenses, not
 18 otherwise provided for, for Drug Interdiction and Counter-
 19 Drug Activities, Defense-wide, as specified in the funding
 20 table in section 4501.

21 **SEC. 1504. DEFENSE INSPECTOR GENERAL.**

22 Funds are hereby authorized to be appropriated for the
 23 Department of Defense for fiscal year 2024 for expenses, not
 24 otherwise provided for, for the Office of the Inspector Gen-

1 eral of the Department of Defense, as specified in the fund-
 2 ing table in section 4501.

3 **SEC. 1505. DEFENSE HEALTH PROGRAM.**

4 *Funds are hereby authorized to be appropriated for fis-*
 5 *cal year 2024 for the Defense Health Program for use of*
 6 *the Armed Forces and other activities and agencies of the*
 7 *Department of Defense for providing for the health of eligi-*
 8 *ble beneficiaries, as specified in the funding table in section*
 9 *4501.*

10 ***Subtitle B—National Defense***
 11 ***Stockpile***

12 **SEC. 1511. RECOVERY OF RARE EARTH ELEMENTS AND**
 13 **OTHER STRATEGIC AND CRITICAL MATE-**
 14 **RIALS THROUGH END-OF-LIFE EQUIPMENT**
 15 **RECYCLING.**

16 *The Secretary of Defense shall establish policies and*
 17 *procedures—*

18 *(1) to identify end-of-life equipment of the De-*
 19 *partment of Defense that contains rare earth elements*
 20 *and other materials determined pursuant to section*
 21 *3(a) of the Strategic and Critical Materials Stock Pil-*
 22 *ing Act (50 U.S.C. 98b(a)) to be strategic and critical*
 23 *materials; and*

24 *(2) to identify, establish, and implement policies*
 25 *and procedures to recover such materials from such*

1 *equipment for the purposes of reuse by the Depart-*
 2 *ment of Defense.*

3 **SEC. 1512. IMPROVEMENTS TO STRATEGIC AND CRITICAL**
 4 **MATERIALS STOCK PILING ACT.**

5 (a) *PURPOSES.*—Section 2 of the Strategic and Crit-
 6 *ical Materials Stock Piling Act (50 U.S.C. 98a) is amended*
 7 *by adding at the end the following new subsection:*

8 “(d) *To the maximum extent practicable and to reduce*
 9 *the reliance of the National Defense Stockpile program on*
 10 *appropriated funds, the National Defense Stockpile Man-*
 11 *ager shall seek to achieve positive cash flows from the recov-*
 12 *ery of strategic and critical materials pursuant to section*
 13 *6(a)(5).”.*

14 (b) *STOCKPILE MANAGEMENT.*—Section 6 of such Act
 15 (50 U.S.C. 98e) is amended—

16 (1) *in subsection (a)(5), by striking “from ex-*
 17 *cess” and all that follows and inserting “from other*
 18 *Federal agencies, either directly as materials or em-*
 19 *bedded in excess-to-need, end-of-life items, or waste*
 20 *streams;”;*

21 (2) *in subsection (c)(1), by striking “subsection*
 22 *(a)(5) or (a)(6)” and inserting “subsection (a)(6) or*
 23 *(a)(7)”;*

24 (3) *in subsection (d)(2), by striking “subsection*
 25 *(a)(5)” and inserting “subsection (a)(6)”;* and

1 (4) by adding at the end the following new sub-
2 sections:

3 “(g)(1) *The National Defense Stockpile Manager shall*
4 *establish a pilot program to use, to the maximum extent*
5 *practicable, commercial best practices in the acquisition*
6 *and disposal of strategic and critical materials for the*
7 *stockpile.*

8 “(2)(A) *The Stockpile Manager shall brief the congres-*
9 *sional defense committees (as defined in section 101(a) of*
10 *title 10, United States Code)—*

11 “(i) *as soon as practicable after the establish-*
12 *ment of the pilot program under paragraph (1); and*

13 “(ii) *annually thereafter until the termination of*
14 *the pilot program under paragraph (3).*

15 “(B) *The briefing required by subparagraph (A)(i)*
16 *shall address—*

17 “(i) *the commercial best practices selected for use*
18 *under the pilot program;*

19 “(ii) *how the Stockpile Manager determined*
20 *which commercial best practices to select; and*

21 “(iii) *the plan of the Stockpile Manager for*
22 *using such practices.*

23 “(C) *Each briefing required by subparagraph (A)(ii)*
24 *shall provide a summary of—*

1 “(i) how the Stockpile Manager has used com-
 2 mercial best practices under the pilot program during
 3 the year preceding the briefing;

4 “(ii) how many times the Stockpile Manager has
 5 used such practices;

6 “(iii) the outcome of each use of such practices;
 7 and

8 “(iv) any savings achieved or lessons learned as
 9 a result of the use of such practices.

10 “(3) The pilot program established under paragraph
 11 (1) shall terminate effective on the date that is 5 years after
 12 the date of the enactment of the National Defense Authoriza-
 13 tion Act for Fiscal Year 2024.

14 “(h) Unless otherwise necessary for national defense,
 15 the National Defense Stockpile Manager shall implement re-
 16 covery programs under subsection (a)(5) to be cash flow
 17 positive.”.

18 (c) *DEVELOPMENT AND CONSERVATION OF RELIABLE*
 19 *SOURCES.*—

20 (1) *IN GENERAL.*—Section 15 of such Act (50
 21 U.S.C. 98h–6) is amended to read as follows:

22 **“SEC. 15. DEVELOPMENT AND CONSERVATION OF RELIABLE**
 23 **SOURCES.**

24 “(a) *DUTIES.*—Subject to subsection (c), the National
 25 Defense Stockpile Manager shall encourage the development

1 *and appropriate conservation of reliable sources of strategic*
2 *and critical materials—*

3 “(1) by purchasing, or making a commitment to
4 purchase, strategic and critical materials from reli-
5 able sources when such materials are needed for the
6 stockpile;

7 “(2) by contracting with facilities located in and
8 owned and controlled by reliable sources, or making
9 a commitment to contract with such facilities, for the
10 processing or refining of strategic and critical mate-
11 rials in the stockpile when processing or refining is
12 necessary to convert such materials into a form more
13 suitable for storage or disposition or meeting stockpile
14 requirements;

15 “(3) by qualifying facilities located in and
16 owned and controlled by reliable sources, or quali-
17 fying strategic and critical materials produced by
18 such facilities, to meet stockpile requirements;

19 “(4) by contracting with facilities located in and
20 owned and controlled by reliable sources to recycle
21 strategic and critical materials to meet stockpile re-
22 quirements or increase the balance of the National
23 Defense Stockpile Transaction Fund under section 9;
24 and

1 “(5) by entering into an agreement to co-fund a
 2 bankable feasibility study for a project for the devel-
 3 opment of strategic and critical materials located in
 4 and owned and controlled by a reliable source, if the
 5 agreement—

6 “(A) limits the liability of the stockpile to
 7 not more than the total funding provided by the
 8 Federal Government;

9 “(B) limits the funding contribution of the
 10 Federal Government to not more than 50 percent
 11 of the cost of the bankable feasibility study; and

12 “(C) does not obligate the Federal Govern-
 13 ment to purchase strategic and critical materials
 14 from the reliable source.

15 “(b) *ADDITIONAL AUTHORITIES.*—

16 “(1) *EXTENDED CONTRACTING AUTHORITY.*—

17 “(A) *IN GENERAL.*—The term of a contract
 18 or commitment made under subsection (a) may
 19 not exceed ten years.

20 “(B) *PREEXISTING CONTRACTS.*—A contract
 21 entered into before the date of the enactment of
 22 the National Defense Authorization Act for Fis-
 23 cal Year 2024 for a term of more than ten years
 24 may be extended, on or after such date of enact-
 25 ment, for a total of not more than an additional

1 *ten years pursuant to any option or options set*
 2 *forth in the contract.*

3 “(2) *MATTERS RELATING TO CO-FUNDING OF*
 4 *BANKABLE FEASIBILITY STUDIES.—To the extent au-*
 5 *thorized by Congress pursuant to the Defense Produc-*
 6 *tion Act of 1950 (50 U.S.C. 4501 et seq.) and deter-*
 7 *mined to be required by the President pursuant to*
 8 *that Act, the National Defense Stockpile Manager*
 9 *may provide for loans or procure debt issued by other*
 10 *entities to carry out a project for the development of*
 11 *strategic and critical materials under subsection*
 12 *(a)(5).*

13 “(c) *PROPOSED TRANSACTIONS INCLUDED IN ANNUAL*
 14 *MATERIALS PLAN.—Descriptions of proposed transactions*
 15 *under subsection (a) shall be included in the Annual Mate-*
 16 *rials and Operations Plan. Changes to any such trans-*
 17 *action, or the addition of a transaction not included in such*
 18 *plan, shall be made in accordance with section 5.*

19 “(d) *AVAILABILITY OF FUNDS.—The authority of the*
 20 *National Defense Stockpile Manager to enter into obliga-*
 21 *tions under this section is effective for any fiscal year only*
 22 *to the extent that funds in the National Defense Stockpile*
 23 *Transaction Fund under section 9 are adequate to meet*
 24 *such obligations.*

1 “(e) *BANKABLE FEASIBILITY STUDY DEFINED.*—In
 2 this section, the term ‘bankable feasibility study’ means a
 3 comprehensive technical and economic study—

4 “(1) of the selected development option for a stra-
 5 tegic and critical materials project that includes ap-
 6 propriately detailed assessments of realistically as-
 7 sumed extraction, processing, metallurgical, economic,
 8 marketing, legal, environmental, social, and govern-
 9 mental considerations and any other relevant oper-
 10 ational factors and detailed financial analysis, that
 11 are necessary to demonstrate at the time of reporting
 12 that production is reasonably justified; and

13 “(2) that may reasonably serve as the basis for
 14 a final decision by a proponent of a project or finan-
 15 cial institution to proceed with, or finance, the devel-
 16 opment of the project.”.

17 (2) *CONFORMING AMENDMENTS.*—

18 (A) *MATERIALS RESEARCH AND DEVELOP-*
 19 *MENT.*—Section 8(a) of such Act (50 U.S.C.
 20 98g(a)) is amended—

21 (i) in paragraph (1)(A), by striking
 22 “or in its territories or possessions,” and
 23 inserting “its territories or possessions, or
 24 in a reliable source”; and

1 (ii) in paragraph (2), by striking “in
2 order to—” and all that follows through
3 “mineral products.” and inserting the fol-
4 lowing: “in order to develop new sources of
5 strategic and critical materials, develop
6 substitutes, or conserve domestic sources and
7 reliable sources of supply for such strategic
8 and critical materials.”.

9 (B) *DEFINITIONS.*—Section 12 of such Act
10 (50 U.S.C. 98h–3) is amended by striking para-
11 graph (3) and inserting the following new para-
12 graph (3):

13 “(i) The term ‘reliable source’ mean a
14 citizen or business entity of—

15 “(I) the United States or any ter-
16 ritory or possession of the United
17 States;

18 “(II) a country of the national
19 technology and industrial base, as de-
20 fined in section 4801 of title 10,
21 United States Code; or

22 “(III) a qualifying country, as de-
23 fined in section 225.003 of the Defense
24 Federal Acquisition Regulation Sup-
25 plement.”.

1 (d) *TECHNICAL AMENDMENT.*—Subsection (e) of sec-
 2 tion 10 of such Act (50 U.S.C. 98h–1) is amended to read
 3 as follows:

4 “(e) *APPLICATION OF PROVISIONS RELATING TO FED-*
 5 *ERAL ADVISORY COMMITTEES.*—Section 1013 of title 5,
 6 *United States Code, shall not apply to the Board.*”.

7 **SEC. 1513. AUTHORITY TO DISPOSE OF MATERIALS FROM**
 8 **THE NATIONAL DEFENSE STOCKPILE.**

9 *Pursuant to section 5(b) of the Strategic and Critical*
 10 *Materials Stock Piling Act (50 U.S.C. 98d(b)), the National*
 11 *Defense Stockpile Manager may dispose of the following*
 12 *materials contained in the National Defense Stockpile in*
 13 *the following quantities:*

14 (1) *8 short tons of beryllium.*

15 (2) *154,043 short dry tons of metallurgical grade*
 16 *manganese ore.*

17 (3) *5,000 kilograms of germanium.*

18 (4) *91,413 pounds of pan-based carbon fibers.*

19 (5) *Not more than 1,000 short tons of materials*
 20 *transferred from another department or agency of the*
 21 *United States to the National Defense Stockpile under*
 22 *section 4(b) of such Act (50 U.S.C. 98c(b)) that the*
 23 *National Defense Stockpile Manager determines is no*
 24 *longer required for the Stockpile (in addition to any*

1 *amount of such materials previously authorized for*
 2 *disposal).*

3 **SEC. 1514. BEGINNING BALANCES OF THE NATIONAL DE-**
 4 **FENSE STOCKPILE TRANSACTION FUND FOR**
 5 **AUDIT PURPOSES.**

6 *For purposes of an audit conducted under chapter 9A*
 7 *of title 10, United States Code, of the National Defense*
 8 *Stockpile Transaction Fund established by section 9 of the*
 9 *Strategic and Critical Materials Stock Piling Act (50*
 10 *U.S.C. 98h)—*

11 *(1) the ending balance of \$313,633,491.15 re-*
 12 *ported in the Central Accounting Reporting System of*
 13 *the Department of the Treasury for September 30,*
 14 *2021, is the Fund Balance with Treasury ending bal-*
 15 *ance on that date;*

16 *(2) the Total Actual Resources—Collected opening*
 17 *balance for October 1, 2021, for United States Stand-*
 18 *ard General Ledger Account 420100 is*
 19 *\$314,548,154.42, as recorded in official accounting*
 20 *records; and*

21 *(3) the Unapportioned—Unexpired Authority*
 22 *ending balance for September 30, 2021, for United*
 23 *States Standard General Ledger Account 445000 is*
 24 *\$216,976,300.69, as recorded in official accounting*
 25 *records.*

Subtitle C—Other Matters

***SEC. 1521. AUTHORITY FOR TRANSFER OF FUNDS TO JOINT
DEPARTMENT OF DEFENSE-DEPARTMENT OF
VETERANS AFFAIRS MEDICAL FACILITY DEM-
ONSTRATION FUND FOR CAPTAIN JAMES A.
LOVELL HEALTH CARE CENTER, ILLINOIS.***

(a) AUTHORITY FOR TRANSFER OF FUNDS.—Of the funds authorized to be appropriated by section 1405 and available for the Defense Health Program for operation and maintenance, \$172,000,000 may be transferred by the Secretary of Defense to the Joint Department of Defense–Department of Veterans Affairs Medical Facility Demonstration Fund established by subsection (a)(1) of section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2571).

(b) TREATMENT OF TRANSFERRED FUNDS.—For purposes of subsection (a)(2) of such section 1704, any funds transferred under subsection (a) shall be treated as amounts authorized and appropriated specifically for the purpose of such a transfer.

(c) USE OF TRANSFERRED FUNDS.—For purposes of subsection (b) of such section 1704, facility operations for which funds transferred under subsection (a) may be used are operations of the Captain James A. Lovell Federal Health Care Center, consisting of the North Chicago Vet-

1 *erans Affairs Medical Center, the Navy Ambulatory Care*
 2 *Center, and supporting facilities designated as a combined*
 3 *Federal medical facility under an operational agreement*
 4 *covered by section 706 of the Duncan Hunter National De-*
 5 *fense Authorization Act for Fiscal Year 2009 (Public Law*
 6 *110–417; 122 Stat. 4500).*

7 **SEC. 1522. AUTHORIZATION OF APPROPRIATIONS FOR**
 8 **ARMED FORCES RETIREMENT HOME.**

9 *There is hereby authorized to be appropriated for fiscal*
 10 *year 2024 from the Armed Forces Retirement Home Trust*
 11 *Fund the sum of \$77,000,000 for the operation of the Armed*
 12 *Forces Retirement Home.*

13 **SEC. 1523. MODIFICATION OF LEASING AUTHORITY OF**
 14 **ARMED FORCES RETIREMENT HOME.**

15 *(a) AGREEMENTS; APPROVAL AND NOTIFICATION.—*
 16 *Section 1511(i) of the Armed Forces Retirement Home Act*
 17 *of 1991 (24 U.S.C. 411(i)) is amended by adding at the*
 18 *end the following new paragraphs:*

19 *“(9) Before entering into a lease described in this sub-*
 20 *section, the Chief Operating Officer may enter into an*
 21 *agreement with a potential lessee providing for a period of*
 22 *exclusivity, access, study, or for similar purposes. The*
 23 *agreement shall provide for the payment (in cash or in*
 24 *kind) by the potential lessee of consideration for the agree-*
 25 *ment unless the Chief Operating Officer determines that*

1 *payment of consideration will not promote the purpose and*
 2 *financial stability of the Retirement Home or be in the pub-*
 3 *lic interest.*

4 “(10) No further approval by the Secretary of Defense,
 5 nor notification or report to Congress, shall be required for
 6 subordinate leases under this subsection unless the facts or
 7 terms of the original lease have materially changed.”.

8 (b) ADMINISTRATION OF FUNDS.—Section 1511(i)(7)
 9 of the Armed Forces Retirement Home Act of 1991 (24
 10 U.S.C. 411(i)) is amended—

11 (1) by inserting “an agreement with a potential
 12 lessee or” after “The proceeds from”; and

13 (2) by striking the period at the end and insert-
 14 ing “, to remain available for obligation and expendi-
 15 ture to finance expenses of the Retirement Home re-
 16 lated to the formation and administration of agree-
 17 ments and leases entered into under the provisions of
 18 this subsection.”.

1 **TITLE XVI—SPACE ACTIVITIES,**
 2 **STRATEGIC PROGRAMS, AND**
 3 **INTELLIGENCE MATTERS**

4 **Subtitle A—Space Activities**

5 **SEC. 1601. ACQUISITION STRATEGY FOR PHASE 3 OF THE**
 6 **NATIONAL SECURITY SPACE LAUNCH PRO-**
 7 **GRAM.**

8 *(a) FISCAL YEARS 2025 THROUGH 2029.—With re-*
 9 *spect to the acquisition strategy for Phase 3 of the National*
 10 *Security Space Launch program, for fiscal years 2025*
 11 *through 2029, the Secretary of Defense shall establish—*

12 *(1) a low-risk launch program, to be known as*
 13 *“Lane One”, that consists of an indefinite delivery*
 14 *indefinite quantity acquisition approach based on not*
 15 *fewer than 20 launches so as to encourage the capa-*
 16 *bilities of new entrants that have conducted not fewer*
 17 *than one previous launch; and*

18 *(2) a launch program, similar to the Phase Two*
 19 *National Security Assured Access Launch program, to*
 20 *be known as “Lane Two”, that meets all National Se-*
 21 *curity Space Launch requirements, with full mission*
 22 *assurance, based on not fewer than 35 launches.*

23 *(b) FISCAL YEARS 2027 THROUGH 2029.—With re-*
 24 *spect to the acquisition strategy for Phase 3 of the National*
 25 *Security Space Launch program, for fiscal years 2027*

1 *through 2029, the Secretary of Defense shall establish an*
 2 *accession launch program, to be known as “Lane Two A”,*
 3 *using the requirements of the program established under*
 4 *subsection (a)(2) based on five launches of GPS Block IIIF*
 5 *satellites or satellites the launches of which are complex,*
 6 *high-energy missions.*

7 ***SEC. 1602. INITIAL OPERATING CAPABILITY FOR ADVANCED***
 8 ***TRACKING AND LAUNCH ANALYSIS SYSTEM***
 9 ***AND SYSTEM-LEVEL REVIEW.***

10 *(a) ADVANCED TRACKING AND LAUNCH ANALYSIS SYS-*
 11 *TEM.—*

12 *(1) DATE FOR INITIAL OPERATING CAPABILITY.—*
 13 *Not later than 90 days after the date of the enactment*
 14 *of this Act, the Secretary of the Air Force shall—*

15 *(A) designate a date for the delivery of the*
 16 *initial operating capability for the Advanced*
 17 *Tracking and Launch Analysis System*
 18 *(ATLAS); and*

19 *(B) notify the congressional defense commit-*
 20 *tees of such date.*

21 *(2) EFFECT OF FAILURE TO TIMELY DELIVER.—*
 22 *If the initial operating capability for ATLAS is not*
 23 *achieved by the date designated under paragraph*
 24 *(1)(A), the Secretary shall—*

25 *(A) terminate the ATLAS program;*

1 (B) designate an alternative program op-
 2 tion that provides a comparable capability to the
 3 capability intended to be provided by ATLAS;
 4 and

5 (C) not later than 30 days after such date,
 6 notify the congressional defense committees with
 7 respect to—

8 (i) such termination;

9 (ii) the designated alternative program
 10 option;

11 (iii) the justification for selecting such
 12 option; and

13 (iv) the estimated time and total costs
 14 to completion of such option.

15 (b) *SYSTEM-LEVEL REVIEW.*—

16 (1) *IN GENERAL.*—The Secretary shall enter into
 17 a contract with a federally funded research and devel-
 18 opment center under which the federally funded re-
 19 search and development center shall, not less fre-
 20 quently than every 2 years through 2032, conduct a
 21 review of the space command and control software ac-
 22 quisition program to assess the ability of such pro-
 23 gram to build a software framework that integrates
 24 multiple aspects of space operations to enable the

1 *warfighter to command and control space assets in a*
2 *time of conflict.*

3 (2) *ELEMENTS.—Each review under paragraph*
4 *(1) shall consider the integration into such software*
5 *framework of the following:*

6 (A) *Sensor data applicable to the command*
7 *and control of space assets.*

8 (B) *Information contained in the Unified*
9 *Data Library relating to the number and loca-*
10 *tion of space objects.*

11 (C) *The ability to control space assets based*
12 *on such data and information.*

13 (D) *Any other matter the Secretary con-*
14 *siders necessary.*

15 (3) *BRIEFING.—The Secretary shall provide the*
16 *congressional defense committees with a briefing on*
17 *the findings of each review under paragraph (1), in-*
18 *cluding—*

19 (A) *an assessment of any deficiency identi-*
20 *fied in the review; and*

21 (B) *a plan to address such deficiency in a*
22 *timely manner.*

1 **SEC. 1603. DEPARTMENT OF THE AIR FORCE RESPONSIBILITY FOR SPACE-BASED GROUND AND AIR-**
 2 **BORNE MOVING TARGET INDICATION.**
 3

4 (a) *IN GENERAL.*—*The Department of the Air Force*
 5 *shall be responsible for—*

6 (1) *serving as the final authority for the tasking*
 7 *of space-based ground and airborne moving target in-*
 8 *dication systems that—*

9 (A) *are primarily or fully funded by the*
 10 *Department of Defense; and*

11 (B) *provide near real-time, direct support*
 12 *to satisfy theater operations; and*

13 (2) *presenting such capability to the combatant*
 14 *commands to accomplish the warfighting missions of*
 15 *the combatant commands under the Unified Com-*
 16 *mand Plan.*

17 (b) *MILESTONE DEVELOPMENT AUTHORITY.*—*Subject*
 18 *to section 4204 of title 10, United States Code, the Secretary*
 19 *of the Air Force, in consultation with the Director of Na-*
 20 *tional Intelligence, shall be the Milestone A approval (as*
 21 *defined in section 4211 of such title) decision authority for*
 22 *space-related acquisition programs for ground and airborne*
 23 *moving target indication collection assets described in sub-*
 24 *section (a) that are primarily or fully funded within the*
 25 *Military Intelligence Program.*

1 **SEC. 1604. PRINCIPAL MILITARY DEPUTY FOR SPACE ACQUI-**
2 **SITION AND INTEGRATION.**

3 *Section 9016(b)(6) of title 10, United States Code, is*
4 *amended—*

5 *(1) by redesignating subparagraph (B) as sub-*
6 *paragraph (C); and*

7 *(2) by inserting after subparagraph (A) the fol-*
8 *lowing new subparagraph (B):*

9 *“(B) The Assistant Secretary of the Air Force for*
10 *Space Acquisition and Integration shall have a Prin-*
11 *ciple Military Deputy for Space Acquisition and In-*
12 *tegration, who shall be an officer of the Space Force*
13 *on active duty. The Principal Military Deputy for*
14 *Space Acquisition and Integration shall be appointed*
15 *from among officers who have significant experience*
16 *in the areas of acquisition and program management.*
17 *The position of Principal Military Deputy for Space*
18 *Acquisition and Integration shall be designated as a*
19 *critical acquisition position under section 1731 of this*
20 *title. In the event of a vacancy in the position of As-*
21 *stant Secretary of the Air Force for Space Acquisi-*
22 *tion and Integration, the Principal Military Deputy*
23 *for Space Acquisition and Integration may serve as*
24 *Acting Assistant Secretary for Space Acquisition and*
25 *Integration for a period of not more than one year.”.*

1 **SEC. 1605. USE OF MIDDLE TIER ACQUISITION AUTHORITY**
2 **FOR SPACE DEVELOPMENT AGENCY ACQUI-**
3 **SITION PROGRAM.**

4 (a) *IN GENERAL.*—*The Director of the Space Develop-*
5 *ment Agency shall use the middle tier of acquisition author-*
6 *ity, consistent with section 804 of the National Defense Au-*
7 *thorization Act for Fiscal Year 2016 (Public Law 114–92;*
8 *10 U.S.C. 3201 note prec.) and Department of Defense In-*
9 *struction 5000.80, entitled “Operation of the Middle Tier*
10 *of Acquisition (MTA)” and issued on December 30, 2019*
11 *(or a successor instruction), for the rapid fielding of sat-*
12 *ellites and associated systems for Tranche 1, Tranche 2, and*
13 *Tranche 3 of the proliferated warfighter space architecture*
14 *of the Space Development Agency.*

15 (b) *RAPID PROTOTYPING AND FIELDING.*—*Any*
16 *tranche of satellites or associated systems developed and*
17 *fielded under subsection (a) shall have a level of maturity*
18 *that allows such satellites or systems to be rapidly*
19 *prototyped within an acquisition program or rapidly field-*
20 *ed within five years of the development of an approved re-*
21 *quirement.*

22 (c) *DESIGNATION AS MAJOR CAPABILITY ACQUI-*
23 *SITION.*—

24 (1) *IN GENERAL.*—*The Under Secretary of De-*
25 *fense for Acquisition and Sustainment may designate*
26 *a tranche described in subsection (a) as a major ca-*

1 *pability acquisition program, consistent with Depart-*
 2 *ment of Defense Instruction 5000.80, entitled “Oper-*
 3 *ation of the Middle Tier of Acquisition (MTA)” and*
 4 *issued on December 30, 2019 (or a successor instruc-*
 5 *tion).*

6 (2) *NOTICE TO CONGRESS.*—Not later than 90
 7 days before the date on which a designation under
 8 paragraph (1) is made, the Under Secretary of De-
 9 fense for Acquisition and Sustainment shall notify the
 10 congressional defense committees of the intent to so
 11 designate and provide a justification for such des-
 12 ignation.

13 **SEC. 1606. SPECIAL AUTHORITY FOR PROVISION OF COM-**
 14 **MERCIAL SPACE LAUNCH SUPPORT SERV-**
 15 **ICES.**

16 (a) *IN GENERAL.*—Chapter 135 of title 10, United
 17 States Code, is amended by inserting after section 2276 the
 18 following new section:

19 **“§2276a. Special authority for provision of commer-**
 20 **cial space launch support services**

21 *“(a) IN GENERAL.*—The Secretary of a military de-
 22 partment, pursuant to the authority provided by this sec-
 23 tion and any other provision of law, may support Federal
 24 and commercial space launch capacity on any domestic real

1 *property under the control of the Secretary through the pro-*
 2 *vision of space launch support services.*

3 “(b) *PROVISION OF LAUNCH EQUIPMENT AND SERV-*
 4 *ICES TO COMMERCIAL ENTITIES.*—

5 “(1) *AGREEMENT AUTHORITY.*—

6 “(A) *IN GENERAL.*—*The Secretary con-*
 7 *cerned may enter into a contract, or conduct any*
 8 *other transaction, with a commercial entity that*
 9 *intends to conduct space launch activities on a*
 10 *military installation under the jurisdiction of*
 11 *the Secretary, including a contract or other*
 12 *transaction for the provision of supplies, services,*
 13 *equipment, and construction needed for commer-*
 14 *cial space launch.*

15 “(B) *NONDELEGATION.*—*The Secretary may*
 16 *not delegate the authority provided in subpara-*
 17 *graph (A).*

18 “(2) *AGREEMENT COSTS.*—

19 “(A) *DIRECT COSTS.*—*A contract entered*
 20 *into, or a transaction conducted, under para-*
 21 *graph (1) shall include a provision that requires*
 22 *the commercial entity entering into the contract*
 23 *or conducting the transaction to reimburse the*
 24 *Department of Defense for all direct costs to the*
 25 *United States that are associated with the goods,*

1 *services, and equipment provided to the commer-*
2 *cial entity under the contract or transaction.*

3 “(B) *INDIRECT COSTS.*—*A contract entered*
4 *into, or a transaction conducted, under para-*
5 *graph (1) may—*

6 “(i) *include a provision that requires*
7 *the commercial entity to reimburse the De-*
8 *partment of Defense for such indirect costs*
9 *as the Secretary concerned considers to be*
10 *fair and reasonable; and*

11 “(ii) *provide for the recovery of indi-*
12 *rect costs through establishment of a rate,*
13 *fixed price, or similar mechanism the Sec-*
14 *retary concerned considers to be fair and*
15 *reasonable.*

16 “(3) *RETENTION OF FUNDS COLLECTED FROM*
17 *COMMERCIAL USERS.*—*Amounts collected from a com-*
18 *mercial entity under paragraph (2) shall be credited*
19 *to the appropriation accounts under which the costs*
20 *associated with the contract (direct and indirect) were*
21 *incurred.*

22 “(4) *REGULATIONS.*—*The Secretary shall pro-*
23 *mulgate regulations to carry out this subsection.*

24 “(c) *DEFINITIONS.*—*In this section:*

1 “(1) *SPACE LAUNCH*.—The term ‘space launch’
 2 includes all activities, supplies, equipment, facilities,
 3 and services supporting launch preparation, launch,
 4 reentry, recovery, and other launch-related activities
 5 for the payload and the space transportation vehicle.

6 “(2) *COMMERCIAL ENTITY; COMMERCIAL*.—The
 7 terms ‘commercial entity’ and ‘commercial’ means a
 8 non-Federal entity organized under the laws of the
 9 United States or of any jurisdiction within the
 10 United States.”.

11 (b) *CLERICAL AMENDMENT*.—The table of sections for
 12 chapter 135 of title 10, United States Code, is amended by
 13 inserting after the item relating to section 2276 the fol-
 14 lowing:

“2276a. Special authority for provision of commercial space launch support serv-
 ices.”.

15 **SEC. 1607. TREATMENT OF POSITIONING, NAVIGATION, AND**
 16 **TIMING RESILIENCY, MODIFICATIONS, AND**
 17 **IMPROVEMENTS PROGRAM AS ACQUISITION**
 18 **CATEGORY 1D PROGRAM.**

19 *The Under Secretary of Defense for Acquisition and*
 20 *Sustainment shall treat the Positioning, Navigation, and*
 21 *Timing Resiliency, Modifications, and Improvements pro-*
 22 *gram of the Air Force (Program Element 0604201F) as an*
 23 *acquisition category 1D program, and the authority to*
 24 *manage such program may not be delegated.*

1 **SEC. 1608. BRIEFING ON CLASSIFICATION PRACTICES AND**
2 **FOREIGN DISCLOSURE POLICIES REQUIRED**
3 **FOR COMBINED SPACE OPERATIONS.**

4 (a) *IN GENERAL.*—Not later than 90 days after the
5 date of the enactment of this Act, the Secretary of Defense
6 and the Director of National Intelligence shall provide a
7 briefing to the appropriate committees of Congress on the
8 classification practices and foreign disclosure policies re-
9 quired to enable the development and conduct of combined
10 space operations among the following countries:

11 (1) *Australia.*

12 (2) *Canada.*

13 (3) *France.*

14 (4) *Germany.*

15 (5) *New Zealand.*

16 (6) *The United Kingdom.*

17 (7) *The United States.*

18 (8) *Any other ally or partner country, as deter-*
19 *mined by the Secretary of Defense or the Director of*
20 *National Intelligence.*

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

23 (1) *The military and national intelligence infor-*
24 *mation required to be shared with the countries de-*
25 *scribed in subsection (a) so as to enable the develop-*
26 *ment and conduct combined space operations.*

1 (2) *The policy, organizational, or other barriers*
2 *that currently prevent such information sharing for*
3 *combined space operations.*

4 (3) *The actions being taken by the Department*
5 *of Defense and the intelligence community (as defined*
6 *in section 3 of the National Security Act of 1947 (50*
7 *U.S.C. 3003)) to remove the barriers to such informa-*
8 *tion sharing, and the timeline for implementation of*
9 *such actions.*

10 (4) *Any statutory changes required to remove*
11 *such barriers.*

12 (5) *Any other matter, as determined by the Sec-*
13 *retary of Defense or the Director of National Intel-*
14 *ligence.*

15 (c) *IMPLEMENTATION UPDATE.*—*Not later than 270*
16 *days after the date of the enactment of this Act, the Sec-*
17 *retary of Defense and the Director of National Intelligence*
18 *shall provide a briefing to the appropriate committees of*
19 *Congress on the implementation of the actions described in*
20 *subsection (b)(3).*

21 (d) *APPROPRIATE COMMITTEES OF CONGRESS.*—*In*
22 *this section, the term “appropriate committees of Congress”*
23 *means—*

24 (1) *the congressional defense committees; and*

1 (2) *the congressional intelligence committees (as*
2 *defined in section 3 of the National Security Act of*
3 *1947 (50 U.S.C. 3003)).*

4 **SEC. 1609. LIMITATION ON AVAILABILITY OF CERTAIN**
5 **FUNDS RELATING TO SELECTION OF PERMA-**
6 **NENT LOCATION FOR HEADQUARTERS OF**
7 **UNITED STATES SPACE COMMAND.**

8 (a) *LIMITATION ON AVAILABILITY OF FUNDS FOR*
9 *MILITARY CONSTRUCTION PROJECTS.—None of the funds*
10 *authorized to be appropriated by this Act or otherwise made*
11 *available for fiscal year 2024 for the Air Force may be obli-*
12 *gated or expended for a military construction project (as*
13 *described in section 2801(b) of title 10, United States Code)*
14 *for the construction or modification of facilities for tem-*
15 *porary or permanent use by the United States Space Com-*
16 *mand for headquarters operations until the report required*
17 *under subsection (c) is submitted.*

18 (b) *LIMITATION ON AVAILABILITY OF FUNDS FOR*
19 *TRAVEL EXPENDITURES.—Of the funds authorized to be*
20 *appropriated by this Act or otherwise made available for*
21 *fiscal year 2024 to the Office of the Secretary of the Air*
22 *Force for travel expenditures, not more than 50 percent*
23 *may be obligated or expended until the report required*
24 *under subsection (c) is submitted.*

1 (c) *REPORT.*—*The Secretary of the Air Force shall sub-*
 2 *mit to the congressional defense committees a report on the*
 3 *justification for the selection of a permanent location for*
 4 *headquarters of the United States Space Command.*

5 ***Subtitle B—Nuclear Forces***

6 ***SEC. 1611. PROHIBITION ON REDUCTION OF THE INTER-***
 7 ***CONTINENTAL BALLISTIC MISSILES OF THE***
 8 ***UNITED STATES.***

9 (a) *PROHIBITION.*—*Except as provided in subsection*
 10 *(b), none of the funds authorized to be appropriated by this*
 11 *Act for fiscal year 2024 for the Department of Defense may*
 12 *be obligated or expended for the following, and the Depart-*
 13 *ment may not otherwise take any action to do the following:*

14 (1) *Reduce, or prepare to reduce, the responsive-*
 15 *ness or alert level of the intercontinental ballistic mis-*
 16 *siles of the United States.*

17 (2) *Reduce, or prepare to reduce, the quantity of*
 18 *deployed intercontinental ballistic missiles of the*
 19 *United States to a number less than 400.*

20 (b) *EXCEPTION.*—*The prohibition in subsection (a)*
 21 *shall not apply to any of the following activities:*

22 (1) *The maintenance, sustainment, or replace-*
 23 *ment of intercontinental ballistic missiles.*

24 (2) *Ensuring the safety, security, or reliability of*
 25 *intercontinental ballistic missiles.*

1 **SEC. 1612. SENTINEL INTERCONTINENTAL BALLISTIC MIS-**
 2 **SILE PROGRAM SILO ACTIVITY.**

3 *The LGM–35A Sentinel intercontinental ballistic mis-*
 4 *sile program shall refurbish and make operable not fewer*
 5 *than 150 silos for intercontinental ballistic missiles at each*
 6 *of the following locations:*

7 (1) *Francis E. Warren Air Force Base, Laramie*
 8 *County, Wyoming.*

9 (2) *Malmstrom Air Force Base, Cascade County,*
 10 *Montana.*

11 (3) *Minot Air Force Base, Ward County, North*
 12 *Dakota.*

13 **SEC. 1613. MATTERS RELATING TO THE ACQUISITION AND**
 14 **DEPLOYMENT OF THE SENTINEL INTER-**
 15 **CONTINENTAL BALLISTIC MISSILE WEAPON**
 16 **SYSTEM.**

17 (a) *AUTHORITY FOR MULTI-YEAR PROCUREMENT.—*
 18 *Subject to section 3501 of title 10, United States Code, the*
 19 *Secretary of the Air Force may enter into one or more*
 20 *multi-year contracts for the procurement of up to 659 Sen-*
 21 *tinel intercontinental ballistic missiles and for subsystems*
 22 *associated with such missiles.*

23 (b) *AUTHORITY FOR ADVANCE PROCUREMENT.—The*
 24 *Secretary of the Air Force may enter into one or more con-*
 25 *tracts, beginning in fiscal year 2024, for advance procure-*
 26 *ment associated with the Sentinel intercontinental ballistic*

1 *missiles for which authorization to enter into a multi-year*
 2 *procurement contract is provided under subsection (a), and*
 3 *for subsystems associated with such missiles in economic*
 4 *order quantities when cost savings are achievable.*

5 (c) *CONDITION FOR OUT-YEAR CONTRACT PAY-*
 6 *MENTS.—A contract entered into under subsection (a) shall*
 7 *provide that any obligation of the United States to make*
 8 *a payment under the contract for a fiscal year after fiscal*
 9 *year 2024 is subject to the availability of appropriations*
 10 *or funds for that purpose for such later fiscal year.*

11 (d) *MANDATORY INCLUSION OF PRE-PRICED OPTION*
 12 *IN CERTAIN CIRCUMSTANCES.—*

13 (1) *IN GENERAL.—If the total base quantity of*
 14 *Sentinel intercontinental ballistic missiles to be pro-*
 15 *cured through all contracts entered into under sub-*
 16 *section (a) is less than 659, the Secretary of the Air*
 17 *Force shall ensure that one or more of the contracts*
 18 *includes a pre-priced option for the procurement of*
 19 *additional Sentinel intercontinental ballistic missiles*
 20 *such that the sum of such base quantity and the num-*
 21 *ber of such missiles that may be procured through the*
 22 *exercise of such options is equal to 659 missiles.*

23 (2) *DEFINITIONS.—In this subsection:*

24 (A) *BASE QUANTITY.—The term “base*
 25 *quantity” means the quantity of Sentinel inter-*

1 *continental ballistic missiles to be procured*
 2 *under a contract entered into under subsection*
 3 *(a), excluding any quantity of such missiles that*
 4 *may be procured through the exercise of an op-*
 5 *tion that may be part of such contract.*

6 *(B) PRE-PRICED OPTION.—The term “pre-*
 7 *priced option” means a contract option for a*
 8 *contract entered into under subsection (a) that,*
 9 *if exercised, would allow the Secretary of the Air*
 10 *Force to procure a quantity of intercontinental*
 11 *ballistic missiles at a predetermined price speci-*
 12 *fied in such contract.*

13 *(e) LIMITATION.—The Secretary of the Air Force may*
 14 *not modify a contract entered into under subsection (a) if*
 15 *the modification would increase the per unit price of the*
 16 *Sentinel intercontinental ballistic missiles by more than 10*
 17 *percent above the target per unit price specified in the origi-*
 18 *nal contract for such missiles under subsection (a).*

19 *(f) MODIFICATIONS TO THE INTERCONTINENTAL BAL-*
 20 *LISTIC MISSILE SITE ACTIVATION TASK FORCE.—Section*
 21 *1638 of the National Defense Authorization Act for Fiscal*
 22 *Year 2023 (Public Law 117–263) is amended—*

23 *(1) in subsection (b)(1), by inserting “, who shall*
 24 *report directly to the Commander of Air Force Global*
 25 *Strike Command” after “Modernization”; and*

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

3 “(1) *WEAPON SYSTEM.—For purposes of nomen-*
 4 *clature and acquisition life cycle activities ranging*
 5 *from development through sustainment and demili-*
 6 *tarization, each wing level configuration of the LGM–*
 7 *35A Sentinel intercontinental ballistic missile shall be*
 8 *a weapon system.”.*

9 **SEC. 1614. PLAN FOR DECREASING THE TIME TO UPLOAD**
 10 **ADDITIONAL WARHEADS TO THE INTER-**
 11 **CONTINENTAL BALLISTIC MISSILE FLEET.**

12 (a) *IN GENERAL.—The Secretary of the Air Force, in*
 13 *coordination with the Commander of the United States*
 14 *Strategic Command, shall develop a plan to decrease the*
 15 *amount of time required to upload additional warheads to*
 16 *the intercontinental ballistic missile force.*

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

19 (1) *An assessment of the storage capacity of*
 20 *weapons storage areas and any weapons generation*
 21 *facilities at covered bases, including the capacity of*
 22 *each covered base to store additional warheads.*

23 (2) *An assessment of the current nuclear war-*
 24 *head transportation capacity of the National Nuclear*
 25 *Security Administration and associated timelines for*

1 *transporting additional nuclear warheads to covered*
2 *bases.*

3 *(3) An evaluation of the capacity of the mainte-*
4 *nance squadrons and security forces at covered bases*
5 *and the associated timelines for adding warheads to*
6 *the intercontinental ballistic missile force.*

7 *(4) An identification of actions that would ad-*
8 *dress any identified limitations and increase the*
9 *readiness of the intercontinental ballistic missile force*
10 *to upload additional warheads.*

11 *(5) An evaluation of courses of actions to upload*
12 *additional warheads to a portion of the interconti-*
13 *ental ballistic missile force.*

14 *(6) An assessment of the feasibility and advis-*
15 *ability of initiating immediate deployment of W78*
16 *warheads to a single wing of the intercontinental bal-*
17 *listic missile force as a hedge against delay of the*
18 *LGM-35A Sentinel intercontinental ballistic missile.*

19 *(7) A funding plan for carrying out actions*
20 *identified in paragraphs (4) and (5).*

21 *(c) SUBMISSION TO CONGRESS.—Not later than 90*
22 *days after the date of the enactment of this Act, the Sec-*
23 *retary of the Air Force and the Commander of the United*
24 *States Strategic Command shall submit to the congressional*
25 *defense committees the plan required by subsection (a).*

1 (d) *FORM.*—The plan required by subsection (a) shall
 2 be submitted in unclassified form, but may include a classi-
 3 fied annex.

4 (e) *BRIEFING.*—Not later than 30 days after the sub-
 5 mission of the plan required by subsection (a), the Secretary
 6 of the Air Force and the Commander of the United States
 7 Strategic Command shall brief the congressional defense
 8 committees on the actions being pursued to implement the
 9 plan.

10 (f) *COVERED BASE DEFINED.*—The term “covered
 11 base” means the following:

12 (1) *Francis E. Warren Air Force Base, Laramie*
 13 *County, Wyoming.*

14 (2) *Malmstrom Air Force Base, Cascade County,*
 15 *Montana.*

16 (3) *Minot Air Force Base, Ward County, North*
 17 *Dakota.*

18 **SEC. 1615. TASKING AND OVERSIGHT AUTHORITY WITH RE-**
 19 **SPECT TO INTERCONTINENTAL BALLISTIC**
 20 **MISSILE SITE ACTIVATION TASK FORCE FOR**
 21 **SENTINEL PROGRAM.**

22 Section 1638 of the National Defense Authorization
 23 Act for Fiscal Year 2023 (Public Law 117–263) is amended
 24 by—

1 (1) redesignating subsection (e) as subsection (f);
 2 and

3 (2) inserting after subsection (d), the following
 4 new subsection (e):

5 “(e) *DELEGATION OF AUTHORITY.*—*The Secretary of*
 6 *Defense shall—*

7 “(1) not later than 120 days after the date of the
 8 enactment of the National Defense Authorization Act
 9 for Fiscal Year 2024, delegate to the Commander of
 10 the Air Force Global Strike Command such tasking
 11 and oversight authorities, as the Secretary considers
 12 necessary, with respect to other components of the De-
 13 partment of Defense participating in the Task Force;
 14 and

15 “(2) not later than 30 days after the date of such
 16 delegation of authority, notify the congressional de-
 17 fense committees of the delegation.”.

18 **SEC. 1616. LONG-TERM SUSTAINMENT OF SENTINEL ICBM**

19 **GUIDANCE SYSTEM.**

20 (a) *IN GENERAL.*—*Prior to issuing a Milestone C deci-*
 21 *sion for the program to develop the LGM–35A Sentinel*
 22 *intercontinental ballistic missile system (referred to in this*
 23 *section as the “Sentinel”), the Under Secretary of Defense*
 24 *for Acquisition and Sustainment shall certify to the con-*
 25 *gressional defense committees that there is a long-term ca-*

1 *pability in place to maintain and modernize the guidance*
 2 *system of the Sentinel over the full life cycle of the Sentinel.*

3 *(b) CERTIFICATION ELEMENTS.—The certification de-*
 4 *scribed in subsection (a) shall include a list of capabilities*
 5 *to maintain and advance—*

6 *(1) accelerometers;*

7 *(2) gyroscopes;*

8 *(3) guidance computers;*

9 *(4) specialized mechanical and retaining assem-*
 10 *blies;*

11 *(5) test equipment; and*

12 *(6) such other components to ensure the guidance*
 13 *system will be maintained and modernized over the*
 14 *life of the Sentinel.*

15 **SEC. 1617. SENSE OF SENATE ON POLARIS SALES AGREE-**
 16 **MENT.**

17 *(a) FINDINGS.—The Senate finds the following:*

18 *(1) On December 21, 1962, President John F.*
 19 *Kennedy and Prime Minister of the United Kingdom*
 20 *Harold Macmillan met in Nassau, Bahamas, and*
 21 *issued a joint statement (commonly referred to as the*
 22 *“Statement on Nuclear Defense Systems”), agreeing*
 23 *that the United States would make Polaris missiles*
 24 *available on a continuing basis to the United King-*
 25 *dom for use in submarines.*

1 (2) *On April 6, 1963, Secretary of State Dean*
2 *Rusk and Her Majesty's Ambassador to the United*
3 *States David Ormsby-Gore signed the Polaris Sales*
4 *Agreement, reaffirming the Statement on Nuclear De-*
5 *fense Systems and agreeing that the United States*
6 *Government shall provide and the Government of the*
7 *United Kingdom shall purchase from the United*
8 *States Government Polaris missiles, equipment, and*
9 *supporting services.*

10 (3) *The HMS Resolution launched the first Pola-*
11 *ris missile of the United Kingdom on February 15,*
12 *1968, and, in 1969, commenced the first strategic de-*
13 *terrent patrol for the United Kingdom, initiating a*
14 *continuous at-sea deterrent posture for the United*
15 *Kingdom that remains in effect.*

16 (4) *The Polaris Sales Agreement was amended to*
17 *include the Trident II (D5) strategic weapon system*
18 *on October 19, 1982, in Washington, D.C., through an*
19 *exchange of notes between Secretary of State Jona-*
20 *than Howe and Her Majesty's Ambassador to the*
21 *United States Oliver Wright.*

22 (5) *Through an exchange of letters in 2008 be-*
23 *tween the Secretary of Defense the Honorable Robert*
24 *Gates and the Secretary of State for Defence of the*
25 *United Kingdom the Right Honorable Desmond*

1 *Browne and under the auspices of the Polaris Sales*
2 *Agreement, the United States Government and the*
3 *Government of the United Kingdom agreed to con-*
4 *tinue cooperation to design a common missile com-*
5 *partment for the follow-on ballistic missile sub-*
6 *marines of each nation.*

7 *(b) SENSE OF THE SENATE.—It is the sense of the Sen-*
8 *ate that the Senate—*

9 *(1) recognizes the 60th anniversary of the Polaris*
10 *Sales Agreement between the United States and the*
11 *United Kingdom of Great Britain and Northern Ire-*
12 *land;*

13 *(2) congratulates the Royal Navy for steadfastly*
14 *maintaining the Continuous At-Sea Deterrent;*

15 *(3) Recognizes the important contribution of the*
16 *Continuous At-Sea Deterrent to the North Atlantic*
17 *Treaty Organization;*

18 *(4) reaffirms that the United Kingdom is a val-*
19 *ued and special ally of the United States; and*

20 *(5) looks forward to continuing and strength-*
21 *ening the shared commitment of the United States*
22 *and the United Kingdom to sustain submarine-based*
23 *strategic deterrents well into the future.*

1 **SEC. 1618. MATTERS RELATING TO THE NUCLEAR-ARMED**
2 **SEA-LAUNCHED CRUISE MISSILE.**

3 (a) *PROGRAM TREATMENT.*—Not later than 90 days
4 after the date of the enactment of this Act, the Under Sec-
5 retary of Defense for Acquisition and Sustainment shall—

6 (1) *establish a program for the development of a*
7 *nuclear-armed, sea-launched cruise missile capability;*

8 (2) *designate such program as an acquisition*
9 *category 1D program, to be managed consistent with*
10 *the provisions of Department of Defense Instruction*
11 *5000.85 (relating to major capability acquisition);*

12 (3) *initiate a nuclear weapon project for the*
13 *W80–4 ALT warhead, at phase 6.2 of the phase 6.X*
14 *process (relating to feasibility study and down select),*
15 *to align with the program described in paragraph (1);*

16 (4) *submit to the National Nuclear Security Ad-*
17 *ministration a formal request, through the Nuclear*
18 *Weapons Council, for participation in and support*
19 *for the W80–4 ALT warhead project; and*

20 (5) *designate the Department of the Navy as the*
21 *military department to lead the W80–4 ALT nuclear*
22 *weapon program for the Department of Defense.*

23 (b) *INITIAL OPERATIONAL CAPABILITY.*—The Sec-
24 retary of Defense and the Administrator for Nuclear Secu-
25 rity shall take such actions as necessary to ensure the pro-
26 gram described in subsection (a) achieves initial oper-

1 *ational capability, as defined jointly by the Secretary of*
 2 *the Navy and the Commander of United States Strategic*
 3 *Command, by not later than fiscal year 2035.*

4 *(c) LIMITATION.—The Under Secretary of Defense for*
 5 *Acquisition and Sustainment may not approve a Full Rate*
 6 *Production Decision or authorize Full Scale Production (as*
 7 *those terms are defined in the memorandum of the Nuclear*
 8 *Weapons Council entitled “Procedural Guidelines for the*
 9 *Phase 6.X Process” and dated April 19, 2000), for the W80–*
 10 *4 ALT program.*

11 *(d) BRIEFING.—*

12 *(1) IN GENERAL.—Beginning not later than No-*
 13 *vember 1, 2023, and on March 1 and September 1 of*
 14 *each year thereafter, the Under Secretary of Defense*
 15 *for Acquisition and Sustainment, in coordination*
 16 *with the Secretary of the Navy, the Administrator for*
 17 *Nuclear Security, and the Commander of the United*
 18 *States Strategic Command, shall jointly brief the con-*
 19 *gressional defense committees on the progress of the*
 20 *program described in subsection (a).*

21 *(2) CONTENTS.—Each briefing required under*
 22 *paragraph (1) shall include—*

23 *(A) a description of significant achieve-*
 24 *ments of the program described in subsection (a)*
 25 *completed during the period specified in para-*

1 *graph (3) and any planned objectives that were*
2 *not achieved during such period;*

3 *(B) for the 180-day period following the*
4 *briefing—*

5 *(i) planned objectives for the programs;*

6 *and*

7 *(ii) anticipated spending plans for the*
8 *programs;*

9 *(C) a description of any notable technical*
10 *hurdles that could impede timely completion of*
11 *the programs; and*

12 *(D) any other information the Under Sec-*
13 *retary of Defense for Acquisition and*
14 *Sustainment considers appropriate.*

15 *(3) PERIOD SPECIFIED.—The period specified in*
16 *this paragraph is—*

17 *(A) in the case of the first briefing required*
18 *by paragraph (1), the 180-day period preceding*
19 *the briefing; and*

20 *(B) in the case of any subsequent such brief-*
21 *ing, the period since the previous such briefing.*

22 *(4) TERMINATION.—The requirement to provide*
23 *briefings under paragraph (1) shall terminate on the*
24 *date that the program described in subsection (a)*
25 *achieve initial operational capability, as defined*

1 *jointly by the Secretary of the Navy and the Com-*
 2 *mander of United States Strategic Command.*

3 *(e) PHASE 6.X PROCESS DEFINED.—In this section,*
 4 *the term “phase 6.X process” means the phase 6.X process*
 5 *for major stockpile sustainment activities set forth in the*
 6 *memorandum of the Nuclear Weapons Council entitled*
 7 *“Procedural Guidelines for the Phase 6.X Process” and*
 8 *dated April 19, 2000.*

9 **SEC. 1619. OPERATIONAL TIMELINE FOR STRATEGIC AUTO-**
 10 **MATED COMMAND AND CONTROL SYSTEM.**

11 *(a) IN GENERAL.—The Secretary of the Air Force shall*
 12 *develop a replacement of the Strategic Automated Com-*
 13 *mand and Control System (SACCS) by not later than the*
 14 *date that the LGM–35A Sentinel intercontinental ballistic*
 15 *missile program reaches initial operational capability.*

16 *(b) REPLACEMENT CAPABILITIES.—The replacement*
 17 *required by subsection (a) shall—*

18 *(1) replace the SACCS base processors;*

19 *(2) replace the SACCS processors at launch con-*
 20 *trol centers;*

21 *(3) provide internet protocol connectivity for*
 22 *wing-wide command centers of the LGM–35A Sen-*
 23 *tinel intercontinental ballistic missile program;*

24 *(4) include such other capabilities necessary to*
 25 *address the evolving requirements of the LGM–35A*

1 *Sentinel intercontinental ballistic missile program as*
 2 *the Secretary considers appropriate.*

3 **SEC. 1620. AMENDMENT TO ANNUAL REPORT ON THE PLAN**
 4 **FOR THE NUCLEAR WEAPONS STOCKPILE, NU-**
 5 **CLEAR WEAPONS COMPLEX, NUCLEAR WEAP-**
 6 **ONS DELIVERY SYSTEMS, AND NUCLEAR**
 7 **WEAPONS COMMAND AND CONTROL SYS-**
 8 **TEMS.**

9 *Section 492a of title 10, United States Code, is amend-*
 10 *ed by adding at the end the following new subsection:*

11 “(d) *INDEPENDENT ASSESSMENT BY UNITED STATES*
 12 *STRATEGIC COMMAND.—*

13 “(1) *IN GENERAL.—Not later than 150 days*
 14 *after the submission to Congress of the budget of the*
 15 *President under section 1105(a) of title 31, United*
 16 *States Code, the Commander of United States Stra-*
 17 *tegic Command shall complete an independent assess-*
 18 *ment of the sufficiency of the execution of acquisition,*
 19 *construction, and recapitalization programs of the*
 20 *Department of Defense and the National Nuclear Se-*
 21 *curity Administration to modernize the nuclear forces*
 22 *of the United States and meet current and future de-*
 23 *terrence requirements.*

1 “(2) *CONTENTS.*—*The assessment required under*
2 *paragraph (1) shall evaluate the ongoing execution of*
3 *modernization programs associated with—*

4 “(A) *the nuclear weapons design, produc-*
5 *tion, and sustainment infrastructure;*

6 “(B) *the nuclear weapons stockpile;*

7 “(C) *the delivery systems for nuclear weap-*
8 *ons; and*

9 “(D) *the nuclear command, control, and*
10 *communications system.*

11 “(3) *ROUTING AND SUBMISSION.*—

12 “(A) *SUBMISSION TO NUCLEAR WEAPONS*
13 *COUNCIL.*—*Not later than 15 days after comple-*
14 *tion of the assessment required by paragraph (1),*
15 *the Commander of United States Strategic Com-*
16 *mand shall—*

17 “(i) *submit the assessment to the*
18 *Chairman of the Nuclear Weapons Council;*
19 *and*

20 “(ii) *notify the congressional defense*
21 *committees that the assessment has been*
22 *submitted to the Chairman of the Nuclear*
23 *Weapons Council.*

24 “(B) *SUBMISSION TO CONGRESS.*—*Not later*
25 *than 15 days after the Chairman of the Nuclear*

1 *Weapons Council receives the assessment required*
 2 *by paragraph (1), the Chairman shall transmit*
 3 *the assessment, without change, to the congres-*
 4 *sional defense committees.”.*

5 **SEC. 1621. TECHNICAL AMENDMENT TO ADDITIONAL RE-**
 6 **PORT MATTERS ON STRATEGIC DELIVERY**
 7 **SYSTEMS.**

8 *Section 495(b) of title 10, United States Code, is*
 9 *amended in the matter preceding paragraph (1)—*

10 *(1) by striking “before fiscal year 2020” and in-*
 11 *serting “prior to the expiration of the Treaty between*
 12 *the United States of America and the Russian Fed-*
 13 *eration on Measures for the Further Reduction and*
 14 *Limitation of Strategic Offensive Arms, signed on*
 15 *April 8, 2010, and entered into force on February 5,*
 16 *2011 (commonly referred to as the ‘New START*
 17 *Treaty’)”; and*

18 *(2) by striking “1043 of the National Defense*
 19 *Authorization Act for Fiscal Year 2012” and insert-*
 20 *ing “492(a) of title 10, United States Code,”.*

1 **SEC. 1622. AMENDMENT TO STUDY OF WEAPONS PROGRAMS**
 2 **THAT ALLOW ARMED FORCES TO ADDRESS**
 3 **HARD AND DEEPLY BURIED TARGETS.**

4 *Section 1674 of the National Defense Authorization*
 5 *Act for Fiscal Year 2023 (Public Law 117–263) is amend-*
 6 *ed—*

7 *(1) in subsection (e)—*

8 *(A) in the heading, by striking “ON USE OF*
 9 *FUNDS”; and*

10 *(B) by striking “none of the funds author-*
 11 *ized to be appropriated by this Act or otherwise*
 12 *made available for fiscal year 2023 for the De-*
 13 *partment of Defense or the Department of En-*
 14 *ergy for the deactivation, dismantlement, or re-*
 15 *tirement of the B83–1 nuclear gravity bomb may*
 16 *be obligated or expended” and inserting “neither*
 17 *the Secretary of Defense nor the Secretary of En-*
 18 *ergy may take any action”; and*

19 *(2) in subsection (f), by striking “on the use of*
 20 *funds under” and inserting “in”.*

21 **SEC. 1623. LIMITATION ON USE OF FUNDS UNTIL PROVI-**
 22 **SION OF DEPARTMENT OF DEFENSE INFOR-**
 23 **MATION TO GOVERNMENT ACCOUNTABILITY**
 24 **OFFICE.**

25 *Of the funds authorized to be appropriated by this Act*
 26 *for fiscal year 2024 for Operation and Maintenance, De-*

1 *fense-wide, and available for the Office of the Under Sec-*
 2 *retary of Defense for Policy, not more than 50 percent may*
 3 *be obligated or expended until the date on which the Comp-*
 4 *troller General of the United States notifies the congres-*
 5 *sional defense committees that the Secretary of Defense has*
 6 *fully complied with information requests by the Govern-*
 7 *ment Accountability Office with respect to the conduct of*
 8 *the study required by section 1652 of the National Defense*
 9 *Authorization Act for Fiscal Year 2022 (Public Law 117–*
 10 *81; 135 Stat. 2100).*

11 **SEC. 1624. MONITORING IRANIAN ENRICHMENT.**

12 (a) *SIGNIFICANT ENRICHMENT ACTIVITY DEFINED.—*
 13 *In this section, the term “significant enrichment activity”*
 14 *means—*

15 (1) *any enrichment of any amount of uranium—*
 16 *235 to a purity percentage that is 5 percent higher*
 17 *than the purity percentage indicated in the prior sub-*
 18 *mission to Congress under subsection (b)(1); or*

19 (2) *any enrichment of uranium–235 in a quan-*
 20 *tity exceeding 10 kilograms.*

21 (b) *SUBMISSION TO CONGRESS.—*

22 (1) *IN GENERAL.—Not later than 48 hours after*
 23 *the Director of National Intelligence assesses that the*
 24 *Islamic Republic of Iran has produced or possesses*
 25 *any amount of uranium–235 enriched to greater than*

1 60 percent purity or has engaged in significant en-
 2 richment activity, the Director of National Intel-
 3 ligence shall submit to Congress such assessment, con-
 4 sistent with the protection of intelligence sources and
 5 methods.

6 (2) *DUPLICATION.*—For any submission required
 7 by this subsection, the Director of National Intel-
 8 ligence may rely upon existing products that reflect
 9 the current analytic judgment of the intelligence com-
 10 munity, including reports or products produced in re-
 11 sponse to congressional mandate or requests from ex-
 12 ecutive branch officials.

13 ***Subtitle C—Missile Defense***

14 ***SEC. 1631. DESIGNATION OF OFFICIAL RESPONSIBLE FOR*** 15 ***MISSILE DEFENSE OF GUAM.***

16 Paragraph (1) of section 1660(b) of the James M.
 17 Inhofe National Defense Authorization Act for Fiscal Year
 18 2023 (Public Law 117–263) is amended to read as follows:

19 “(1) *DESIGNATION.*—The Secretary of Defense
 20 shall designate the Under Secretary of Defense for Ac-
 21 quisition and Sustainment as the senior official of the
 22 Department of Defense who shall be responsible for the
 23 missile defense of Guam during the period preceding
 24 the date specified in paragraph (5).”.

1 **SEC. 1632. SELECTION OF A DIRECTOR OF THE MISSILE DE-**
 2 **FENSE AGENCY.**

3 *Subsection (a) of section 205 of title 10, United States*
 4 *Code, is amended to read as follows:*

5 “(a) *DIRECTOR OF THE MISSILE DEFENSE AGENCY.—*
 6 *There is a Director of the Missile Defense Agency who shall*
 7 *be appointed for a period of six years by the President from*
 8 *among the general officers on active duty in the Army, Air*
 9 *Force, Marine Corps, or Space Force or from among the*
 10 *flag officers on active duty in the Navy.”.*

11 **SEC. 1633. MODIFICATION OF REQUIREMENT FOR COMP-**
 12 **TROLLER GENERAL OF THE UNITED STATES**
 13 **REVIEW AND ASSESSMENT OF MISSILE DE-**
 14 **FENSE ACQUISITION PROGRAMS.**

15 *Section 232(a) of the National Defense Authorization*
 16 *Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat.*
 17 *1339), as amended by section 1688 of the National Defense*
 18 *Authorization Act for Fiscal Year 2016 (Public Law 114–*
 19 *92; 129 Stat. 1144) and section 1644 of the William M.*
 20 *(Mac) Thornberry National Defense Authorization Act for*
 21 *Fiscal Year 2021 (Public Law 116–283; 134 Stat. 4062),*
 22 *is further amended—*

23 (1) *in paragraph (1), by striking “through*
 24 *2025” and inserting “through 2030”;*

25 (2) *in paragraph (2), by striking “through*
 26 *2026” and inserting “through 2031”; and*

1 (3) *in paragraph (3)—*

2 (A) *in the paragraph heading, by striking*
 3 *“EMERGING” and inserting “OTHER DEPART-*
 4 *MENT OF DEFENSE MISSILE DEFENSE ACQUI-*
 5 *SITION EFFORTS AND RELATED”;*

6 (B) *by striking “emerging issues and” and*
 7 *inserting “emerging issues, any Department of*
 8 *Defense missile defense acquisition efforts, and*
 9 *any other related issue and”;* and

10 (C) *by inserting “on a mutually agreed*
 11 *upon date” before the period at the end.*

12 **SEC. 1634. IRON DOME SHORT-RANGE ROCKET DEFENSE**
 13 **SYSTEM AND ISRAELI COOPERATIVE MISSILE**
 14 **DEFENSE PROGRAM CO-DEVELOPMENT AND**
 15 **CO-PRODUCTION.**

16 (a) *IRON DOME SHORT-RANGE ROCKET DEFENSE*
 17 *SYSTEM.—*

18 (1) *AVAILABILITY OF FUNDS.—Of the funds au-*
 19 *thorized to be appropriated by this Act for fiscal year*
 20 *2024 for procurement, Defense-wide, and available for*
 21 *the Missile Defense Agency, not more than*
 22 *\$80,000,000 may be provided to the Government of*
 23 *Israel to procure components for the Iron Dome short-*
 24 *range rocket defense system through co-production of*

1 *such components in the United States by industry of*
2 *the United States.*

3 (2) *CONDITIONS.—*

4 (A) *AGREEMENT.—Funds described in*
5 *paragraph (1) for the Iron Dome short-range*
6 *rocket defense program shall be available subject*
7 *to the terms and conditions in the Agreement Be-*
8 *tween the Department of Defense of the United*
9 *States of America and the Ministry of Defense of*
10 *the State of Israel Concerning Iron Dome De-*
11 *fense System Procurement, signed on March 5,*
12 *2014, as amended to include co-production for*
13 *Tamir interceptors.*

14 (B) *CERTIFICATION.—Not later than 30*
15 *days prior to the initial obligation of funds de-*
16 *scribed in paragraph (1), the Under Secretary of*
17 *Defense for Acquisition and Sustainment shall*
18 *submit to the appropriate congressional commit-*
19 *tees—*

20 (i) *a certification that the amended bi-*
21 *lateral international agreement specified in*
22 *subparagraph (A) is being implemented as*
23 *provided in such agreement;*

1 (ii) an assessment detailing any risks
2 relating to the implementation of such
3 agreement; and

4 (iii) for system improvements resulting
5 in modified Iron Dome components and
6 Tamir interceptor sub-components, a certifi-
7 cation that the Government of Israel has
8 demonstrated successful completion of Pro-
9 duction Readiness Reviews, including the
10 validation of production lines, the
11 verification of component conformance, and
12 the verification of performance to specifica-
13 tion as defined in the Iron Dome Defense
14 System Procurement Agreement, as further
15 amended.

16 (b) ISRAELI COOPERATIVE MISSILE DEFENSE PRO-
17 GRAM, DAVID'S SLING WEAPON SYSTEM CO-PRODUC-
18 TION.—

19 (1) IN GENERAL.—Subject to paragraph (3), of
20 the funds authorized to be appropriated for fiscal year
21 2024 for procurement, Defense-wide, and available for
22 the Missile Defense Agency not more than \$40,000,000
23 may be provided to the Government of Israel to pro-
24 cure the David's Sling Weapon System, including for

1 *co-production of parts and components in the United*
2 *States by United States industry.*

3 (2) *AGREEMENT.—Provision of funds specified*
4 *in paragraph (1) shall be subject to the terms and*
5 *conditions in the bilateral co-production agreement,*
6 *including—*

7 (A) *a one-for-one cash match is made by*
8 *Israel or in another matching amount that oth-*
9 *erwise meets best efforts (as mutually agreed to*
10 *by the United States and Israel); and*

11 (B) *co-production of parts, components, and*
12 *all-up rounds (if appropriate) in the United*
13 *States by United States industry for the David's*
14 *Sling Weapon System is not less than 50 per-*
15 *cent.*

16 (3) *CERTIFICATION AND ASSESSMENT.—The*
17 *Under Secretary of Defense for Acquisition and*
18 *Sustainment shall submit to the appropriate congres-*
19 *sional committees—*

20 (A) *a certification that the Government of*
21 *Israel has demonstrated the successful completion*
22 *of the knowledge points, technical milestones, and*
23 *Production Readiness Reviews required by the*
24 *research, development, and technology agreement*

1 *and the bilateral co-production agreement for the*
 2 *David's Sling Weapon System; and*

3 *(B) an assessment detailing any risks relat-*
 4 *ing to the implementation of such agreement.*

5 *(c) ISRAELI COOPERATIVE MISSILE DEFENSE PRO-*
 6 *GRAM, ARROW 3 UPPER TIER INTERCEPTOR PROGRAM CO-*
 7 *PRODUCTION.—*

8 *(1) IN GENERAL.—Subject to paragraph (2), of*
 9 *the funds authorized to be appropriated for fiscal year*
 10 *2024 for procurement, Defense-wide, and available for*
 11 *the Missile Defense Agency not more than \$80,000,000*
 12 *may be provided to the Government of Israel for the*
 13 *Arrow 3 Upper Tier Interceptor Program, including*
 14 *for co-production of parts and components in the*
 15 *United States by United States industry.*

16 *(2) CERTIFICATION.—The Under Secretary of*
 17 *Defense for Acquisition and Sustainment shall submit*
 18 *to the appropriate congressional committees a certifi-*
 19 *cation that—*

20 *(A) the Government of Israel has dem-*
 21 *onstrated the successful completion of the knowl-*
 22 *edge points, technical milestones, and Production*
 23 *Readiness Reviews required by the research, de-*
 24 *velopment, and technology agreement for the*
 25 *Arrow 3 Upper Tier Interceptor Program;*

1 *(B) funds specified in paragraph (1) will be*
2 *provided on the basis of a one-for-one cash match*
3 *made by Israel or in another matching amount*
4 *that otherwise meets best efforts (as mutually*
5 *agreed to by the United States and Israel);*

6 *(C) the United States has entered into a bi-*
7 *lateral international agreement with Israel that*
8 *establishes, with respect to the use of such*
9 *funds—*

10 *(i) in accordance with subparagraph*
11 *(D), the terms of co-production of parts and*
12 *components on the basis of the greatest*
13 *practicable co-production of parts, compo-*
14 *nents, and all-up rounds (if appropriate)*
15 *by United States industry and minimizes*
16 *nonrecurring engineering and facilitization*
17 *expenses to the costs needed for co-produc-*
18 *tion;*

19 *(ii) complete transparency on the re-*
20 *quirement of Israel for the number of inter-*
21 *ceptors and batteries that will be procured,*
22 *including with respect to the procurement*
23 *plans, acquisition strategy, and funding*
24 *profiles of Israel;*

1 (iii) *technical milestones for co-produc-*
 2 *tion of parts and components and procure-*
 3 *ment;*

4 (iv) *a joint affordability working*
 5 *group to consider cost reduction initiatives;*
 6 *and*

7 (v) *joint approval processes for third-*
 8 *party sales; and*

9 (D) *the level of co-production described in*
 10 *subparagraph (C)(i) for the Arrow 3 Upper Tier*
 11 *Interceptor Program is not less than 50 percent.*

12 (d) *NUMBER.—In carrying out paragraph (2) of sub-*
 13 *section (b) and paragraph (2) of subsection (c), the Under*
 14 *Secretary may submit—*

15 (1) *one certification covering both the David's*
 16 *Sling Weapon System and the Arrow 3 Upper Tier*
 17 *Interceptor Program; or*

18 (2) *separate certifications for each respective sys-*
 19 *tem.*

20 (e) *TIMING.—The Under Secretary shall submit to the*
 21 *congressional defense committees the certification and as-*
 22 *essment under subsection (b)(3) and the certification under*
 23 *subsection (c)(2) no later than 30 days before the funds*
 24 *specified in paragraph (1) of subsections (b) and (c) for*

1 *the respective system covered by the certification are pro-*
 2 *vided to the Government of Israel.*

3 *(f) APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
 4 *FINED.—In this section, the term “appropriate congres-*
 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*

9 *(3) Committee on Foreign Affairs of the House*
 10 *of Representatives.*

11 **SEC. 1635. MODIFICATION OF SCOPE OF PROGRAM AC-**
 12 **COUNTABILITY MATRICES REQUIREMENTS**
 13 **FOR NEXT GENERATION INTERCEPTORS FOR**
 14 **MISSILE DEFENSE OF THE UNITED STATES**
 15 **HOMELAND.**

16 *Section 1668(f) of the National Defense Authorization*
 17 *Act for Fiscal Year 2022 (Public Law 117–81) is amend-*
 18 *ed—*

19 *(1) by inserting “and the product development*
 20 *phase” after “technology development phase” each*
 21 *place is appears; and*

22 *(2) in paragraph (7), by striking “enter the*
 23 *product development phase” and inserting “enter the*
 24 *production phase”.*

1 **SEC. 1636. LIMITATION ON AVAILABILITY OF FUNDS FOR**
 2 **OFFICE OF COST ASSESSMENT AND PROGRAM**
 3 **EVALUATION UNTIL SUBMISSION OF MISSILE**
 4 **DEFENSE ROLES AND RESPONSIBILITIES RE-**
 5 **PORT.**

6 *Of the funds authorized to be appropriated for fiscal*
 7 *year 2024 by section 301 for operation and maintenance,*
 8 *Defense-wide, and available for the Office of Cost Assess-*
 9 *ment and Program Evaluation, not more than 50 percent*
 10 *may be obligated or expended until the date on which the*
 11 *Secretary of Defense submits to the congressional defense*
 12 *committees the report required by section 1675(b) of the Na-*
 13 *tional Defense Authorization Act for Fiscal Year 2022 (Pub-*
 14 *lic Law 117–81).*

15 **SEC. 1637. INTEGRATED AIR AND MISSILE DEFENSE ARCHI-**
 16 **TECTURE FOR THE INDO-PACIFIC REGION.**

17 *(a) STRATEGY REQUIRED.—The Commander of*
 18 *United States Indo-Pacific Command shall, in coordination*
 19 *with the Under Secretary of Defense for Acquisition and*
 20 *Sustainment, the Commander of United States Northern*
 21 *Command, the Director of the Missile Defense Agency, and*
 22 *the Director of the Joint Integrated Air and Missile Defense*
 23 *Organization, develop a comprehensive strategy for devel-*
 24 *oping, acquiring, and operationally establishing an inte-*
 25 *grated air and missile defense architecture for the United*
 26 *States Indo-Pacific Command area of responsibility.*

1 (b) *STRATEGY COMPONENTS.*—*At a minimum, the*
2 *strategy required by subsection (a) shall address the fol-*
3 *lowing:*

4 (1) *The sensing, tracking, and intercepting capa-*
5 *bilities required to address the full range of credible*
6 *missile threats to—*

7 (A) *the Hawaiian Islands;*

8 (B) *the island of Guam and other islands in*
9 *the greater Marianas region, as determined nec-*
10 *essary by the Commander of United States Indo-*
11 *Pacific Command;*

12 (C) *other United States territories within*
13 *the area of responsibility of United States Indo-*
14 *Pacific Command; and*

15 (D) *United States forces deployed within*
16 *the territories of other nations within such area*
17 *of responsibility.*

18 (2) *The appropriate balance of missile detection,*
19 *tracking, defense, and defeat capabilities within such*
20 *area of responsibility.*

21 (3) *A command and control network for inte-*
22 *grating missile detection, tracking, defense, and defeat*
23 *capabilities across such area of responsibility.*

24 (4) *A time-phased scheduling construct for field-*
25 *ing the constituent systems that will comprise the in-*

1 *tegrated air and missile defense architecture for such*
2 *area of responsibility.*

3 *(c) ANNUAL REPORT.—*

4 *(1) IN GENERAL.—Not later than March 15,*
5 *2024, and not less frequently than once each year*
6 *thereafter, the Commander of United States Indo-Pa-*
7 *cific Command shall, in coordination with the Under*
8 *Secretary of Defense for Acquisition and*
9 *Sustainment, the Commander of United States North-*
10 *ern Command, the Director of the Missile Defense*
11 *Agency, and the Director of the Joint Integrated Air*
12 *and Missile Defense Organization, submit to the con-*
13 *gressional defense committees an annual report out-*
14 *lining the following with regard to the strategy devel-*
15 *oped pursuant to subsection (a):*

16 *(A) The activities conducted and progress*
17 *made in developing and implementing the strat-*
18 *egy over the previous calendar year.*

19 *(B) The planned activities for developing*
20 *and implementing the strategy in the upcoming*
21 *year.*

22 *(C) A description of likely risks and im-*
23 *pediments to the successful implementation of the*
24 *strategy.*

1 (2) *TERMINATION.*—*The requirements of para-*
 2 *graph (1) shall terminate on the earlier of the fol-*
 3 *lowing:*

4 (A) *March 15, 2029.*

5 (B) *The date on which a comprehensive in-*
 6 *tegrated air and missile defense architecture for*
 7 *the area of responsibility of United States Indo-*
 8 *Pacific Command has achieved initial oper-*
 9 *ational capability, as determined jointly by the*
 10 *Commander of United States Indo-Pacific Com-*
 11 *mand and the Director of the Missile Defense*
 12 *Agency.*

13 (d) *LIMITATIONS.*—*Of the equipment and components*
 14 *previously procured by the Department of Defense for the*
 15 *purposes of constructing the Homeland Defense Radar–Ha-*
 16 *waii, none of such assets may be repurposed for other uses*
 17 *until the first annual report required by subsection (c)(1)*
 18 *is submitted to the congressional defense committees pursu-*
 19 *ant to such subsection.*

20 **SEC. 1638. MODIFICATION OF NATIONAL MISSILE DEFENSE**
 21 **POLICY.**

22 *Section 1681(a) of the of the National Defense Author-*
 23 *ization Act for fiscal year 2017 (Public Law 114–328; 10*
 24 *U.S.C. 4205 note) is amended to read as follows:*

1 “(a) *POLICY.—It is the policy of the United States*
2 *to—*

3 “(1) *maintain and improve, with funding sub-*
4 *ject to the annual authorization of appropriations*
5 *and the annual appropriation of funds for National*
6 *Missile Defense—*

7 “(A) *an effective, layered missile defense*
8 *system capable of defending the territory of the*
9 *United States against the developing and in-*
10 *creasingly complex missile threat; and*

11 “(B) *an effective regional missile defense*
12 *system capable of defending the allies, partners,*
13 *and deployed forces of the United States against*
14 *increasingly complex missile threats; and*

15 “(2) *rely on nuclear deterrence to address more*
16 *sophisticated and larger quantity near-peer inter-*
17 *continental missile threats to the homeland of the*
18 *United States.”.*

19 ***Subtitle D—Other Matters***

20 ***SEC. 1641. ELECTRONIC WARFARE.***

21 “(a) *IN GENERAL.—Part I of subtitle A of title 10,*
22 *United States Code, is amended by adding at the end the*
23 *following new chapter:*

24 ***“CHAPTER 25—ELECTRONIC WARFARE***

“Sec.

“500. *Electronic Warfare Executive Committee.*

“500a. *Guidance on the electronic warfare mission area and joint electromagnetic spectrum operations.*

“500b. *Annual report on electronic warfare strategy of the Department of Defense.*

“500c. *Annual assessment of budget with respect to electronic warfare capabilities.*

“500d. *Electromagnetic spectrum superiority implementation plan.*

“500e. *Electromagnetic Spectrum Enterprise Operational Lead for Joint Electromagnetic Spectrum Operations.*

“500f. *Evaluations of abilities of armed forces and combatant commands to perform electromagnetic spectrum operations missions.*

1 **“§ 500. *Electronic Warfare Executive Committee***

2 “(a) *IN GENERAL.*—*There is within the Department*
3 *of Defense an Electronic Warfare Executive Committee (in*
4 *this section referred to as the ‘Executive Committee’).*

5 “(b) *PURPOSES.*—*The Executive Committee shall—*

6 “(1) *serve as the principal forum within the De-*
7 *partment of Defense to inform, coordinate, and evalu-*
8 *ate matters relating to electronic warfare;*

9 “(2) *provide senior oversight, coordination, and*
10 *budget and capability harmonization with respect to*
11 *such matters; and*

12 “(3) *act as an advisory body to the Secretary of*
13 *Defense, the Deputy Secretary of Defense, and the*
14 *Management Action Group of the Deputy Secretary*
15 *with respect to such matters.*

16 “(c) *RESPONSIBILITIES.*—*The Executive Committee*
17 *shall—*

18 “(1) *advise key senior level decision-making bod-*
19 *ies of the Department of Defense with respect to the*
20 *development and implementation of acquisition in-*
21 *vestments relating to electronic warfare and electro-*

1 *magnetic spectrum operations of the Department, in-*
2 *cluding relevant acquisition policies, projects, pro-*
3 *grams, modeling, and test and evaluation infrastruc-*
4 *ture;*

5 *“(2) provide a forum to enable synchronization*
6 *and integration support with respect to the develop-*
7 *ment and acquisition of electronic warfare capabili-*
8 *ties—*

9 *“(A) by aligning the processes of the De-*
10 *partment for requirements, research, develop-*
11 *ment, acquisition, testing, and sustainment; and*

12 *“(B) carrying out other related duties; and*

13 *“(3) act as the senior level review forum for the*
14 *portfolio of capability investments of the Department*
15 *relating to electronic warfare and electromagnetic*
16 *spectrum operations and other related matters.*

17 *“(d) COORDINATION WITH INTELLIGENCE COMMU-*
18 *NITY.—The Executive Committee, acting through the Under*
19 *Secretary of Defense for Intelligence and Security, shall co-*
20 *ordinate with the intelligence community (as defined in sec-*
21 *tion 3 of the National Security Act of 1947 (50 U.S.C.*
22 *3003)) to generate requirements, facilitate collaboration, es-*
23 *tablish interfaces, and align efforts of the Department of*
24 *Defense with respect to electronic warfare capability and*
25 *acquisition with efforts of the intelligence community relat-*

1 *ing to electronic warfare capability and acquisition in*
 2 *areas of dependency or mutual interest between the Depart-*
 3 *ment and the intelligence community.*

4 “(e) *MEETINGS.*—

5 “(1) *FREQUENCY.*—*The Executive Committee*
 6 *shall hold meetings not less frequently than quarterly*
 7 *and as necessary to address particular issues.*

8 “(2) *FORM.*—*The Executive Committee may hold*
 9 *meetings by videoconference.*

10 “(f) *MEMBERSHIP.*—

11 “(1) *IN GENERAL.*—*The Executive Committee*
 12 *shall be composed of the following principal members:*

13 “(A) *The Under Secretary of Defense for*
 14 *Acquisition and Sustainment.*

15 “(B) *The Vice Chairman of the Joint Chiefs*
 16 *of Staff.*

17 “(C) *The Under Secretary of Defense for In-*
 18 *telligence and Security.*

19 “(D) *The Under Secretary of Defense for*
 20 *Policy.*

21 “(E) *The Commander of the United States*
 22 *Strategic Command.*

23 “(F) *The Chief Information Officer of the*
 24 *Department of Defense.*

1 “(G) *Such other Federal officers or employ-*
 2 *ees as the Secretary of Defense considers appro-*
 3 *priate, consistent with other authorities of the*
 4 *Department of Defense and publications of the*
 5 *Joint Staff, including the Charter for the Elec-*
 6 *tronic Warfare Executive Committee, dated*
 7 *March 17, 2015.*

8 “(g) *CO-CHAIRS OF EXECUTIVE COMMITTEE.—*

9 “(1) *IN GENERAL.—The Under Secretary of De-*
 10 *fense for Acquisition and Sustainment and the Vice*
 11 *Chairman of the Joint Chiefs of Staff, or their des-*
 12 *ignees, shall serve as co-chairs of the Executive Com-*
 13 *mittee.*

14 “(2) *RESPONSIBILITIES OF CO-CHAIRS.—The co-*
 15 *chairs of the Executive Committee shall—*

16 “(A) *preside at all Executive Committee*
 17 *meetings or have their designees preside at such*
 18 *meetings;*

19 “(B) *provide administrative control of the*
 20 *Executive Committee;*

21 “(C) *jointly guide the activities and actions*
 22 *of the Executive Committee;*

23 “(D) *approve all agendas for and sum-*
 24 *maries of meetings of the Executive Committee;*

1 “(E) charter tailored working groups to
 2 conduct mission area analysis, as required,
 3 under subsection (i); and

4 “(F) perform such other duties as may be
 5 necessary to ensure the good order and func-
 6 tioning of the Executive Committee.

7 “(h) *ELECTRONIC WARFARE CAPABILITY TEAM*.—

8 “(1) *IN GENERAL*.—There is within the Execu-
 9 tive Committee an electronic warfare capability team,
 10 which shall—

11 “(A) serve as a flag officer level focus group
 12 and executive secretariat subordinate to the Ex-
 13 ecutive Committee; and

14 “(B) in that capacity—

15 “(i) provide initial senior level coordi-
 16 nation on key electronic warfare issues;

17 “(ii) prepare recommended courses of
 18 action to present to the Executive Com-
 19 mittee; and

20 “(iii) perform other related duties.

21 “(2) *CO-CHAIRS*.—The electronic warfare capa-
 22 bility team shall be co-chaired by one representative
 23 from the Office of the Under Secretary of Defense for
 24 Acquisition and Sustainment and one representative

1 *from the Force Structure, Resources, and Assessment*
 2 *Directorate of the Joint Staff (J-8).*

3 “(3) *STAFF.*—*The principal members of the Ex-*
 4 *ecutive Committee shall designate representatives*
 5 *from their respective staffs to the electronic warfare*
 6 *capability team.*

7 “(i) *MISSION AREA WORKING GROUPS.*—

8 “(1) *IN GENERAL.*—*The Executive Committee*
 9 *shall establish mission area working groups on a tem-*
 10 *porary basis—*

11 “(A) *to address specific issues and mission*
 12 *areas relating to electronic warfare and electro-*
 13 *magnetic spectrum operations;*

14 “(B) *to involve subject matter experts and*
 15 *components of the Department of Defense with*
 16 *expertise in electronic warfare and electro-*
 17 *magnetic spectrum operations; and*

18 “(C) *to perform other related duties.*

19 “(2) *DISSOLUTION.*—*The Executive Committee*
 20 *shall dissolve a mission area working group estab-*
 21 *lished under paragraph (1) once the issue the working*
 22 *group was established to address is satisfactorily re-*
 23 *solved.*

24 “(j) *ADMINISTRATION.*—*The Under Secretary of De-*
 25 *fense for Acquisition and Sustainment shall administra-*

1 *tively support the Executive Committee, including by desig-*
 2 *nating not fewer than two officials of the Department of*
 3 *Defense to support the day-to-day operations of the Execu-*
 4 *tive Committee.*

5 “(k) *REPORT TO CONGRESS.*—Not later than February
 6 28, 2024, and annually thereafter through 2030, the Execu-
 7 tive Committee shall submit to the congressional defense
 8 committees a summary of activities of the Executive Com-
 9 mittee during the preceding fiscal year.

10 **“§500a. Guidance on the electronic warfare mission**
 11 **area and joint electromagnetic spectrum**
 12 **operations**

13 “The Secretary of Defense shall—

14 “(1) *establish processes and procedures to de-*
 15 *velop, integrate, and enhance the electronic warfare*
 16 *mission area and the conduct of joint electromagnetic*
 17 *spectrum operations in all domains across the De-*
 18 *partment of Defense; and*

19 “(2) *ensure that such processes and procedures*
 20 *provide for integrated defense-wide strategy, plan-*
 21 *ning, and budgeting with respect to the conduct of*
 22 *such operations by the Department, including activi-*
 23 *ties conducted to counter and deter such operations by*
 24 *malign actors.*

1 **“§ 500b. Annual report on electronic warfare strategy**
 2 **of the Department of Defense**

3 “(a) *IN GENERAL.*—At the same time as the President
 4 *submits to Congress the budget of the President under sec-*
 5 *tion 1105(a) of title 31 for each of fiscal years 2025 through*
 6 *2029, the Secretary of Defense, in coordination with the*
 7 *Chairman of the Joint Chiefs of Staff and the Secretary*
 8 *of each of the military departments, shall submit to the con-*
 9 *gressional defense committees an annual report on the elec-*
 10 *tronic warfare strategy of the Department of Defense.*

11 “(b) *CONTENTS OF REPORT.*—Each report required
 12 *under subsection (a) shall include each of the following:*

13 “(1) *A description and overview of—*

14 “(A) *the electronic warfare strategy of the*
 15 *Department of Defense;*

16 “(B) *how such strategy supports the Na-*
 17 *tional Defense Strategy; and*

18 “(C) *the organizational structure assigned*
 19 *to oversee the development of the Department’s*
 20 *electronic warfare strategy, requirements, capa-*
 21 *bilities, programs, and projects.*

22 “(2) *A list of all the electronic warfare acquisi-*
 23 *tion programs and research and development projects*
 24 *of the Department of Defense and a description of*
 25 *how each program or project supports the Depart-*
 26 *ment’s electronic warfare strategy.*

1 “(3) *For each unclassified program or project on*
2 *the list required by paragraph (2)—*

3 “(A) *the senior acquisition executive and*
4 *organization responsible for oversight of the pro-*
5 *gram or project;*

6 “(B) *whether or not validated requirements*
7 *exist for the program or project and, if such re-*
8 *quirements do exist, the date on which the re-*
9 *quirements were validated and the organiza-*
10 *tional authority that validated such require-*
11 *ments;*

12 “(C) *the total amount of funding appro-*
13 *priated, obligated, and forecasted by fiscal year*
14 *for the program or project, including the pro-*
15 *gram element or procurement line number from*
16 *which the program or project receives funding;*

17 “(D) *the development or procurement sched-*
18 *ule for the program or project;*

19 “(E) *an assessment of the cost, schedule,*
20 *and performance of the program or project as it*
21 *relates to the program baseline for the program*
22 *or project, as of the date of the submission of the*
23 *report, and the original program baseline for*
24 *such program or project, if such baselines are not*
25 *the same;*

1 “(F) the technology readiness level of each
 2 critical technology that is part of the program or
 3 project;

4 “(G) whether or not the program or project
 5 is redundant or overlaps with the efforts of an-
 6 other military department; and

7 “(H) the capability gap that the program
 8 or project is being developed or procured to ful-
 9 fill.

10 “(4) A classified annex that contains the items
 11 described in subparagraphs (A) through (H) of para-
 12 graph (3) for each classified program or project on
 13 the list required by paragraph (2).

14 **“§ 500c. Annual assessment of budget with respect to**
 15 **electronic warfare capabilities**

16 *“At the same time as the President submits to Congress*
 17 *the budget of the President under section 1105(a) of title*
 18 *31 for each of fiscal years 2025 through 2029, the Secretary*
 19 *of Defense shall submit to the congressional defense commit-*
 20 *tees an assessment by the Director of Cost Assessment and*
 21 *Program Evaluation as to whether sufficient funds are re-*
 22 *quested in such budget for anticipated activities in such fis-*
 23 *cal year for each of the following:*

1 “(1) *The development of an electromagnetic bat-*
 2 *tle management capability for joint electromagnetic*
 3 *spectrum operations.*

4 “(2) *The establishment and operation of associ-*
 5 *ated joint electromagnetic spectrum operations cells.*

6 **“§ 500d. Electromagnetic spectrum superiority imple-**
 7 **mentation plan**

8 “(a) *IN GENERAL.—The Chief Information Officer of*
 9 *the Department of Defense shall be responsible for oversight*
 10 *of the electromagnetic superiority implementation plan.*

11 “(b) *REPORT REQUIRED.—Concurrent with the sub-*
 12 *mission of the budget of the President to Congress under*
 13 *section 1105(a) of title 31 for each of fiscal years 2025*
 14 *through 2029, the Chief Information Officer shall submit*
 15 *to the congressional defense committees a report that in-*
 16 *cludes the following with respect to the electromagnetic su-*
 17 *periority implementation plan:*

18 “(1) *The implementation plan in effect as of the*
 19 *date of the report, noting any revisions from the pre-*
 20 *ceding plan.*

21 “(2) *A statement of the elements of the imple-*
 22 *mentation plan that have been achieved.*

23 “(3) *For each element that has been achieved, an*
 24 *assessment of whether the element is having its in-*
 25 *tended effect.*

1 “(4) *For any element that has not been achieved,*
 2 *an assessment of progress made in achieving the ele-*
 3 *ment, including a description of any obstacles that*
 4 *may hinder further progress.*

5 “(5) *For any element that has been removed*
 6 *from the implementation plan, a description of the*
 7 *reason for the removal of the element and an assess-*
 8 *ment of the impact of not pursuing achievement of the*
 9 *element.*

10 “(6) *Such additional matters as the Chief Infor-*
 11 *mation Officer considers appropriate.*

12 “(c) *ELECTROMAGNETIC SUPERIORITY IMPLEMENTA-*
 13 *TION PLAN DEFINED.—In this section, the term ‘electro-*
 14 *magnetic superiority implementation plan’ means the Elec-*
 15 *tromagnetic Superiority Implementation Plan signed by*
 16 *the Secretary of Defense on July 15, 2021, and any suc-*
 17 *cessor plan.*

18 **“§ 500e. Electromagnetic Spectrum Enterprise Oper-**
 19 **ational Lead for Joint Electromagnetic**
 20 **Spectrum Operations**

21 “(a) *IN GENERAL.—Not later than 30 days after the*
 22 *date of the enactment of the National Defense Authorization*
 23 *Act for Fiscal Year 2024, the Secretary of Defense shall es-*
 24 *tablish an Electromagnetic Spectrum Enterprise Oper-*
 25 *ational Lead for Joint Electromagnetic Spectrum Oper-*

1 ations (in this section referred to as the ‘operational lead’)
2 at the United States Strategic Command, which shall report
3 to the Commander of the United States Strategic Com-
4 mand.

5 “(b) *FUNCTION.*—The operational lead shall be respon-
6 sible for synchronizing, assessing, and making recommenda-
7 tions to the Chairman of the Joint Chiefs of Staff with re-
8 spect to the readiness of the combatant commands to con-
9 duct joint electromagnetic spectrum operations.

10 “(c) *BRIEFINGS REQUIRED.*—Concurrent with the sub-
11 mission of the budget of the President to Congress under
12 section 1105(a) of title 31 for each of fiscal years 2025
13 through 2029, the Chairman, acting through the operational
14 lead, shall brief to the congressional defense committees on
15 the following:

16 “(1) *Progress made in achieving full operational*
17 *capability to conduct joint electromagnetic spectrum*
18 *operations and any impediments to achieving such*
19 *capability.*

20 “(2) *The readiness of the combatant commands*
21 *to conduct such operations.*

22 “(3) *Recommendations for overcoming any defi-*
23 *ciencies in the readiness of the combatant commands*
24 *to conduct such operations and any material gaps*
25 *contributing to such deficiencies.*

1 “(4) *Such other matters as the Chairman con-*
 2 *siders important to ensuring that the combatant com-*
 3 *mands are capable of conducting such operations.*

4 **“§ 500f. *Evaluations of abilities of armed forces and***
 5 ***combatant commands to perform electro-***
 6 ***magnetic spectrum operations missions***

7 “(a) *EVALUATIONS OF ARMED FORCES.*—

8 “(1) *IN GENERAL.*—*Not later than October 1,*
 9 *2024, and annually thereafter through 2029, the Chief*
 10 *of Staff of the Army, the Chief of Naval Operations,*
 11 *the Chief of Staff of the Air Force, the Commandant*
 12 *of the Marine Corps, and the Chief of Space Oper-*
 13 *ations shall each carry out an evaluation of the abil-*
 14 *ity of the armed force concerned to perform electro-*
 15 *magnetic spectrum operations missions required by*
 16 *each of the following:*

17 “(A) *The Electromagnetic Spectrum Superi-*
 18 *ority Strategy.*

19 “(B) *The Joint Staff-developed concept of*
 20 *operations for electromagnetic spectrum oper-*
 21 *ations.*

22 “(C) *The operations and contingency plans*
 23 *of the combatant commands.*

24 “(2) *CERTIFICATION REQUIRED.*—*Not later than*
 25 *December 31 of each year in which evaluations are re-*

1 *quired under paragraph (1), each official specified in*
2 *that paragraph shall certify to the congressional de-*
3 *fense committees that the evaluation required to be*
4 *carried out by that official has occurred.*

5 *“(3) ELEMENTS.—Each evaluation under para-*
6 *graph (1) shall include an assessment of the following:*

7 *“(A) Current programs of record, includ-*
8 *ing—*

9 *“(i) the ability of weapon systems to*
10 *perform missions in contested electro-*
11 *magnetic spectrum environments; and*

12 *“(ii) the ability of electronic warfare*
13 *capabilities to disrupt adversary operations.*

14 *“(B) Future programs of record, includ-*
15 *ing—*

16 *“(i) the need for distributed or net-*
17 *work-centric electronic warfare and signals*
18 *intelligence capabilities; and*

19 *“(ii) the need for automated and ma-*
20 *chine learning- or artificial intelligence-as-*
21 *sisted electronic warfare capabilities.*

22 *“(C) Order of battle.*

23 *“(D) Individual and unit training.*

24 *“(E) Tactics, techniques, and procedures,*
25 *including—*

1 “(i) maneuver, distribution of assets,
2 and the use of decoys; and

3 “(ii) integration of non-kinetic and ki-
4 netic fires.

5 “(F) Other matters relevant to evaluating
6 the ability of the armed force concerned to per-
7 form electromagnetic spectrum operations mis-
8 sions described in paragraph (1).

9 “(b) EVALUATIONS OF COMBATANT COMMANDS.—

10 “(1) IN GENERAL.—Not later than October 1,
11 2024, and annually thereafter through 2029, the
12 Chairman of the Joint Chiefs of Staff, acting through
13 the Electromagnetic Spectrum Enterprise Operational
14 Lead for Joint Electromagnetic Spectrum Operations
15 established under section 500e (in this section referred
16 to as the ‘operational lead’), shall carry out an eval-
17 uation of the plans and posture of the combatant com-
18 mands to execute the electromagnetic spectrum oper-
19 ations envisioned in each of the following:

20 “(A) The Electromagnetic Spectrum Superi-
21 ority Strategy.

22 “(B) The Joint Staff-developed concept of
23 operations for electromagnetic spectrum oper-
24 ations.

1 “(2) *ELEMENTS.*—Each evaluation under para-
 2 graph (1) shall include an assessment, as relevant, of
 3 the following:

4 “(A) Operation and contingency plans.

5 “(B) The manning, organizational align-
 6 ment, and capability of joint electromagnetic
 7 spectrum operations cells.

8 “(C) Mission rehearsal and exercises.

9 “(D) Force positioning, posture, and readi-
 10 ness.

11 “(3) *BRIEFING REQUIRED.*—Not later than De-
 12 cember 31 of each year in which an evaluation is re-
 13 quired under paragraph (A), the Chairman of the
 14 Joint Chiefs of Staff, acting through the operational
 15 lead, shall brief the congressional defense committees
 16 on the results of the evaluation.”.

17 (b) *CLERICAL AMENDMENT.*—The tables of chapters at
 18 the beginning of subtitle A of title 10, United States Code,
 19 and at the beginning of part I of such subtitle, are each
 20 amended by inserting after the item relating to chapter 24
 21 the following new item:

 “25. *Electronic Warfare* 500”.

22 (c) *CONFORMING REPEAL.*—Section 1053 of the John
 23 S. McCain National Defense Authorization Act for Fiscal
 24 Year 2019 (Public Law 115–232; 10 U.S.C. 113 note) is
 25 repealed.

1 **SEC. 1642. STUDY ON THE FUTURE OF THE INTEGRATED**
2 **TACTICAL WARNING ATTACK ASSESSMENT**
3 **SYSTEM.**

4 (a) *IN GENERAL.*—The Chairman of the Joint Chiefs
5 of Staff shall enter into an agreement with a federally fund-
6 ed research and development center—

7 (1) *to conduct a study on the future of the Inte-*
8 *grated Tactical Warning Attack Assessment System*
9 *(ITW/AA); and*

10 (2) *to submit to the Chairman a report on the*
11 *findings of the center with respect to the study con-*
12 *ducted under paragraph (1).*

13 (b) *ELEMENTS.*—The study conducted pursuant to an
14 agreement under subsection (a) shall cover the following:

15 (1) *Future air and missile threats to the United*
16 *States.*

17 (2) *The integration of multi-domain sensor data*
18 *and their ground systems with the existing architec-*
19 *ture of the Integrated Tactical Warning Attack As-*
20 *essment System.*

21 (3) *The effect of the integration described in*
22 *paragraph (2) on the data reliability standards of the*
23 *Integrated Tactical Warning Attack Assessment Sys-*
24 *tem.*

25 (4) *Future data visualization, conferencing, and*
26 *decisionmaking capabilities of such system.*

1 (5) *Such other matters as the Chairman con-*
 2 *siders relevant to the study.*

3 (c) *REPORT.*—*Not later than 270 days after the date*
 4 *of the enactment of this Act, the Chairman shall submit*
 5 *to the congressional defense committees—*

6 (1) *the report submitted to the Chairman under*
 7 *subsection (a)(2); and*

8 (2) *the assessment of the Chairman with respect*
 9 *to the findings in such report and the recommenda-*
 10 *tions of the Chairman with respect to modernizing the*
 11 *Integrated Tactical Warning Attack Assessment Sys-*
 12 *tem.*

13 **SEC. 1643. COMPREHENSIVE REVIEW OF ELECTRONIC WAR-**
 14 **FARE TEST RANGES AND FUTURE CAPABILI-**
 15 **TIES.**

16 (a) *IN GENERAL.*—*The Under Secretary of Defense for*
 17 *Research and Engineering, in consultation with the Chair-*
 18 *man of the Joint Chiefs of Staff, shall conduct a comprehen-*
 19 *sive review of any deficiencies in the capacity of the elec-*
 20 *tronic warfare test ranges and future electronic warfare ca-*
 21 *pabilities of the Department of Defense relating to current*
 22 *and future global threats, research and development efforts,*
 23 *modeling, and electromagnetic and physical encroachment*
 24 *of the test ranges.*

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

3 (1) *Each electronic warfare test range, its size,*
4 *any distinguishing features, and its electronic war-*
5 *fare capabilities.*

6 (2) *The electronic warfare capabilities that are*
7 *best practiced at which range and any encroachment*
8 *issues between ranges.*

9 (3) *Future electronic warfare capabilities and*
10 *planned acquisitions.*

11 (4) *Any modeling the Test Resource Management*
12 *Center has done on incorporating future or planned*
13 *electronic warfare capabilities into the current test*
14 *ranges.*

15 (5) *Any other matter the Under Secretary con-*
16 *siders necessary.*

17 (c) *BRIEFING REQUIRED.*—*Not later than March 31,*
18 *2024, the Under Secretary shall provide the congressional*
19 *defense committees with a briefing on the findings of the*
20 *review required by subsection (a) that includes—*

21 (1) *an assessment of any deficiency in the elec-*
22 *tronic warfare test ranges and future electronic war-*
23 *fare capabilities of the Department of Defense identi-*
24 *fied in the review; and*

1 (2) *a plan to address any such deficiency in a*
 2 *timely manner.*

3 **SEC. 1644. EXTENSION OF AUTHORIZATION FOR PROTEC-**
 4 **TION OF CERTAIN FACILITIES AND ASSETS**
 5 **FROM UNMANNED AIRCRAFT.**

6 *Section 130i(i) of title 10, United States Code, is*
 7 *amended by striking “2023” both places it appears and in-*
 8 *serting “2026”.*

9 **SEC. 1645. ADDRESSING SERIOUS DEFICIENCIES IN ELEC-**
 10 **TRONIC PROTECTION OF SYSTEMS THAT OP-**
 11 **ERATE IN THE RADIO FREQUENCY SPEC-**
 12 **TRUM.**

13 *(a) IN GENERAL.—The Secretary of Defense shall take*
 14 *such actions as the Secretary considers necessary and prac-*
 15 *ticable—*

16 *(1) to establish requirements for and assign suffi-*
 17 *cient priority to ensuring electronic protection of sen-*
 18 *sor, navigation, and communications systems and*
 19 *subsystems against jamming, spoofing, and unin-*
 20 *tended interference from military systems; and*

21 *(2) to provide management oversight and super-*
 22 *vision of the military departments to ensure electronic*
 23 *protection of military systems that emit and receive*
 24 *in radio frequencies against modern threats and in-*

1 *terference from military systems operating in the*
2 *same or adjacent radio frequency of Federal spectrum.*

3 (b) *SPECIFIC REQUIRED ACTIONS.*—*The Secretary*
4 *shall require the military departments and combat support*
5 *agencies to—*

6 (1) *develop and approve requirements, through*
7 *the Joint Requirements Oversight Council as appro-*
8 *priate, within 270 days of the date of the enactment*
9 *of this Act, for every radar, signals intelligence, navi-*
10 *gation, and communications system and subsystem*
11 *subject to the Global Force Management process to be*
12 *able to withstand threat-realistic levels of jamming,*
13 *spoofing, and unintended interference, which includes*
14 *self-generated interference;*

15 (2) *test every system and subsystem described in*
16 *paragraph (1) at a test range that permits threat-re-*
17 *alistic electronic warfare attacks against the system*
18 *or subsystem by a red team or opposition force at*
19 *least once every 4 years, with the first set of highest*
20 *priority systems to be initially tested no later than*
21 *fiscal year 2025;*

22 (3) *retrofit every system and subsystem described*
23 *in paragraph (1) that fails to meet electronic protec-*
24 *tion requirements during testing with electronic pro-*
25 *tection measures that can withstand threat-realistic*

1 *jamming, spoofing, and unintended interference with-*
 2 *in 3 years from the date of the testing, and to retest*
 3 *such systems and subsystems within 4 years of the*
 4 *initial failed test;*

5 *(4) survey, identify, and test available technology*
 6 *that can be practically and affordably retro-fitted on*
 7 *the systems described in paragraph (1) and which*
 8 *provides robust protection against threat-realistic*
 9 *jamming, spoofing, and unintended interference; and*
 10 *(5) design and build electronic protection into*
 11 *ongoing and future development programs to with-*
 12 *stand expected jamming and spoofing threats and un-*
 13 *intended interference.*

14 *(c) WAIVER.—The Secretary may establish a process*
 15 *for issuing waivers on a case-by-case basis for the testing*
 16 *requirement established in paragraph (2) of subsection (b)*
 17 *and for the retrofit requirement established in paragraph*
 18 *(3) of such subsection.*

19 *(d) ANNUAL REPORTS.—Each fiscal year, coinciding*
 20 *with the submission of the President's budget request to*
 21 *Congress pursuant to section 1105(a) of title 31, United*
 22 *States Code, through fiscal year 2030, the Director of Oper-*
 23 *ational Test and Evaluation shall submit to the Electronic*
 24 *Warfare Executive Committee, the Committee on Armed*
 25 *Services of the Senate, and the Committee on Armed Serv-*

ices of the House of Representatives a comprehensive annual report aggregating reporting from the military departments and combat support agencies that describes—

(1) the implementation of the requirements of this section;

(2) the systems subject to testing in the previous year and the results of such tests, including a description of the requirements for electronic protection established for the tested systems; and

(3) each waiver issued in the previous year with respect to such requirements, together with a detailed rationale for the waiver and a plan for addressing the basis for the waiver request.

SEC. 1646. FUNDING LIMITATION ON CERTAIN UNREPORTED PROGRAMS.

(a) *LIMITATION ON AVAILABILITY OF FUNDS.*—None of the funds authorized to be appropriated by this Act for fiscal year 2024 may be obligated or expended, directly or indirectly, in part or in whole, for, on, in relation to, or in support of activities involving unidentified anomalous phenomena protected under any form of special access or restricted access limitations that have not been formally, officially, explicitly, and specifically described, explained, and justified to the appropriate committees of Congress,

1 congressional leadership, and the Director, including for
2 any activities relating to the following:

3 (1) Recruiting, employing, training, equipping,
4 and operations of, and providing security for, Gov-
5 ernment or contractor personnel with a primary, sec-
6 ondary, or contingency mission of capturing, recov-
7 ering, and securing unidentified anomalous phe-
8 nomena craft or pieces and components of such craft.

9 (2) Analyzing such craft or pieces or components
10 thereof, including for the purpose of determining
11 properties, material composition, method of manufac-
12 ture, origin, characteristics, usage and application,
13 performance, operational modalities, or reverse engi-
14 neering of such craft or component technology.

15 (3) Managing and providing security for pro-
16 tecting activities and information relating to uniden-
17 tified anomalous phenomena from disclosure or com-
18 promise.

19 (4) Actions relating to reverse engineering or
20 replicating unidentified anomalous phenomena tech-
21 nology or performance based on analysis of materials
22 or sensor and observational information associated
23 with unidentified anomalous phenomena.

24 (5) The development of propulsion technology, or
25 aerospace craft that uses propulsion technology, sys-

1 *tems, or subsystems that is based on or derived from*
 2 *or inspired by inspection, analysis, or reverse engi-*
 3 *neering of recovered unidentified anomalous phe-*
 4 *nomena craft or materials.*

5 *(6) Any aerospace craft that uses propulsion*
 6 *technology other than chemical propellants, solar*
 7 *power, and electric ion thrust.*

8 *(b) NOTIFICATION AND REPORTING.—*

9 *(1) IN GENERAL.—Any person currently or for-*
 10 *merly under contract with the Federal Government*
 11 *that has in their possession material or information*
 12 *provided by or derived from the Federal Government*
 13 *relating to unidentified anomalous phenomena that*
 14 *formerly or currently is protected by any form of spe-*
 15 *cial access or restricted access shall—*

16 *(A) not later than 60 days after the date of*
 17 *the enactment of this Act, notify the Director of*
 18 *such possession; and*

19 *(B) not later than 180 days after the date*
 20 *of the enactment of this Act, make available to*
 21 *the Director for assessment, analysis, and inspec-*
 22 *tion—*

23 *(i) all such material and information;*
 24 *and*

1 (ii) a comprehensive list of all non-
 2 earth origin or exotic unidentified anoma-
 3 lous phenomena materiel.

4 (2) *PROTECTIONS.*—The provision of notice and
 5 the making available of material and information
 6 under paragraph (1) shall be treated as an authorized
 7 disclosure under section 1673(b) of the James M.
 8 Inhofe National Defense Authorization Act for Fiscal
 9 Year 2023 (50 U.S.C. 3373b).

10 (c) *LIMITATION REGARDING INDEPENDENT RESEARCH*
 11 *AND DEVELOPMENT.*—Consistent with Department of De-
 12 fense Instruction Number 3204.01 (dated August 20, 2014,
 13 incorporating change 2, dated July 9, 2020; relating to De-
 14 partment policy for oversight of independent research and
 15 development), independent research and development fund-
 16 ing relating to material or information described in sub-
 17 section (a) shall not be allowable as indirect expenses for
 18 purposes of contracts covered by such instruction, unless
 19 such material and information is made available to the Di-
 20 rector in accordance with subsection (b).

21 (d) *NOTICE TO CONGRESS.*—Not later than 30 days
 22 after the date on which the Director has received a notifica-
 23 tion under subparagraph (A) of subsection (b)(1) or infor-
 24 mation or material under paragraph (B) of such subsection,
 25 the Director shall provide a written notification of such re-

1 *ceipt to the appropriate committees of Congress and con-*
 2 *gressional leadership.*

3 *(e) DEFINITIONS.—In this section:*

4 *(1) The term “appropriate committees of Con-*
 5 *gress” means—*

6 *(A) the Select Committee on Intelligence, the*
 7 *Committee on Armed Services, and the Com-*
 8 *mittee on Appropriations of the Senate; and*

9 *(B) the Permanent Select Committee on In-*
 10 *telligence, the Committee on Armed Services, and*
 11 *the Committee on Appropriations of the House of*
 12 *Representatives.*

13 *(2) The term “congressional leadership” means—*

14 *(A) the majority leader of the Senate;*

15 *(B) the minority leader of the Senate;*

16 *(C) the Speaker of the House of Representa-*
 17 *tives; and*

18 *(D) the minority leader of the House of*
 19 *Representatives.*

20 *(3) The term “Director” means the Director of*
 21 *the All-domain Anomaly Resolution Office.*

22 *(4) The term “unidentified anomalous phe-*
 23 *nomena” has the meaning given such term in section*
 24 *1683(n) of the National Defense Authorization Act for*
 25 *Fiscal Year 2022 (50 U.S.C. 3373(n)), as amended by*

1 *section 6802(a) of the Intelligence Authorization Act*
2 *for Fiscal Year 2023 (Public Law 117–263).*

3 **SEC. 1647. REVISION OF SECRETARY OF DEFENSE AUTHOR-**
4 **ITY TO ENGAGE IN COMMERCIAL ACTIVITIES**
5 **AS SECURITY FOR INTELLIGENCE COLLEC-**
6 **TION ACTIVITIES.**

7 (a) *EXTENSION OF AUTHORITY.*—Section 431(a) of
8 *title 10, United States Code, is amended by striking “De-*
9 *cember 31, 2023” and inserting “December 31, 2025”.*

10 (b) *INTERAGENCY COORDINATION AND SUPPORT.*—
11 *Paragraph (1) of section 431(b) of such title is amended*
12 *to read as follows:*

13 “(1) *be pre-coordinated with the Director of the*
14 *Central Intelligence Agency using procedures mutu-*
15 *ally agreed upon by the Secretary of Defense and the*
16 *Director, and, where appropriate, be supported by the*
17 *Director; and”.*

***TITLE XVII—CYBERSPACE-
RELATED MATTERS***

***Subtitle A—Matters Relating to
Cyber Operations and Cyber Forces***

***SEC. 1701. MEASURES TO ENHANCE THE READINESS AND
EFFECTIVENESS OF THE CYBER MISSION
FORCE.***

*(a) PERSONNEL REQUIREMENTS AND TRAINING FOR
CRITICAL WORK ROLES.—The Secretary of Defense shall—*

(1) develop a plan to require—

(A) a term of enlistment that is—

*(i) common across the military depart-
ments for critical work roles of the Cyber
Mission Force;*

*(ii) appropriate given the value of the
training required for such work roles; and*

*(iii) sufficient and extensive enough to
meet the readiness requirements established
by the Commander of United States Cyber
Command;*

*(B) tour lengths for personnel in the Cyber
Mission Force that are—*

*(i) common across the military depart-
ments; and*

1 (ii) *sufficient and extensive enough to*
2 *meet the readiness requirements established*
3 *by the Commander of United States Cyber*
4 *Command;*

5 (C) *the military departments to present*
6 *Cyber Mission Force personnel to the Com-*
7 *mander of United States Cyber Command who*
8 *are fully trained to the standards required by the*
9 *work roles established by the Commander, in-*
10 *cluding the critical work roles of the Cyber Mis-*
11 *sion Force, prior to their attachment or assign-*
12 *ment to a unit of United States Cyber Com-*
13 *mand;*

14 (D) *obligated service for members who re-*
15 *ceive the training contemplated in paragraph*
16 *(C) which is commensurate with the significant*
17 *financial and time investments made by the*
18 *military service for the training received; and*

19 (E) *facilitation of consecutive assignments*
20 *at the same unit while not inhibiting the ad-*
21 *vancement or promotion potential of any mem-*
22 *ber of the Armed Forces.*

23 (2) *direct the Secretaries of the military depart-*
24 *ments to implement the plan developed under para-*
25 *graph (1); and*

1 (3) *establish curriculum and capacity within one*
2 *or more military departments to train sufficient*
3 *numbers of personnel from all of the military depart-*
4 *ments who can effectively perform the critical Cyber*
5 *Mission Force work roles to achieve the readiness re-*
6 *quirements established by the Commander of United*
7 *States Cyber Command.*

8 (b) *PILOT PROGRAM ON ACQUIRING CONTRACT SERV-*
9 *ICES FOR CRITICAL WORK ROLES.—*

10 (1) *PILOT PROGRAM REQUIRED.—Not later than*
11 *180 days after the date of the enactment of this Act,*
12 *the Commander of United States Cyber Command*
13 *shall commence a pilot program to assess the feasi-*
14 *bility and advisability of acquiring the services of*
15 *skilled personnel in the critical work roles of the*
16 *Cyber Mission Force by contracting with one or more*
17 *persons to enhance the readiness and effectiveness of*
18 *the Cyber Mission Force.*

19 (2) *PILOT PROGRAM DURATION.—The Com-*
20 *mander shall carry out the pilot program required by*
21 *subsection paragraph (1) during the three-year period*
22 *beginning on the date of the commencement of the*
23 *pilot program and may, after such period—*

1 (A) continue carrying out such pilot pro-
 2 gram after such period for such duration as the
 3 Commander considers appropriate; or

4 (B) transition such pilot program to a per-
 5 manent program.

6 (c) *PLAN ON HIRING, TRAINING, AND RETAINING CI-*
 7 *VILIANS TO SERVE IN CRITICAL WORK ROLES.*—Not later
 8 than 120 days after the date of the enactment of this Act,
 9 the Commander shall—

10 (1) develop a plan to hire, train, and retain ci-
 11 vilians to serve in the critical work roles of the Cyber
 12 Mission Force and other positions of the Cyber Mis-
 13 sion Force to enhance the readiness and effectiveness
 14 of the Cyber Mission Force; and

15 (2) provide the congressional defense committees
 16 a briefing on the plan developed under paragraph (1).

17 (d) *DEFINITION OF CRITICAL WORK ROLES OF THE*
 18 *CYBER MISSION FORCE.*—The term “critical work roles of
 19 the Cyber Mission Force” means work roles of the Cyber
 20 Mission Force relating to on-network operations, tool devel-
 21 opment, and exploitation analysis.

22 **SEC. 1702. CYBER INTELLIGENCE CENTER.**

23 (a) *ESTABLISHMENT OF CAPABILITY REQUIRED.*—The
 24 Secretary of Defense shall establish a dedicated cyber intel-
 25 ligence capability to support the requirements of United

1 *States Cyber Command, the other combatant commands, the*
 2 *military departments, defense agencies, the Joint Staff, and*
 3 *the Office of the Secretary of Defense for foundational, sci-*
 4 *entific and technical, and all-source intelligence on cyber*
 5 *technology development, capabilities, concepts of operation,*
 6 *operations, and plans and intentions of cyber threat actors.*

7 *(b) ESTABLISHMENT OF CENTER AUTHORIZED.—*

8 *(1) AUTHORIZATION.—Subject to paragraph (2),*
 9 *the Secretary may establish an all-source analysis*
 10 *center under the administration of the Defense Intel-*
 11 *ligence Agency to provide foundational intelligence for*
 12 *the capability established under subsection (a).*

13 *(2) LIMITATION.—Information technology serv-*
 14 *ices for a center established under paragraph (1) may*
 15 *not be provided by the National Security Agency.*

16 *(c) RESOURCES.—*

17 *(1) IN GENERAL.—The Secretary shall direct and*
 18 *provide resources to the Commander of United States*
 19 *Cyber Command within the Military Intelligence Pro-*
 20 *gram to fund collection and analysis by the National*
 21 *Security Agency to meet the specific requirements es-*
 22 *tablished by the Commander for signals intelligence*
 23 *support.*

24 *(2) TRANSFER OF ACTIVITIES.—The Secretary*
 25 *may transfer the activities required under paragraph*

1 (1) *to the National Intelligence Program if the Direc-*
 2 *tor of National Intelligence concurs and the transfer*
 3 *is specifically authorized in an intelligence authoriza-*
 4 *tion Act.*

5 (d) *BRIEFING.*—*Not later than 180 days after the date*
 6 *of the enactment of this Act, the Commander shall—*

7 (1) *develop an estimate of the signals intelligence*
 8 *collection and analysis required of the National Secu-*
 9 *rity Agency and the cost of such collection and anal-*
 10 *ysis; and*

11 (2) *provide the congressional defense committees,*
 12 *the Select Committee on Intelligence of the Senate,*
 13 *and the Permanent Select Committee on Intelligence*
 14 *of the House of Representatives a briefing on the esti-*
 15 *mate developed under paragraph (1).*

16 **SEC. 1703. PERFORMANCE METRICS FOR PILOT PROGRAM**
 17 **FOR SHARING CYBER CAPABILITIES AND RE-**
 18 **LATED INFORMATION WITH FOREIGN OPER-**
 19 **ATIONAL PARTNERS.**

20 (a) *IN GENERAL.*—*The section 398 of title 10, United*
 21 *States Code (relating to pilot program for sharing cyber*
 22 *capabilities and related information with foreign oper-*
 23 *ational partners), as added by section 1551(a) of the James*
 24 *M. Inhofe National Defense Authorization Act for Fiscal*
 25 *Year 2023 (Public Law 117–263), is amended—*

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

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

5 “(f) *PERFORMANCE METRICS.—(1) The Secretary of*
 6 *Defense shall maintain performance metrics to track the re-*
 7 *sults of sharing cyber capabilities and related information*
 8 *with foreign operational partners under a pilot program*
 9 *authorized by subsection (a).*

10 “(2) *The performance metrics under paragraph (1)*
 11 *shall include the following:*

12 “(A) *Who the cyber capability was used against.*

13 “(B) *The effect of the cyber capability, including*
 14 *whether and how the transfer of the cyber capability*
 15 *improved the operational cyber posture of the United*
 16 *States and achieved operational objectives of the*
 17 *United States, or had no effect.*

18 “(C) *Such other outcome-based or appropriate*
 19 *performance metrics as the Secretary considers appro-*
 20 *priate for evaluating the effectiveness of a pilot pro-*
 21 *gram carried out under subsection (a).”.*

22 (b) *TECHNICAL CORRECTION.—Chapter 19 of such title*
 23 *is amended—*

1 (1) *in the table of sections for such chapter by*
 2 *striking the item relating to such section 398 and in-*
 3 *serting the following:*

*“398a. Pilot program for sharing cyber capabilities and related information with
 foreign operational partners.”; and*

4 (2) *by redesignating such section 398 as section*
 5 *398a.*

6 **SEC. 1704. NEXT GENERATION CYBER RED TEAMS.**

7 (a) *DEVELOPMENT AND SUBMISSION OF PLANS.*—*Not*
 8 *later than 180 days after the date of the enactment of this*
 9 *Act, the Under Secretary of Defense for Policy shall direct*
 10 *the appropriate Assistant Secretary of Defense in the Office*
 11 *of the Under Secretary of Defense for Policy, in consultation*
 12 *with the Principal Cyber Advisors of the military depart-*
 13 *ments, to oversee the development and submission of a plan*
 14 *described in subsection (b) to the Director of Operational*
 15 *Test and Evaluation (OT&E) and the Director of the Na-*
 16 *tional Security Agency (NSA) for assessment under sub-*
 17 *section (c).*

18 (b) *PLANS DESCRIBED.*—*The plan described in this*
 19 *subsection is a plan—*

20 (1) *to modernize cyber red teams (“CRTs”) with*
 21 *a focus on utilizing cyber threat intelligence and*
 22 *threat modeling to ensure the ability to emulate ad-*
 23 *vanced nation-state threats, automation, artificial in-*

1 *telligence or machine learning capabilities, and data*
2 *collection and correlation;*

3 (2) *to establish joint service standards and*
4 *metrics to ensure cyber red teams are adequately*
5 *trained, staffed, and equipped to emulate advanced*
6 *nation-state threats; and*

7 (3) *to expand partnerships between the Depart-*
8 *ment of Defense, particularly existing cyber red*
9 *teams, and academia to expand the cyber talent work-*
10 *force.*

11 (c) *ASSESSMENT.—The Director of Operational Test*
12 *and Evaluation shall, in coordination with the Director of*
13 *the National Security Agency, review the plan submitted*
14 *pursuant to subsection (a) and in doing so shall conduct*
15 *an assessment of the plan with consideration of the fol-*
16 *lowing:*

17 (1) *Opportunities for cyber red team operations*
18 *to expand across the competition continuum, includ-*
19 *ing during the cooperation and competition phases,*
20 *strongly emphasizing pre-conflict preparation of the*
21 *battlespace to better match adversary positioning and*
22 *cyber activities, including operational security assess-*
23 *ments to strengthen the ability of the Department to*
24 *gain and maintain a tactical advantage.*

1 (2) *The extent to which critical and emerging*
 2 *technologies and concepts such as artificial intel-*
 3 *ligence and machine learning enabled analysis and*
 4 *process automation can reduce the amount of person*
 5 *hours operators spend on maintenance and reporting*
 6 *to maximize research and training time.*

7 (3) *Identification of training requirements, and*
 8 *changes to training, sustainment practices, or con-*
 9 *cepts of operation or employment that may be needed*
 10 *to ensure the effectiveness, suitability, and sustain-*
 11 *ability of the next generation of cyber red teams.*

12 (4) *The extent to which additional resources or*
 13 *partnerships may be needed to remediate personnel*
 14 *shortfalls in cyber red teams, including funding for*
 15 *internship programs, hiring, and contracting.*

16 (d) *IMPLEMENTATION.*—*Not later than one year after*
 17 *the date of enactment of this Act, the Secretary of Defense*
 18 *shall issue such policies and guidance and prescribe such*
 19 *regulations as the Secretary determines necessary to carry*
 20 *out the plan required by subsection (a).*

21 (e) *ANNUAL REPORTS.*—*Not later than January 31,*
 22 *2025, and not less frequently than annually thereafter until*
 23 *January 31, 2031, the Director of Operational Test and*
 24 *Evaluation shall include in the annual report required by*
 25 *section 139(h) of title 10, United States Code, the following:*

1 (1) *The findings of the Director with respect to*
 2 *the assessment carried out pursuant to subsection (c).*

3 (2) *The results of test and evaluation events, in-*
 4 *cluding any resource and capability shortfalls lim-*
 5 *iting the ability of cyber red teams to meet oper-*
 6 *ational requirements.*

7 (3) *The extent to which operations of cyber red*
 8 *teams have expanded across the competition con-*
 9 *tinuum, including during cooperation and competi-*
 10 *tion phases, to match adversary positioning and cyber*
 11 *activities.*

12 (4) *A summary of identified categories of com-*
 13 *mon gaps and shortfalls across military department*
 14 *and Defense Agency cyber red teams.*

15 (5) *Any identified lessons learned that would af-*
 16 *fect training or operational employment decisions re-*
 17 *lating to cyber red teams.*

18 **SEC. 1705. MANAGEMENT OF DATA ASSETS BY CHIEF DIG-**
 19 **ITAL OFFICER.**

20 (a) *IN GENERAL.*—*The Secretary of Defense shall, act-*
 21 *ing through the Chief Data and Artificial Intelligence Offi-*
 22 *cer of the Department of Defense (CDAO), provide data as-*
 23 *sets and data analytics capabilities necessary for under-*
 24 *standing the global cyber-social terrain to support the plan-*
 25 *ning and execution of defensive and offensive information*

1 *operations, defensive and offensive cyber operations, indica-*
 2 *tions and warning of adversary military activities and op-*
 3 *erations, and calibration of actions and reactions in great*
 4 *power competition.*

5 *(b) RESPONSIBILITIES OF CHIEF DATA AND ARTIFI-*
 6 *CIAL INTELLIGENCE OFFICER.—The Chief Data and Artifi-*
 7 *cial Intelligence Officer shall—*

8 *(1) develop a baseline of data assets maintained*
 9 *by all defense intelligence agencies, military depart-*
 10 *ments, combatant commands, and any other compo-*
 11 *nents of the Department; and*

12 *(2) develop and oversee the implementation of*
 13 *plans to enhance data assets that are essential to sup-*
 14 *port the purposes set forth in subsection (a).*

15 *(c) OTHER MATTERS.—The Chief Data and Artificial*
 16 *Intelligence Officer shall—*

17 *(1) designate or establish one or more executive*
 18 *agents for enhancing data assets and the acquisition*
 19 *of data analytic tools for users;*

20 *(2) ensure that data assets in the possession of*
 21 *a component of the Department are accessible for the*
 22 *purposes described in subsection (a); and*

23 *(3) ensure that advanced analytics, including ar-*
 24 *tificial intelligence technology, are developed and ap-*

1 plied to the analysis of data assets in support of the
2 purposes described in subsection (a).

3 (d) *SEMIANNUAL BRIEFINGS*.—Not later than 120
4 days after the date of the enactment of this Act and not
5 less frequently semiannually thereafter, the Chief Data and
6 Artificial Intelligence Officer shall provide the congressional
7 defense committees, the Select Committee on Intelligence of
8 the Senate, and the Permanent Select Committee on Intel-
9 ligence of the House of Representatives a briefing on the
10 implementation of this section.

11 (e) *PRIOR APPROVAL REPROGRAMMING*.—After the
12 date of the enactment of this Act, the Secretary may transfer
13 funds to begin implementation of this section, subject to es-
14 tablished limitations and approval procedures.

15 **SEC. 1706. AUTHORITY FOR COUNTERING ILLEGAL TRAF-**
16 **FICKING BY MEXICAN TRANSNATIONAL**
17 **CRIMINAL ORGANIZATIONS IN CYBERSPACE.**

18 (a) *AUTHORITY*.—

19 (1) *IN GENERAL*.—In accordance with sections
20 124 and 394 of title 10, United States Code, the Sec-
21 retary of Defense may, in coordination with other rel-
22 evant Federal departments and agencies and in con-
23 sultation with the Government of Mexico as appro-
24 priate, conduct detection, monitoring, and other oper-
25 ations in cyberspace to counter Mexican

1 *transnational criminal organizations that are en-*
 2 *gaged in any of the following activities that cross the*
 3 *southern border of the United States:*

4 (A) *Smuggling of illegal drugs, controlled*
 5 *substances, or precursors thereof.*

6 (B) *Human trafficking.*

7 (C) *Weapons trafficking.*

8 (D) *Other illegal activities.*

9 (2) *CERTAIN ENTITIES.—The authority provided*
 10 *by paragraph (1) may be used to counter Mexican*
 11 *transnational criminal organizations, including enti-*
 12 *ties cited in the most recent National Drug Threat*
 13 *Assessment published by the United States Drug En-*
 14 *forcement Administration, that are engaged in the ac-*
 15 *tivities described in (1).*

16 (b) *CYBER STRATEGY FOR COUNTERING ILLEGAL*
 17 *TRAFFICKING BY TRANSNATIONAL CRIMINAL ORGANIZA-*
 18 *TIONS AFFECTING THE SECURITY OF UNITED STATES*
 19 *SOUTHERN BORDER.—*

20 (1) *STRATEGY REQUIRED.—Not later than 60*
 21 *days after the date of the enactment of this Act, the*
 22 *Secretary shall, in consultation with the National*
 23 *Cyber Director and the heads of such other Federal*
 24 *departments and agencies as the Secretary considers*
 25 *appropriate, submit to the appropriate congressional*

1 committees a strategy for conducting operations in
2 cyberspace under subsection (a).

3 (2) *ELEMENTS.*—*The strategy submitted pursu-*
4 *ant to paragraph (1) shall include the following:*

5 (A) *A description of the cyberspace presence*
6 *and activities, including any information oper-*
7 *ations, of the entities described under subsection*
8 *(a)(2) pose to the national security of the United*
9 *States.*

10 (B) *A description of any previous actions*
11 *taken by the Department of Defense to conduct*
12 *operations in cyberspace to counter illegal activi-*
13 *ties by transnational criminal organizations,*
14 *and a description of those actions.*

15 (C) *An assessment of the financial, techno-*
16 *logical, and personnel resources that the Sec-*
17 *retary can deploy to exercise the authority pro-*
18 *vided in subsection (a) to counter illegal traf-*
19 *ficking by transnational criminal organizations.*

20 (D) *Recommendations, if any, for addi-*
21 *tional authorities as may be required to enhance*
22 *the exercise of the authority provided in sub-*
23 *section (a).*

24 (E) *A description of the extent to which the*
25 *Secretary has worked, or intends to work, with*

1 *the Government of Mexico, interagency partners,*
2 *and the private sector to enable operations in*
3 *cyberspace against illegal trafficking by*
4 *transnational criminal organizations.*

5 *(F) A description of the security coopera-*
6 *tion programs in effect on the day before the date*
7 *of the enactment of this Act that would enable*
8 *the Secretary to cooperate with Mexican defense*
9 *partners against illegal trafficking by*
10 *transnational criminal organizations in cyber-*
11 *space.*

12 *(G) An assessment of the potential risks as-*
13 *sociated with cooperating with Mexican counter-*
14 *parts against transnational criminal organiza-*
15 *tions in cyberspace and ways that those risks*
16 *can be mitigated, including in cooperation with*
17 *Mexican partners.*

18 *(H) A description of any cooperation agree-*
19 *ments or initiatives in effect on the day before*
20 *the date of the enactment of this Act with inter-*
21 *agency partners and the government of Mexico to*
22 *counter transnational criminal organizations in*
23 *cyberspace.*

24 *(c) QUARTERLY MONITORING BRIEFING.—The Sec-*
25 *retary shall, on a quarterly basis in conjunction with the*

1 briefings required by section 484 of title 10, United States
 2 Code, provide to the appropriate congressional committees
 3 a briefing setting forth, for the preceding calendar quarter,
 4 the following:

5 (1) Each country in which an operation was
 6 conducted under subsection (a).

7 (2) The purpose and nature of each operation set
 8 forth pursuant to paragraph (1).

9 (3) The start date and end date or expected du-
 10 ration of each operation set forth pursuant to para-
 11 graph (1).

12 (4) The elements of the Department of Defense
 13 down to O-6 command level who conducted or are
 14 conducting the operations set forth pursuant to para-
 15 graph (1).

16 (d) *RULE OF CONSTRUCTION.*—Nothing in this section
 17 shall be construed to supersede any standing prohibitions
 18 on collection of information on United States persons.

19 **SEC. 1707. PILOT PROGRAM FOR CYBERSECURITY COLLABO-**
 20 **RATION CENTER INCLUSION OF SEMICON-**
 21 **DUCTOR MANUFACTURERS.**

22 (a) *ESTABLISHMENT OF PILOT PROGRAM.*—The Sec-
 23 retary of Defense shall, in coordination with the Director
 24 of the National Security Agency, establish a pilot program
 25 to assess the feasibility and advisability of improving the

1 *semiconductor manufacturing supply chain by enabling the*
2 *National Security Agency Cybersecurity Collaboration Cen-*
3 *ter to collaborate with semiconductor manufacturers in the*
4 *United States.*

5 **(b) PROGRAM SCOPE.**—*The pilot program established*
6 *pursuant to subsection (a) shall focus on improving the cy-*
7 *bersecurity of the supply chain for semiconductor design*
8 *and manufacturing, including the following:*

9 **(1)** *The cybersecurity of design and manufac-*
10 *turing processes, as well as assembly, packaging, and*
11 *testing.*

12 **(2)** *Protecting against cyber-driven intellectual*
13 *property theft.*

14 **(3)** *Reducing the risk of supply chain disrup-*
15 *tions caused by cyberattacks.*

16 **(c) ELIGIBILITY.**—*Persons who directly support the*
17 *manufacture, packaging, and assembly of semiconductors*
18 *within the United States and who provide semiconductor*
19 *components for the Department of Defense, national secu-*
20 *rity systems (as defined in section 3552(b) of title 44,*
21 *United States Code), or the defense industrial base are eligi-*
22 *ble to participate in the pilot program.*

23 **(d) BRIEFINGS.**—

24 **(1) INITIAL.**—

1 (A) *IN GENERAL.*—Not later than one year
 2 after the date of the enactment of this Act, the
 3 Secretary shall provide the appropriate commit-
 4 tees of Congress a briefing on the pilot program
 5 required under subsection (a).

6 (B) *ELEMENTS.*—The briefing required
 7 under subparagraph (A) shall include the fol-
 8 lowing:

9 (i) *The plans of the Secretary for the*
 10 implementation of the pilot program.

11 (ii) *Identification of key priorities for*
 12 the pilot program.

13 (iii) *Identification of any potential*
 14 challenges in standing up the pilot program
 15 or impediments to semiconductor manufac-
 16 turer or semiconductor component supplier
 17 participation in the pilot program.

18 (2) *ANNUAL.*—

19 (A) *IN GENERAL.*—Not later than one year
 20 after the date of the enactment of this Act and
 21 annually thereafter for the duration of the pilot
 22 program required by subsection (a), the Sec-
 23 retary shall provide the appropriate committees
 24 of Congress a briefing on the progress of the pilot
 25 program.

1 (B) *ELEMENTS.*—*Each briefing required*
2 *under subparagraph (A) shall include the fol-*
3 *lowing:*

4 (i) *Recommendations for addressing*
5 *relevant policy, budgetary, security, and*
6 *legislative gaps to increase the effectiveness*
7 *of the pilot program. For the first annual*
8 *briefing, this shall include an assessment of*
9 *the resources necessary for the pilot to be*
10 *successful.*

11 (ii) *Recommendations for increasing*
12 *semiconductor manufacturer or semicon-*
13 *ductor component supplier participation in*
14 *the pilot program.*

15 (iii) *A description of the challenges en-*
16 *countered in carrying out the pilot pro-*
17 *gram, including any concerns expressed by*
18 *semiconductor manufacturers or semicon-*
19 *ductor component supplier.*

20 (iv) *The findings of the Secretary with*
21 *respect to the feasibility and advisability of*
22 *extending or expanding the pilot program.*

23 (v) *Such other matters as the Secretary*
24 *considers appropriate.*

1 (e) *TERMINATION.*—*The pilot program required by*
 2 *subsection (a) shall terminate on the date that is four years*
 3 *after the date of the enactment of this Act.*

4 (f) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
 5 *FINED.*—*In this section, the term “appropriate congres-*
 6 *sional committees” means—*

7 (1) *the Committee on Armed Services and the*
 8 *Select Committee on Intelligence of the Senate; and*

9 (2) *the Committee on Armed Services and the*
 10 *Permanent Select Committee on Intelligence of the*
 11 *House of Representatives.*

12 **SEC. 1708. INDEPENDENT EVALUATION REGARDING POTEN-**
 13 **TIAL ESTABLISHMENT OF UNITED STATES**
 14 **CYBER FORCE AND FURTHER EVOLUTION OF**
 15 **CURRENT MODEL FOR MANAGEMENT AND**
 16 **EXECUTION OF CYBER MISSION.**

17 (a) *AGREEMENT.*—

18 (1) *IN GENERAL.*—*The Secretary of Defense shall*
 19 *seek to enter into an agreement with the National*
 20 *Academy of Public Administration (in this section re-*
 21 *ferred to as the “National Academy”) for the National*
 22 *Academy to conduct the evaluation under subsection*
 23 *(b) and submit the report under subsection (e).*

24 (2) *TIMING.*—*The Secretary shall seek to enter*
 25 *into the agreement described in paragraph (1) by not*

1 *later than 60 days after the date of the enactment of*
2 *this Act.*

3 **(b) EVALUATION.**—

4 **(1) IN GENERAL.**—*Under an agreement between*
5 *the Secretary and the National Academy entered into*
6 *pursuant to subsection (a), the National Academy*
7 *shall conduct an evaluation regarding the advisability*
8 *of—*

9 **(A)** *establishing a separate Armed Force*
10 *dedicated to operations in the cyber domain (in*
11 *this section referred to as the “United States*
12 *Cyber Force”); or*

13 **(B)** *refining and further evolving the cur-*
14 *rent organization approach, which is based on*
15 *the Special Operations Command model for*
16 *United States Cyber Command.*

17 **(2) SCOPE.**—*The evaluation conducted pursuant*
18 *to paragraph (1) shall include consideration of—*

19 **(A)** *the potential establishment of a United*
20 *States Cyber Force as a separate Armed Force*
21 *commensurate with the Army, Navy, Marine*
22 *Corps, Air Force, and Space Force, for the pur-*
23 *pose of organizing, training, and equipping the*
24 *personnel required to enable and conduct oper-*
25 *ations in the cyber domain through positions*

1 *aligned to the United States Cyber Command*
2 *and the other unified combatant commands;*

3 *(B) a United States Cyber Force able to de-*
4 *vised and implement recruiting and retention*
5 *policies and standards specific to the range of*
6 *skills and career fields required to enable and*
7 *conduct cyberspace operations, as determined by*
8 *the United States Cyber Command and the other*
9 *unified combatant commands;*

10 *(C) the performance and efficacy of the*
11 *Armed Forces to date, and potential improve-*
12 *ments thereto from extending the model described*
13 *in paragraph (1)(B), in satisfying the require-*
14 *ments of the combatant commands to enable and*
15 *conduct operations in the cyber domain through*
16 *positions aligned to the United States Cyber*
17 *Command and other unified combatant com-*
18 *mands, and any expected differences in that per-*
19 *formance based on the creation of a United*
20 *States Cyber Force as compared to evolutionary*
21 *modifications to the current model;*

22 *(D) the performance and efficacy of the*
23 *Armed Forces to date, and potential improve-*
24 *ments thereto from extending the model described*
25 *in paragraph (1)(B), in devising and imple-*

1 *menting recruitment and retention policies spe-*
2 *cific to the range of skills and career fields re-*
3 *quired to enable and conduct cyberspace oper-*
4 *ations, as determined by the United States Cyber*
5 *Command and the other unified combatant com-*
6 *mands, and any expected differences in that per-*
7 *formance based on the creation of a United*
8 *States Cyber Force as compared to evolutionary*
9 *modifications to the current model;*

10 *(E) potential and recommended delineations*
11 *of responsibility between the other Armed Forces*
12 *and a United States Cyber Force and an en-*
13 *hanced model described in paragraph (1)(B)*
14 *with respect to network management, resourcing,*
15 *and operations;*

16 *(F) potential and recommended delineations*
17 *of responsibility between the other Armed Forces*
18 *and a United States Cyber Force and an en-*
19 *hancement of the model described in paragraph*
20 *(1)(B) for United States Cyber Command with*
21 *respect to organizing, training, and equipping*
22 *members of the Cyberspace Operations Forces,*
23 *not serving in positions aligned under the Cyber*
24 *Mission Force, to the extent necessary to support*
25 *network management and operations;*

1 (G) *views and perspectives of members of*
2 *the Armed Forces, in each grade, serving in the*
3 *Cyber Mission Force with experience in oper-*
4 *ational work roles (as defined by the Commander*
5 *of the United States Cyber Command), and mili-*
6 *tary and civilian leaders across the Department*
7 *regarding the establishment of a Cyber Force and*
8 *a further evolution of the model described in*
9 *paragraph (1)(B) for United States Cyber Com-*
10 *mand;*

11 (H) *the extent to which each of the other*
12 *Armed Forces is formed towards, and organized*
13 *around, operations within a given warfighting*
14 *domain, and the potential applicability of such*
15 *formation and organizing constructs to a United*
16 *States Cyber Force with respect to the cyber do-*
17 *main;*

18 (I) *findings from previous relevant assess-*
19 *ments, analyses, and studies conducted by the*
20 *Secretary, the Comptroller General of the United*
21 *States, or other entities determined relevant by*
22 *the National Academy on the establishment of a*
23 *United States Cyber Force and a further evo-*
24 *lution of the model described in paragraph*
25 *(1)(B) for United States Cyber Command;*

1 *(J) the organizing constructs for effective*
2 *and operationally mature cyber forces of foreign*
3 *countries and the relevance of such constructs to*
4 *the potential creation of a United States Cyber*
5 *Force and a further evolution of the model de-*
6 *scribed in paragraph (1)(B) for United States*
7 *Cyber Command;*

8 *(K) lessons learned from the creation of the*
9 *United States Space Force that should be ap-*
10 *plied to the creation of a United States Cyber*
11 *Force;*

12 *(L) recommendations for approaches to the*
13 *creation of a United States Cyber Force and the*
14 *further evolution of the model described in para-*
15 *graph (1)(B) for United States Cyber Command*
16 *that would minimize disruptions to Department*
17 *of Defense cyber operations;*

18 *(M) the histories of the Armed Forces, in-*
19 *cluding an analysis of the conditions that pre-*
20 *ceded the establishment of each new Armed Force*
21 *established since 1900; and*

22 *(N) a comparison between the potential*
23 *service secretariat leadership structures for a*
24 *United States Cyber Force and the further evo-*
25 *lution of the model described in paragraph (1)*

1 *for United States Cyber Command, including es-*
2 *tablishing the United States Cyber Force within*
3 *an existing military department, standing up a*
4 *new military department, and evolving the serv-*
5 *ice secretary-like function of the Principal Cyber*
6 *Advisor in the Office of the Under Secretary of*
7 *Defense for Policy.*

8 (3) *CONSIDERATIONS.—The evaluation conducted*
9 *pursuant to paragraph (1) shall include an evalua-*
10 *tion of how a potential United States Cyber Force*
11 *dedicated to the cyber domain would compare in per-*
12 *formance and efficacy to the current model and a fur-*
13 *ther evolution of the model described in paragraph*
14 *(1)(B) for United States Cyber Command, with re-*
15 *spect to the following functions and potential objective*
16 *end states, as well as an evaluation of the importance*
17 *of the functions and potential end states:*

18 (A) *Organizing, training, and equipping*
19 *the size of a force necessary to satisfy existing*
20 *and projected requirements of the Department of*
21 *Defense.*

22 (B) *Harmonizing training requirements*
23 *and programs in support of cyberspace oper-*
24 *ations.*

1 (C) *Recruiting and retaining qualified offi-*
2 *cers and enlisted members of the Armed Forces*
3 *at the levels necessary to execute cyberspace oper-*
4 *ations.*

5 (D) *Using reserve component forces in sup-*
6 *port of cyberspace operations.*

7 (E) *Sustaining persistent force readiness.*

8 (F) *Generating foundational intelligence in*
9 *support of cyberspace operations.*

10 (G) *Acquiring and providing cyber capa-*
11 *bilities in support of cyberspace operations.*

12 (H) *Establishing pay parity among mem-*
13 *bers of the Armed Forces serving in and quali-*
14 *fied for work roles in support of cyberspace oper-*
15 *ations.*

16 (I) *Establishing pay parity among civilians*
17 *serving in and qualified for work roles in sup-*
18 *port of cyberspace operations.*

19 (J) *Establishing advancement parity for*
20 *members of the Armed Forces serving in and*
21 *qualified for work roles in support of cyberspace*
22 *operations.*

23 (K) *Establishing advancement parity for ci-*
24 *vilians serving in and qualified for work roles in*
25 *support of cyberspace operations.*

1 (L) *Developing professional military edu-*
 2 *cation content and curricula focused on the cyber*
 3 *domain.*

4 (c) *SUPPORT FROM FEDERALLY FUNDED RESEARCH*
 5 *AND DEVELOPMENT CENTER.—*

6 (1) *IN GENERAL.—Upon a request from the Na-*
 7 *tional Academy, the Secretary shall seek to enter into*
 8 *an agreement with a federally funded research and*
 9 *development center described in paragraph (2) under*
 10 *which such federally funded research and development*
 11 *center shall support the National Academy in con-*
 12 *ducting the evaluation under subsection (b).*

13 (2) *FEDERALLY FUNDED RESEARCH AND DEVEL-*
 14 *OPMENT CENTER DESCRIBED.—A federally funded re-*
 15 *search and development center described in this para-*
 16 *graph is a federally funded research and development*
 17 *center the staff of which includes subject matter ex-*
 18 *perts with appropriate security clearances and exper-*
 19 *tise in—*

20 (A) *cyber warfare;*
 21 (B) *personnel management;*
 22 (C) *military training processes; and*
 23 (D) *acquisition management.*

24 (d) *ACCESS TO DEPARTMENT OF DEFENSE PER-*
 25 *SONNEL, INFORMATION, AND RESOURCES.—Under an*

1 *agreement entered into between the Secretary and the Na-*
2 *tional Academies under subsection (a)—*

3 (1) *the Secretary shall agree to provide to the*
4 *National Academy access to such personnel, informa-*
5 *tion, and resources of the Department of Defense as*
6 *may be determined necessary by the National Acad-*
7 *emy in furtherance of the conduct of the evaluation*
8 *under subsection (b); and*

9 (2) *if the Secretary does not provide such access,*
10 *or any other major obstacle to such access occurs, the*
11 *National Academy shall agree to notify the congres-*
12 *sional defense committees not later than seven days*
13 *after the date of such refusal or other occurrence.*

14 *(e) REPORT.—*

15 (1) *SUBMISSION TO CONGRESS.—Under an*
16 *agreement entered into between the Secretary and the*
17 *National Academy under subsection (a), the National*
18 *Academy shall submit to the congressional defense*
19 *committees a report containing the findings of the*
20 *National Academy with respect to the evaluation*
21 *under subsection (b) not later than 210 days after the*
22 *date of the execution of the agreement.*

23 (2) *PROHIBITION AGAINST INTERFERENCE.—No*
24 *personnel of the Department of Defense, nor any other*
25 *officer or employee of the United States Government,*

1 *may interfere, exert undue influence, or in any way*
 2 *seek to alter the findings of the National Academy*
 3 *specified in paragraph (1) prior to the submission*
 4 *thereof under such paragraph.*

5 (3) *FORM.—The report under paragraph (1)*
 6 *shall be submitted in an unclassified form, but may*
 7 *include a classified annex.*

8 ***Subtitle B—Matters Relating to De-***
 9 ***partment of Defense Cybersecu-***
 10 ***ity and Information Technology***

11 ***SEC. 1711. REQUIREMENTS FOR DEPLOYMENT OF FIFTH***
 12 ***GENERATION INFORMATION AND COMMU-***
 13 ***NICATIONS CAPABILITIES TO DEPARTMENT***
 14 ***OF DEFENSE BASES AND FACILITIES.***

15 (a) *IN GENERAL.—The Secretary of Defense shall—*

16 (1) *develop and implement a strategy for deploy-*
 17 *ing private networks, based on fifth generation infor-*
 18 *mation and communications capabilities (5G) and*
 19 *Open Radio Access Network (ORAN) architecture, to*
 20 *military bases and facilities that are tailored to the*
 21 *specific mission, security, and performance require-*
 22 *ments of those bases and facilities;*

23 (2) *create a common, transparent, and stream-*
 24 *lined process for enabling public network service pro-*
 25 *viders of fifth generation information and commu-*

1 *nications capabilities to gain access to military bases*
 2 *and facilities to provide commercial subscriber serv-*
 3 *ices to government and contractor personnel and or-*
 4 *ganizations located on those bases and facilities; and*

5 *(3) decide, on a case-by-case basis or as a com-*
 6 *mon requirement, whether to contract for—*

7 *(A) neutral hosting, whereby infrastructure*
 8 *and services will be provided to companies de-*
 9 *ploying private networks and public network*
 10 *services through Multi-Operator Core Network*
 11 *architectures; or*

12 *(B) separate private network and public*
 13 *network infrastructure.*

14 *(b) INTERNATIONAL COOPERATION ACTIVITIES.—The*
 15 *Secretary may engage in cooperation activities with foreign*
 16 *allies and partners of the United States, using an authority*
 17 *provided by another provision of law, to inform the efficient*
 18 *and effective deployment of Open Radio Access Network ar-*
 19 *chitecture and to implement the strategy required under*
 20 *subsection (a)(1).*

21 *(c) DUE DATE FOR STRATEGY AND BRIEFING.—*

22 *(1) STRATEGY.—The Secretary shall develop the*
 23 *strategy required in subsection (a)(1) not later than*
 24 *120 days after the date of the enactment of this Act.*

1 (2) *BRIEFING*.—Not later than 150 days after
 2 the date of the enactment of this Act, the Secretary
 3 shall provide to the congressional defense committees
 4 a briefing on the strategy developed under paragraph
 5 (1) of subsection (a) and the activities of the Sec-
 6 retary under such subsection.

7 (d) *DEFINITION OF OPEN RADIO ACCESS NETWORK*.—
 8 The term “Open Radio Access Network” means a network
 9 architecture that is modular, uses open interfaces, and
 10 virtualizes functionality on commodity hardware through
 11 software.

12 **SEC. 1712. DEPARTMENT OF DEFENSE INFORMATION NET-**
 13 **WORK BOUNDARY AND CROSS-DOMAIN DE-**
 14 **FENSE.**

15 (a) *MODERNIZATION PROGRAM REQUIRED*.—The Sec-
 16 retary of Defense shall carry out a modernization program
 17 for network boundary and cross-domain defense against
 18 cyber attacks, expanding upon the fiscal year 2023 pilot
 19 program and initial deployment to the primary Depart-
 20 ment of Defense internet access points (IAPs) managed by
 21 the Defense Information Systems Agency (DISA).

22 (b) *PROGRAM PHASES*.—

23 (1) *IN GENERAL*.—The modernization program
 24 required by subsection (a) shall be implemented in

1 *phases, with the objective of completing the program*
2 *by October 1, 2028.*

3 (2) *OBJECTIVES.—The phases required by para-*
4 *graph (1) shall include the following objectives:*

5 (A) *By the end of fiscal year 2026, comple-*
6 *tion of—*

7 (i) *a pilot of modernized boundary de-*
8 *fense capabilities and initial and full de-*
9 *ployment of the capabilities to internet ac-*
10 *cess points managed by the Defense Infor-*
11 *mation Systems Agency; and*

12 (ii) *the extension of modernized bound-*
13 *ary defense capabilities to all additional*
14 *internet access points of the Department of*
15 *Defense information network (DODIN).*

16 (B) *By the end of fiscal year 2027, survey,*
17 *pilot, and deploy modernized boundary defense*
18 *capabilities to the access points and cross-do-*
19 *main capabilities of the Secret Internet Protocol*
20 *Network.*

21 (C) *By the end of fiscal year 2028, survey,*
22 *pilot, and deploy modernized boundary defense*
23 *capabilities to remaining classified networks and*
24 *enclaves of the Department information network.*

1 (c) *BRIEFING REQUIRED.*—Not later than 60 days
 2 after the date of the enactment of this Act, the Secretary
 3 shall provide the congressional defense committees a briefing
 4 on—

5 (1) the findings of the Secretary with respect to
 6 the pilot and initial deployment under subsection
 7 (b)(2)(A)(i); and

8 (2) the plans of the Secretary for the phased de-
 9 ployment to other internet access points and classified
 10 networks pursuant to subsection (b).

11 **SEC. 1713. POLICY AND GUIDANCE ON MEMORY-SAFE SOFT-**
 12 **WARE PROGRAMMING.**

13 (a) *POLICY AND GUIDANCE.*—Not later than 270 days
 14 after the date of the enactment of this Act, the Secretary
 15 of Defense shall develop a Department of Defense-wide pol-
 16 icy and guidance in the form of a directive memorandum
 17 to implement the recommendations of the National Security
 18 Agency contained in the Software Memory Safety Cyberse-
 19 curity Information Sheet published by the Agency in No-
 20 vember, 2022, regarding memory-safe software program-
 21 ming languages and testing to identify memory-related
 22 vulnerabilities in software developed, acquired by, and used
 23 by the Department of Defense.

24 (b) *REQUIREMENTS.*—The policy required in sub-
 25 section (a) shall—

1 (1) *establish the conditions and associated ap-*
2 *proval processes under which a component of the De-*
3 *partment may—*

4 (A) *contract for the development of custom*
5 *software that includes open source and reused*
6 *software written in programming languages that*
7 *are not classified as memory-safe by the Agency;*

8 (B) *acquire commercial software items that*
9 *use programming languages that are not classi-*
10 *fied as memory-safe by the Agency;*

11 (C) *contract for software-as-a-service where*
12 *the contractor uses programming languages that*
13 *are not classified as memory-safe by the Agency;*
14 *and*

15 (D) *develop software in Federal Govern-*
16 *ment-owned software factories programming lan-*
17 *guages that are not classified as memory-safe by*
18 *the Agency; and*

19 (2) *establish requirements and processes for em-*
20 *ploying static and dynamic application security test-*
21 *ing that can identify memory-use issues and*
22 *vulnerabilities and resolve them for software con-*
23 *tracted for, developed, or acquired as described in*
24 *paragraph (1).*

1 (c) *BRIEFING REQUIRED.*—Not later than 300 days
2 after the date of the enactment of this Act, the Secretary
3 shall provide the congressional defense committees a briefing
4 on the policy and guidance developed under subsection (a).

5 **SEC. 1714. DEVELOPMENT OF REGIONAL CYBERSECURITY**
6 **STRATEGIES.**

7 (a) *DEVELOPMENT OF STRATEGIES REQUIRED.*—Not
8 later than one year after the date of the enactment of this
9 Act, the Secretary of Defense shall, in coordination with
10 the Commander of United States Cyber Command and each
11 commander of a geographic combatant command, develop,
12 for each geographic combatant command, a regional cyber-
13 security strategy to support the operations of such com-
14 mand.

15 (b) *ELEMENTS.*—Each regional cybersecurity strategy
16 developed under subsection (a) for a geographic combatant
17 command shall include the following:

18 (1) *A description or an outline of methods to*
19 *identify both nation-state and non-state cyber threat*
20 *actors.*

21 (2) *Processes to enhance the targeting, intel-*
22 *ligence, and cyber capabilities of the combatant com-*
23 *mand.*

24 (3) *Plans to increase the number of cyber plan-*
25 *ners embedded in the combatant command.*

1 (4) *Processes to integrate cyber forces into other*
2 *warfare domains.*

3 (5) *A plan to assist, train, advise, and partici-*
4 *pate in cyber capacity building with international*
5 *partners.*

6 (6) *A prioritization of cyber risks and*
7 *vulnerabilities within the geographic region.*

8 (7) *Processes to coordinate cyber activities with*
9 *interagency partners with activities in the geographic*
10 *region.*

11 (8) *Specific plans to assist in the defense of for-*
12 *eign infrastructure that is critical to the national se-*
13 *curity interests of the United States.*

14 (9) *Means by which the Cybersecurity and Infra-*
15 *structure Security Agency will be integrated into each*
16 *strategy.*

17 **SEC. 1715. CYBER INCIDENT REPORTING.**

18 (a) *CYBER INCIDENT REPORTING REQUIREMENT.—*

19 (1) *DEPARTMENT GOVERNANCE.—Not later than*
20 *180 days after the date of the enactment of this Act,*
21 *the Secretary of Defense shall, in consultation with*
22 *the Chief Information Officer of the Department of*
23 *Defense, the Commander of United States Cyber Com-*
24 *mand, and the Commander of the Joint Force Head-*

1 *quarters Department of Defense Information Net-*
2 *work—*

3 *(A) assign responsibility to the Commander*
4 *of the Joint Force Headquarters Department of*
5 *Defense Information Network to oversee cyber in-*
6 *cident reporting and notification of cyber inci-*
7 *dents to Department leadership;*

8 *(B) align policy and system requirements to*
9 *enable the Department to have enterprise-wide*
10 *visibility of cyber incident reporting to support*
11 *rapid and appropriate response; and*

12 *(C) distribute new guidance to Department*
13 *personnel on cyber incident reporting, which*
14 *shall include detailed procedures for identifying,*
15 *reporting, and notifying Department leadership*
16 *of critical cyber incidents.*

17 *(2) DEFENSE INDUSTRIAL BASE.—Not later than*
18 *180 days after the date of the enactment of this Act,*
19 *the Secretary shall ensure that the Chief Information*
20 *Officer determines what actions need to be taken to*
21 *encourage more complete and timely mandatory cyber*
22 *incident reporting from persons in the defense indus-*
23 *trial base.*

24 *(3) DATA BREACH NOTIFICATION.—The Sec-*
25 *retary shall ensure that components of the Depart-*

1 *ment document instances in which Department per-*
2 *sonnel affected by a privacy data breach are notified*
3 *of the breach within 72 hours of the discovery of the*
4 *breach.*

5 *(b) ASSESSMENT ON ESTABLISHING OFFICE OF CYBER*
6 *STATISTICS.—*

7 *(1) IN GENERAL.—Not later than one year after*
8 *the date of the enactment of this Act, the Secretary of*
9 *Defense shall complete an assessment of the feasibility*
10 *and suitability of establishing, and resourcing re-*
11 *quired to establish, an office of cyber statistics to*
12 *track cyber incidents and measure the response time*
13 *of defense agencies and the military departments to*
14 *address cyber threats, risks, and vulnerabilities.*

15 *(2) ELEMENTS.—The assessment required under*
16 *paragraph (1) shall include an evaluation of the fea-*
17 *sibility, suitability, and resourcing required for de-*
18 *fense agencies and the military departments—*

19 *(A) to collect data on the amount of time it*
20 *takes to detect a cyber incident;*

21 *(B) to respond to a cyber incident;*

22 *(C) to fully mitigate the risk of high-impact*
23 *cyber vulnerabilities;*

24 *(D) to recover data following a malicious*
25 *cyber intrusion; and*

1 (E) to collect such other metrics as the Sec-
 2 retary determines would help improve cyber inci-
 3 dent reporting practices.

4 **SEC. 1716. MANAGEMENT BY DEPARTMENT OF DEFENSE OF**
 5 **MOBILE APPLICATIONS.**

6 (a) *IMPLEMENTATION OF RECOMMENDATIONS.*—

7 (1) *IN GENERAL.*—The Secretary of Defense shall
 8 evaluate and implement to the maximum practicable
 9 extent the recommendations of the Inspector General
 10 of the Department of Defense with respect to man-
 11 aging mobile applications contained in the report set
 12 forth by the Inspector General dated February 9,
 13 2023, and entitled “Management Advisory: The DoD’s
 14 Use of Mobile Applications” (Report No. DODIG–
 15 2023–041).

16 (2) *DEADLINE.*—The Secretary shall implement
 17 the recommendations specified in subsection (a) by
 18 not later than one year after the date of the enact-
 19 ment of this Act, unless the Secretary notifies the con-
 20 gressional defense committees in writing of specific
 21 recommendations that the Secretary chooses not to
 22 implement or to implement after the date that is one
 23 year after the date of the enactment of this Act.

24 (b) *BRIEFING ON REQUIREMENTS RELATED TO COV-*
 25 *ERED APPLICATIONS.*—

1 (1) *IN GENERAL.*—Not later than 120 days after
 2 the date of the enactment of this Act, the Secretary
 3 shall brief the congressional defense committees on ac-
 4 tions taken by the Secretary to enforce compliance
 5 with existing policy of the Department of Defense that
 6 prohibits—

7 (A) the installation and use of covered ap-
 8 plications on Federal Government devices; and

9 (B) the use of covered applications on the
 10 Department of Defense Information Network on
 11 personal devices.

12 (2) *COVERED APPLICATIONS DEFINED.*—In this
 13 subsection, the term “covered applications” means the
 14 social networking service TikTok or any successor ap-
 15 plication or service developed or provided by
 16 ByteDance Limited or an entity owned by ByteDance
 17 Limited.

18 **SEC. 1717. SECURITY ENHANCEMENTS FOR THE NUCLEAR**
 19 **COMMAND, CONTROL, AND COMMUNICA-**
 20 **TIONS NETWORK.**

21 (a) *REQUIRED ESTABLISHMENT OF CROSS-FUNC-*
 22 *TIONAL TEAM.*—

23 (1) *IN GENERAL.*—Not later than 180 days after
 24 the date of the enactment of this Act, the Secretary of
 25 Defense shall establish a cross-functional team, in ac-

1 *cordance with section 911(c) of the National Defense*
 2 *Authorization Act for Fiscal Year 2017 (Public Law*
 3 *114–328; 10 U.S.C. 111 note), to develop and direct*
 4 *the implementation of a threat-driven cyber defense*
 5 *construct for systems and networks that support the*
 6 *nuclear command, control, and communications*
 7 *(commonly referred to as “NC3”) mission.*

8 (2) *PARTICIPATION IN THE CROSS-FUNCTIONAL*
 9 *TEAM.—The Secretary shall ensure that each of the*
 10 *military departments, the Defense Information Sys-*
 11 *tems Agency, the National Security Agency, United*
 12 *States Cyber Command, and the Nuclear Command,*
 13 *Control, and Communications Enterprise Center of*
 14 *United States Strategic Command provide staff for*
 15 *the cross-functional team.*

16 (3) *SCOPE.—The cross-functional team shall*
 17 *work to enhance the cyber defense of the nuclear com-*
 18 *mand, control, and communications network during*
 19 *the period beginning on the date of the enactment of*
 20 *this Act and ending on October 31, 2028, or a subse-*
 21 *quent date as the Secretary may determine.*

22 (b) *REQUIRED CONSTRUCT AND PLAN OF ACTION AND*
 23 *MILESTONES.—Not later than one year after the date of the*
 24 *enactment of this Act, the head of the cross-functional team*
 25 *established pursuant to subsection (a)(1) shall develop a*

1 *cyber defense construct and associated plans of actions and*
 2 *milestones to enhance the security of the systems and net-*
 3 *works that support the nuclear command, control, and com-*
 4 *munications mission that are based on—*

5 (1) *the application of the principles of the Zero*
 6 *Trust Architecture approach to security;*

7 (2) *analysis of appropriately comprehensive end-*
 8 *point and network telemetry data; and*

9 (3) *control capabilities enabling rapid investiga-*
 10 *tion and remediation of indicators of compromise and*
 11 *threats to mission execution.*

12 (c) *ANNUAL BRIEFINGS.—During the 60-day period*
 13 *beginning on the date that is 30 days before the date on*
 14 *which the President submits to Congress the budget of the*
 15 *President for fiscal year 2025 pursuant to section 1105(a)*
 16 *of title 31, United States Code, and for each of fiscal years*
 17 *2026 through 2028, the Secretary shall provide the congres-*
 18 *sional defense committees a briefing on the implementation*
 19 *of this section.*

20 **SEC. 1718. GUIDANCE REGARDING SECURING LABORA-**
 21 **TORIES OF THE ARMED FORCES.**

22 (a) *IN GENERAL.—Not later than 180 days after the*
 23 *date of the enactment of this Act, the Secretary of Defense*
 24 *shall, in coordination with the Chief Information Officer*
 25 *of the Department of Defense, the Chief Digital and Artifi-*

1 *cial Intelligence Officer of the Department, the Under Sec-*
2 *retary of Defense for Research and Engineering, and the*
3 *Under Secretary of Defense for Intelligence and Security,*
4 *issue guidance throughout the Department regarding meth-*
5 *ods and processes to secure laboratories of the Armed Forces*
6 *from—*

- 7 (1) *unauthorized access and intrusion;*
8 (2) *damage to, and destruction, manipulation,*
9 *or theft of, physical and digital laboratory assets;*
10 (3) *accidental or intentional release or disclosure*
11 *of sensitive information; and*
12 (4) *cyber sabotage.*

13 (b) *METHODS AND PROCESSES.—At a minimum, the*
14 *methods and processes required under subsection (a) shall*
15 *include guidance to—*

- 16 (1) *secure laboratory operations through zero*
17 *trust principles;*
18 (2) *control access of devices to laboratory infor-*
19 *mation networks;*
20 (3) *secure inventory management processes;*
21 (4) *control or limit access to laboratories of the*
22 *Armed Forces to authorized individuals;*
23 (5) *maintain the security and integrity of data*
24 *libraries, repositories, and other digital assets;*

1 (6) report and remediate cyber incidents or other
2 unauthorized intrusions;

3 (7) train and educate personnel of the Depart-
4 ment on laboratory security;

5 (8) develop an operations security (OPSEC)
6 plan to secure laboratory operations that can be used
7 to implement the appropriate countermeasures given
8 the mission, assessed risk, and resources available to
9 the unit and provides guidelines for implementation
10 of routine procedures and measures to be employed
11 during daily operations or activities of the unit; and

12 (9) develop and train applicable units on indi-
13 vidualized secure laboratory critical information and
14 indicator lists to aid in protecting critical informa-
15 tion about Department activities, intentions, capabili-
16 ties, or limitations that an adversary seeks to gain a
17 military, political, diplomatic, economic, or techno-
18 logical advantage.

19 **SEC. 1719. ESTABLISHING IDENTITY, CREDENTIAL, AND AC-**
20 **CESS MANAGEMENT INITIATIVE AS A PRO-**
21 **GRAM OF RECORD.**

22 (a) *IN GENERAL.*—Not later than 120 days after the
23 date of the enactment of this Act, the Secretary of Defense
24 shall establish the Identity, Credential, and Access Manage-
25 ment (ICAM) initiative as a program of record subject to

1 *milestone reviews, compliance with requirements, and oper-*
2 *ational testing.*

3 (b) *ELEMENTS.*—*The program of record established*
4 *pursuant to subsection (a) shall encompass, at a minimum,*
5 *the following:*

6 (1) *Correcting the authentication and*
7 *credentialing security weaknesses, including in the*
8 *Public Key Infrastructure program, identified by the*
9 *Director of Operational Test and Evaluation in a re-*
10 *port submitted to Congress in April, 2023, entitled*
11 *“FY14–21 Observations of the Compromise of Cyber*
12 *Credentials”.*

13 (2) *Implementing improved authentication tech-*
14 *nologies, such as biometric and behavioral authentica-*
15 *tion techniques and other non-password-based solu-*
16 *tions.*

17 (c) *BRIEFING.*—*Not later than 150 days after the date*
18 *of the enactment of this Act, the Secretary shall provide the*
19 *congressional defense committees a briefing on the param-*
20 *eters of the program of record established pursuant to sub-*
21 *section (a).*

1 **SEC. 1720. STRATEGY ON CYBERSECURITY RESILIENCY OF**
2 **DEPARTMENT OF DEFENSE SPACE ENTER-**
3 **PRISE.**

4 (a) *STRATEGY*.—Not later than 120 days after the date
5 of the enactment of this Act, the Secretary of Defense shall,
6 in coordination with the Chief Information Officer of the
7 Department of Defense, the Commander of United States
8 Cyber Command, the Secretary of the Air Force, and the
9 Commander of United States Space Command, develop and
10 commence implementation of a Department-wide strategy
11 regarding cyber protection activities for the Department of
12 Defense space enterprise.

13 (b) *ELEMENTS*.—The strategy developed and imple-
14 mented pursuant to subsection (a) shall, at a minimum,
15 address the following elements:

16 (1) *The coordination and synchronization of*
17 *cyber protection activities across combatant com-*
18 *mands, the military departments, and defense agen-*
19 *cies.*

20 (2) *The adoption and implementation of zero*
21 *trust architecture on legacy and new space-based sys-*
22 *tems.*

23 (3) *How the Department will prioritize the miti-*
24 *gation of known cyber risks and vulnerabilities to leg-*
25 *acy and new space-based systems.*

1 (4) *How the Department will accelerate the de-*
 2 *velopment of capabilities to protect space-based sys-*
 3 *tems from cyber threats.*

4 (c) *BRIEFING.*—*Not later than 150 days after the date*
 5 *of the enactment of this Act, the Secretary shall provide the*
 6 *congressional defense committees a briefing on the strategy*
 7 *developed and implemented pursuant to subsection (a).*

8 **SEC. 1721. REQUIREMENTS FOR IMPLEMENTATION OF USER**
 9 **ACTIVITY MONITORING FOR CLEARED PER-**
 10 **SONNEL AND OPERATIONAL AND INFORMA-**
 11 **TION TECHNOLOGY ADMINISTRATORS AND**
 12 **OTHER PRIVILEGED USERS.**

13 (a) *IN GENERAL.*—*The Secretary of Defense shall re-*
 14 *quire each head of a component of the Department of De-*
 15 *fense to fully implement directives, policies, and program*
 16 *requirements for user activity monitoring and least privi-*
 17 *lege access controls for Federal Government and contractor*
 18 *personnel granted access to classified information and clas-*
 19 *sified networks.*

20 (b) *SPECIFIC USER ACTIVITY CONTROL REQUIRE-*
 21 *MENTS.*—*The Secretary shall require each head of a Depart-*
 22 *ment component to fully implement the detection, collection,*
 23 *and auditing of the following:*

1 (1) *Sent and received emails, including sent at-*
2 *tachments and emails sent outside of Federal Govern-*
3 *ment domains.*

4 (2) *Screen captures and print jobs, with focused*
5 *attention on unusual volumes and times.*

6 (3) *Accesses to World Wide Web Uniform Re-*
7 *source Locators and uploads and downloads involving*
8 *nongovernment domains.*

9 (4) *All instances in which a user creates, copies,*
10 *moves to, or renames a file on removable media.*

11 (5) *Secure file transfers, including on non-*
12 *standard ports.*

13 (6) *Keystrokes.*

14 (7) *Unauthorized research on user activity moni-*
15 *toring agents and techniques to disable user activity*
16 *monitoring agents.*

17 (8) *Attempts to clear event logs on devices.*

18 (9) *Unauthorized applications being installed or*
19 *run on an endpoint.*

20 (10) *Installation and use of mounted drives, in-*
21 *cluding serial numbers of such drives.*

22 (11) *Initiation and control of an interactive ses-*
23 *sion on a remote computer or virtual machine.*

24 (12) *Instances where monitored users are denied*
25 *access to a network location or resource.*

1 (13) *Users uploading to or downloading from*
2 *cloud services.*

3 (14) *Administrative actions by privileged users,*
4 *including remote and after-hour administrative ac-*
5 *tions, as well as document viewing, copy and paste*
6 *activity, and file copying to new locations.*

7 (c) *ADDITIONAL REQUIREMENTS.—The Secretary shall*
8 *require each head of a Department component to implement*
9 *the following:*

10 (1) *Automated controls to prohibit privileged*
11 *user accounts from performing general user activities*
12 *not requiring privileged access.*

13 (2) *Two-person control whereby privileged users*
14 *attempt to initiate data transfers from a classified*
15 *domain and removable media-based data transfer ac-*
16 *tivities on classified networks.*

17 (d) *ESTABLISHING USER ACTIVITY MONITORING BE-*
18 *HAVIOR THRESHOLDS.—*

19 (1) *IN GENERAL.—The Secretary shall require*
20 *each head of a Department component to implement*
21 *standard triggers, alerts, and controls developed by*
22 *the Under Secretary of Defense for Intelligence and*
23 *Security based on insider threat behavior models ap-*
24 *proved by the Under Secretary.*

1 (2) *APPROVAL OF DEVIATIONS.*—*A head of a De-*
 2 *partment component that seeks to adopt a practice*
 3 *pursuant to paragraph (1) that deviates from stand-*
 4 *ard triggers, alerts, and controls described in such*
 5 *paragraph by being less stringent shall submit to the*
 6 *Under Secretary a request for approval for such devi-*
 7 *ation along with a written justification for such devi-*
 8 *ation.*

9 (e) *PERIODIC TESTING.*—*The Secretary shall require*
 10 *each head of a Department component, not less frequently*
 11 *than once every two years—*

12 (1) *to conduct insider threat testing using threat-*
 13 *realistic tactics, techniques, and procedures; and*

14 (2) *to submit to the Under Secretary and the Di-*
 15 *rector of Operational Test and Evaluation a report*
 16 *on the findings of the head with respect to the testing*
 17 *conducted pursuant to paragraph (1).*

18 (f) *PERIODIC REVIEWS AND UPDATES.*—*The Secretary*
 19 *shall review and update the standard set of triggers, alerts,*
 20 *and controls described in subsection (d)(1) at least once*
 21 *every three years to account for new technology, new insider*
 22 *threat behaviors, and the results of testing conducted pursu-*
 23 *ant to subsection (e)(1).*

24 (g) *REPORT.*—*Not later than 180 days after the date*
 25 *of the enactment of this Act, the Secretary shall submit to*

1 *the Committee on Armed Services and the Select Committee*
 2 *on Intelligence of the Senate and the Committee on Armed*
 3 *Services and the Permanent Select Committee on Intel-*
 4 *ligence of the House of Representatives a report on the im-*
 5 *plementation of the requirements of this section.*

6 (h) *DEFINITION OF TRIGGERS.*—*In this section, the*
 7 *term “trigger” means a set of logic statements applied to*
 8 *a data stream that produces an alert when an anomalous*
 9 *incident or behavior occurs.*

10 **SEC. 1722. DEPARTMENT OF DEFENSE DIGITAL CONTENT**
 11 **PROVENANCE.**

12 (a) *BRIEFING.*—

13 (1) *IN GENERAL.*—*Not later than 90 days after*
 14 *the date of the enactment of this Act, the Director of*
 15 *the Defense Media Activity (DMA) shall provide a to*
 16 *the Committee on Armed Services of the Senate and*
 17 *the Committee on Armed Services of the House of*
 18 *Representatives a briefing on developing a course of*
 19 *education at the Defense Information School*
 20 *(DINFOS) to teach the practical concepts and skills*
 21 *needed by Department of Defense public affairs,*
 22 *audiovisual, visual information, and records manage-*
 23 *ment specialists.*

24 (2) *ELEMENTS.*—*The briefing provided pursuant*
 25 *to paragraph (1) shall cover the following:*

1 (A) *The expertise and qualifications of the*
 2 *Department personnel who will be responsible for*
 3 *teaching the proposed course of education.*

4 (B) *The list of sources that will be consulted*
 5 *and used to develop the proposed curriculum for*
 6 *the course of education.*

7 (C) *A description of the industry open tech-*
 8 *nical standards under subsection (b)(1)(C).*

9 (D) *The status of the implementation of the*
 10 *course of education.*

11 (b) *COURSE OF EDUCATION REQUIRED.—*

12 (1) *IN GENERAL.—Not later than one year after*
 13 *the date of the enactment of this Act, the Director of*
 14 *the Defense Media Activity shall establish a course of*
 15 *education at the Defense Information School to teach*
 16 *the practical concepts and skills needed by public af-*
 17 *fairs, audiovisual, visual information, and records*
 18 *management specialists to understand the following:*

19 (A) *Digital content provenance for applica-*
 20 *ble Department media content.*

21 (B) *The challenges posed to Department*
 22 *missions and operations by a digital content for-*
 23 *gery.*

24 (C) *How existing industry open technical*
 25 *standards may be used to authenticate the dig-*

1 *ital content provenance of applicable Depart-*
2 *ment media content.*

3 (2) *MATTERS COVERED.*—*The course of edu-*
4 *cation established pursuant to paragraph (1) shall*
5 *cover the following:*

6 (A) *The challenges to Department missions*
7 *and operations posed by a digital content for-*
8 *gery.*

9 (B) *The development of industry open tech-*
10 *nical standards for verifying the digital content*
11 *provenance of applicable Department media con-*
12 *tent.*

13 (C) *Hands-on training techniques for cap-*
14 *turing secure and authenticated digital content*
15 *for documenting and communicating Depart-*
16 *ment themes and messages.*

17 (D) *Training for completing post-produc-*
18 *tion tasks by using industry open technical*
19 *standards for digital content provenance and*
20 *transmitting applicable Department media con-*
21 *tent in both operational and nonoperational en-*
22 *vironments.*

23 (E) *Such other matters as the Director con-*
24 *siders appropriate.*

1 (3) *REPORT.*—Not later than one year after the
2 date of the establishment of the course required in
3 paragraph (1), the Director shall provide the Com-
4 mittee on Armed Services of the Senate and the Com-
5 mittee on Armed Services of the House of Representa-
6 tives a report on the following:

7 (A) *The status of the development of a cur-*
8 *riculum to carry out the course of education re-*
9 *quired by paragraph (1).*

10 (B) *The implementation plan of the Direc-*
11 *tor for such course of education, including the*
12 *following:*

13 (i) *The expertise and qualifications of*
14 *the Department personnel responsible for*
15 *teaching the course of education.*

16 (ii) *The list of sources consulted and*
17 *used to develop the curriculum for the*
18 *course of education.*

19 (iii) *A description of the industry open*
20 *technical standards under subsection*
21 *(b)(1)(C).*

22 (iv) *The status of the implementation*
23 *of the course of education.*

24 (C) *The resources available to the Director*
25 *to carry out this subsection and whether the Di-*

1 *rector requires any additional resources to carry*
2 *out this subsection.*

3 *(c) PILOT PROGRAM ON IMPLEMENTING DIGITAL CON-*
4 *TENT PROVENANCE STANDARDS.—*

5 *(1) PILOT PROGRAM REQUIRED.—Not later than*
6 *one year after the date of the enactment of this Act,*
7 *the Director shall commence a pilot program to assess*
8 *the feasibility and advisability of implementing in-*
9 *dustry open technical standards for digital content*
10 *provenance for official Department photographic and*
11 *video visual documentation that is publicly released*
12 *by the Defense Visual Information Distribution Serv-*
13 *ice (DVIDS) and other distribution platforms, sys-*
14 *tems, and services used by the Department.*

15 *(2) ELEMENTS.—In carrying out the pilot pro-*
16 *gram required by paragraph (1), the Director shall—*

17 *(A) establish a process for using industry*
18 *open technical standards for verifying the digital*
19 *content provenance of applicable Department*
20 *media content;*

21 *(B) apply technology solutions on photo-*
22 *graphs and videos of the Department publicly re-*
23 *leased after the date of the enactment of this sec-*
24 *tion, that comport with industry open technical*
25 *standard for digital content provenance;*

1 (C) assess the feasibility and advisability of
2 applying an industry open technical standard
3 for digital content provenance on historical vis-
4 ual information records of the Department stored
5 at the Defense Visual Information Records Cen-
6 ter; and

7 (D) develop and apply measure of effective-
8 ness for the execution of the pilot program.

9 (3) CONSULTATION.—In carrying out the pilot
10 program required by paragraph (1), the Director may
11 consult with federally funded research and develop-
12 ment centers, private industry, academia, and such
13 others as the Director considers appropriate.

14 (4) TERMINATION.—The pilot program carried
15 out pursuant to paragraph (1) shall terminate on
16 January 1, 2027.

17 (5) REPORT.—

18 (A) IN GENERAL.—Not later than January
19 1, 2026, the Director shall submit to the Com-
20 mittee on Armed Services of the Senate and the
21 Committee on Armed Services of the House of
22 Representatives a report on the pilot program.

23 (B) CONTENTS.—The report submitted pur-
24 suant to subparagraph (A) shall include the fol-
25 lowing:

1 (i) *The findings of the Director with*
2 *respect to the pilot program.*

3 (ii) *The names of all entities the Direc-*
4 *tor consulted with in carrying out the pilot*
5 *program as authorized under paragraph*
6 *(3).*

7 (iii) *Assessment of the effectiveness of*
8 *the pilot.*

9 (iv) *A recommendation as to whether*
10 *the pilot program should be made perma-*
11 *nent.*

12 (d) *DEFINITIONS.—In this section:*

13 (1) *The term “applicable Department media con-*
14 *tent” means the media holdings generated, stored, or*
15 *controlled by the Defense Media Activity.*

16 (2) *The term “digital content forgery” means the*
17 *use of emerging technologies, including artificial in-*
18 *telligence and machine learning techniques to fab-*
19 *ricate or manipulate audio, visual, or text content*
20 *with the intent to mislead.*

21 (3) *The term “digital content provenance” means*
22 *the verifiable chronology of the origin and history of*
23 *a piece of digital content, such as an image, video,*
24 *audio recording, or electronic document.*

1 **SEC. 1723. POST-GRADUATE EMPLOYMENT OF CYBER SERV-**
2 **ICE ACADEMY SCHOLARSHIP RECIPIENTS IN**
3 **INTELLIGENCE COMMUNITY.**

4 *Section 1535 of the James M. Inhofe National Defense*
5 *Authorization Act for Fiscal Year 2023 (Public Law 117–*
6 *263; 10 U.S.C. 2200 note) is amended—*

7 *(1) in subsection (a)—*

8 *(A) in paragraph (1), by inserting “, the*
9 *heads of the elements of the intelligence commu-*
10 *nity,” after “the Secretary of Homeland Secu-*
11 *rity”; and*

12 *(B) in paragraph (3), by striking “Depart-*
13 *ment of Defense Cyber and Digital Service Acad-*
14 *emy” and inserting “Cyber Service Academy”;*
15 *and*

16 *(2) in subsection (d), by inserting “or an element*
17 *of the intelligence community” after “missions of the*
18 *Department”;*

19 *(3) in subsection (e)—*

20 *(A) by striking “Secretary” each place it*
21 *appears and inserting “head concerned”; and*

22 *(B) by inserting “, or within an element of*
23 *the intelligence community, as the case may be”*
24 *after “United States Code”;*

1 (4) in subsections (h), (j), and (k), by striking
 2 “Secretary” each place it appears and inserting
 3 “head concerned”; and

4 (5) by adding at the end of the following new
 5 subsections:

6 “(p) *INTERAGENCY CONSIDERATIONS.*—

7 “(1) *IN GENERAL.*—The Secretary of Defense
 8 shall enter into an agreement with the head of an ele-
 9 ment of the intelligence community to allow a schol-
 10 arship recipient to satisfy the recipient’s post-award
 11 employment obligations under this section by working
 12 for an element of the intelligence community that is
 13 not part of the Department of Defense if the head of
 14 that element agrees to reimburse the Department of
 15 Defense for the scholarship program costs associated
 16 with that scholarship recipient.

17 “(2) *LIMITATIONS.*—(A) A scholarship recipient
 18 may not serve the recipient’s post-award employment
 19 obligation under this section at an element of the in-
 20 telligence community that is not part of the Depart-
 21 ment of Defense before an agreement under paragraph
 22 (1) is reached.

23 “(B) Not more than 10 percent of scholarship re-
 24 cipients in each class may be placed in positions out-
 25 side the Department of Defense unless the Secretary

1 *certifies that the Department of Defense cannot facili-*
 2 *tate a placement within the Department of Defense.*

3 “(q) *DEFINITIONS.—In this section:*

4 “(1) *The term ‘head concerned’ means—*

5 “(A) *The Secretary of Defense, with respect*
 6 *to matters concerning the Department of Defense;*
 7 *or*

8 “(B) *the head of an element of the intel-*
 9 *ligence community, with respect to matters con-*
 10 *cerning that element.*

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

14 **SEC. 1724. MINIMUM NUMBER OF SCHOLARSHIPS TO BE**
 15 **AWARDED ANNUALLY THROUGH CYBER SERV-**
 16 **ICE ACADEMY.**

17 *Section 1535(c) of the James M. Inhofe National De-*
 18 *fense Authorization Act for Fiscal Year 2023 (Public Law*
 19 *117–263; 10 U.S.C. 2200 note) is amended by adding at*
 20 *the end the following new paragraph:*

21 “(5) *MINIMUM NUMBER OF SCHOLARSHIP*
 22 *AWARDS.—*

23 “(A) *IN GENERAL.—The Secretary of De-*
 24 *fense shall award not fewer than 1,000 scholar-*

1 *ships through the Program in fiscal year 2026*
 2 *and in each fiscal year thereafter.*

3 “(B) *WAIVER.—The Secretary of Defense*
 4 *may award fewer than the number of scholar-*
 5 *ships required under subparagraph (A) in a fis-*
 6 *cal year if the Secretary determines and notifies*
 7 *the congressional defense committees that fewer*
 8 *scholarships are necessary to address workforce*
 9 *needs.”.*

10 ***SEC. 1725. CONTROL AND MANAGEMENT OF DEPARTMENT***
 11 ***OF DEFENSE DATA AND ESTABLISHMENT OF***
 12 ***CHIEF DIGITAL AND ARTIFICIAL INTEL-***
 13 ***LIGENCE OFFICER GOVERNING COUNCIL.***

14 *(a) CONTROL AND MANAGEMENT OF DEPARTMENT OF*
 15 *DEFENSE DATA.—The Chief Digital and Artificial Intel-*
 16 *ligence Officer of the Department of Defense shall maintain*
 17 *the authority, but not the requirement, to access and con-*
 18 *trol, on behalf of the Secretary of Defense, of all data col-*
 19 *lected, acquired, accessed, or utilized by Department of De-*
 20 *fense components consistent with section 1513 of the James*
 21 *M. Inhofe National Defense Authorization Act for Fiscal*
 22 *Year 2023 (Public Law 117–263; 10 U.S.C. 4001 note).*

23 *(b) CHIEF DIGITAL AND ARTIFICIAL INTELLIGENCE*
 24 *OFFICER GOVERNING COUNCIL.—Paragraph (3) of section*
 25 *238(d) of the John S. McCain National Defense Authoriza-*

1 *tion Act for Fiscal Year 2019 (Public Law 115–232; 10*
 2 *U.S.C. note prec. 4061) is amended to read as follows:*

3 “(3) *CHIEF DIGITAL AND ARTIFICIAL INTEL-*
 4 *LIGENCE OFFICER GOVERNING COUNCIL.—*

5 “(A) *ESTABLISHMENT.—(i) The Secretary*
 6 *shall establish a council to provide policy over-*
 7 *sight to ensure the responsible, coordinated, and*
 8 *ethical employment of data and artificial intel-*
 9 *ligence capabilities across Department of Defense*
 10 *missions and operations.*

11 “(ii) *The council established pursuant to*
 12 *clause (i) shall be known as the ‘Chief Digital*
 13 *and Artificial Intelligence Officer Governing*
 14 *Council’ (in this paragraph the ‘Council’).*

15 “(B) *MEMBERSHIP.—The Council shall be*
 16 *composed of the following:*

17 “(i) *Joint Staff J–6.*

18 “(ii) *The Under Secretary of Defense*
 19 *for Acquisition and Sustainment.*

20 “(iii) *The Under Secretary of Defense*
 21 *for Research and Evaluation.*

22 “(iv) *The Under Secretary of Defense*
 23 *for Intelligence and Security.*

24 “(v) *The Under Secretary of Defense*
 25 *for Policy.*

1 “(vi) *The Director of Cost Analysis*
2 *and Program Evaluation.*

3 “(vii) *The Chief Information Officer of*
4 *the Department.*

5 “(viii) *The Director of Administration*
6 *and Management.*

7 “(ix) *The service acquisition executives*
8 *of each of the military departments.*

9 “(C) *HEAD OF COUNCIL.—The Council shall*
10 *be headed by the Chief Digital and Artificial In-*
11 *telligence Officer of the Department.*

12 “(D) *MEETINGS.—The Council shall meet*
13 *not less frequently than twice each fiscal year.*

14 “(E) *DUTIES OF COUNCIL.—The duties of*
15 *the Council are as follows:*

16 “(i) *To streamline the organizational*
17 *structure of the Department as it relates to*
18 *artificial intelligence development, imple-*
19 *mentation, and oversight.*

20 “(ii) *To improve coordination on arti-*
21 *ficial intelligence governance with the de-*
22 *fense industry sector.*

23 “(iii) *To establish and oversee artifi-*
24 *cial intelligence guidance on ethical require-*
25 *ments and protections for usage of artificial*

1 *intelligence supported by Department fund-*
2 *ing and reduces or mitigates instances of*
3 *unintended bias in artificial intelligence al-*
4 *gorithms.*

5 “(iv) *To identify, monitor, and peri-*
6 *odically update appropriate recommenda-*
7 *tions for operational usage of artificial in-*
8 *telligence.*

9 “(v) *To review, as the head of the*
10 *Council considers necessary, artificial intel-*
11 *ligence program funding to ensure that any*
12 *Department investment in an artificial in-*
13 *telligence tool, system, or algorithm adheres*
14 *to all Department established policy related*
15 *to artificial intelligence.*

16 “(vi) *To provide periodic status up-*
17 *dates on the efforts of the Department to de-*
18 *velop and implement artificial intelligence*
19 *into existing Department programs and*
20 *processes.*

21 “(vii) *To provide guidance on access*
22 *and distribution restrictions relating to*
23 *data, models, tool sets, or testing or valida-*
24 *tion infrastructure.*

1 “(viii) to implement and oversee a
 2 data and artificial intelligence educational
 3 program for the purpose of familiarizing
 4 the Department at all levels on the applica-
 5 tions of artificial intelligence in their oper-
 6 ations.

7 “(ix) To implement and oversee a data
 8 decree scorecard.

9 “(x) Such other duties as the Council
 10 determines appropriate.

11 “(F) *PERIODIC REPORTS.*—Not later than
 12 180 days after the date of the enactment of the
 13 National Defense Authorization Act for Fiscal
 14 Year 2024 and not less frequently than once
 15 every 18 months thereafter, the Council shall sub-
 16 mit to the Secretary and the congressional de-
 17 fense committees a report on the activities of the
 18 Council during the period covered by the re-
 19 port.”.

20 **SEC. 1726. REQUIREMENT TO SUPPORT FOR CYBER EDU-**
 21 **CATION AND WORKFORCE DEVELOPMENT AT**
 22 **INSTITUTIONS OF HIGHER LEARNING.**

23 (a) *AUTHORITY.*—The Secretary of Defense shall sup-
 24 port the development of foundational expertise in critical
 25 cyber operational skills at institutions of higher learning,

1 *selected by the Secretary under subsection (b), for current*
2 *and future members of the Armed Forces and civilian em-*
3 *ployees of the Department of Defense.*

4 (b) *SELECTION.—The Secretary shall select institu-*
5 *tions of higher learning to receive support under subsection*
6 *(a) from among institutions of higher learning that meet*
7 *the following eligibility criteria:*

8 (1) *The institution offers a program from begin-*
9 *ning through advanced skill levels to provide future*
10 *military and civilian leaders of the Armed Forces*
11 *with operational cyber expertise.*

12 (2) *The institution includes instruction and*
13 *practical experiences that lead to recognized certifi-*
14 *cations and degrees in the cyber field.*

15 (3) *The institution has and maintains an edu-*
16 *cational partnership with an active component of the*
17 *Armed Forces or a Department component designed*
18 *to facilitate the development of critical cyber skills for*
19 *students who may pursue a military career.*

20 (4) *The institution is located in close proximity*
21 *to a military installation with a cyber mission de-*
22 *fined by the Department or the Armed Forces.*

23 (c) *SUPPORT.—Under subsection (a), the Secretary*
24 *shall provide, at a minimum, to each institution of higher*
25 *learning selected by the Secretary under subsection (b) the*

1 *following support for civilian and military leaders of the*
 2 *Department transitioning into cyber fields at the Depart-*
 3 *ment:*

4 (1) *Expansion of cyber educational programs fo-*
 5 *cused on enhancing such transition.*

6 (2) *Hands-on cyber opportunities, including lab-*
 7 *oratories and security operations centers.*

8 (3) *Direct financial assistance to civilian and*
 9 *military students at the Department to increase ac-*
 10 *cess to courses and hands-on opportunities under*
 11 *paragraphs (1) and (2).*

12 (d) *AUTHORIZATION OF APPROPRIATIONS.—There is*
 13 *authorized to be appropriated to carry out this section*
 14 *\$10,000,000 for fiscal year 2024.*

15 **SEC. 1727. IMPROVEMENTS RELATING TO CYBER PROTEC-**
 16 **TION SUPPORT FOR DEPARTMENT OF DE-**
 17 **FENSE PERSONNEL IN POSITIONS HIGHLY**
 18 **VULNERABLE TO CYBER ATTACK.**

19 *Section 1645 of the National Defense Authorization*
 20 *Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C.*
 21 *2224 note) is amended—*

22 (1) *in subsection (a)—*

23 (A) *in paragraph (1)—*

1 (i) by inserting “and personal ac-
 2 counts” after “personal technology devices”;
 3 and

4 (ii) by inserting “and shall provide
 5 such support to any such personnel who re-
 6 quest the support” after “in paragraph
 7 (2)”; and

8 (B) in paragraph (2)(B), by inserting “or
 9 personal accounts” after “personal technology de-
 10 vices”;

11 (2) in subsection (c)—

12 (A) in paragraph (1), by inserting “or per-
 13 sonal accounts” after “personal technology de-
 14 vices”; and

15 (B) in paragraph (2), by striking “and net-
 16 works” and inserting “, personal networks, and
 17 personal accounts”; and

18 (3) by striking subsections (d) and (e) and in-
 19 serting the following new subsection (d):

20 “(d) *DEFINITIONS.*—In this section:

21 “(1) The term ‘personal accounts’ means ac-
 22 counts for online and telecommunications services, in-
 23 cluding telephone, residential internet access, email,
 24 text and multimedia messaging, cloud computing, so-
 25 cial media, health care, and financial services, used

1 *by Department of Defense personnel outside of the*
 2 *scope of their employment with the Department.*

3 “(2) *The term ‘personal technology devices’*
 4 *means technology devices used by Department of De-*
 5 *fense personnel outside of the scope of their employ-*
 6 *ment with the Department and includes networks to*
 7 *which such devices connect.”.*

8 **SEC. 1728. COMPTROLLER GENERAL REPORT ON EFFORTS**
 9 **TO PROTECT PERSONAL INFORMATION OF**
 10 **DEPARTMENT OF DEFENSE PERSONNEL**
 11 **FROM EXPLOITATION BY FOREIGN ADVER-**
 12 **SARIES.**

13 (a) *IN GENERAL.*—Not later than 180 days after the
 14 *date of the enactment of this Act, the Comptroller General*
 15 *of the United States shall brief the appropriate congres-*
 16 *sional committees on Department of Defense efforts to pro-*
 17 *tect personal information of its personnel from exploitation*
 18 *by foreign adversaries.*

19 (b) *ELEMENTS.*—The briefing required under sub-
 20 *section (a) shall include any observations on the following*
 21 *elements:*

22 (1) *An assessment of efforts by the Department*
 23 *of Defense to protect the personal information, includ-*
 24 *ing location data generated by smart phones, of mem-*
 25 *bers of the Armed Forces, civilian employees of the*

1 *Department of Defense, veterans, and their families*
 2 *from exploitation by foreign adversaries.*

3 (2) *Recommendations to improve Department of*
 4 *Defense policies and programs to meaningfully ad-*
 5 *dress this threat.*

6 (c) *REPORT.*—*The Comptroller General shall publish*
 7 *on its website an unclassified report, which may contain*
 8 *a classified annex submitted to the congressional defense*
 9 *and intelligence committees, on the elements described in*
 10 *subsection (b) at a time mutually agreed upon.*

11 (d) *APPROPRIATE CONGRESSIONAL COMMITTEES.*—*In*
 12 *this section, the term “appropriate congressional commit-*
 13 *tees” means—*

14 (1) *the congressional defense committees;*

15 (2) *the Select Committee on Intelligence of the*
 16 *Senate; and*

17 (3) *the Permanent Select Committee on Intel-*
 18 *ligence of the House of Representatives.*

19 ***TITLE XVIII—SPACE FORCE***
 20 ***PERSONNEL MANAGEMENT***

21 ***SEC. 1801. SHORT TITLE.***

22 *This title may be cited as the “Space Force Personnel*
 23 *Management Act”.*

1 **SEC. 1802. SPACE FORCE PERSONNEL MANAGEMENT ACT**
2 **TRANSITION PLAN.**

3 *(a) CONDITIONS REQUIRED FOR ENACTMENT.—*

4 *(1) IN GENERAL.—None of the authorities pro-*
5 *vide by this title shall take effect until the later of—*

6 *(A) the Secretary of the Air Force—*

7 *(i) certifies to the congressional defense*
8 *committees that any State National Guard*
9 *affected by the transfer of units, personnel*
10 *billets, equipment, and resources into the*
11 *Space Force will be made whole by the*
12 *transfer of additional assets under the con-*
13 *trol of the Secretary of the Air Force into*
14 *the affected State National Guard; and*

15 *(ii) submits to the congressional de-*
16 *fense committees a report that includes a*
17 *transition plan to move all units, personnel*
18 *billets, equipment, and resources performing*
19 *core Space Force functions, under the oper-*
20 *ational control of the Space Force, or other-*
21 *wise integral to the Space Force mission*
22 *that may exist in the reserve components of*
23 *the Department of the Air Force into the*
24 *Space Force; and*

1 *(B) one year after the Secretary of Defense*
 2 *provides the briefing on the study required under*
 3 *section 1703(c).*

4 *(2) ELEMENTS.—The transition plan required*
 5 *under paragraph (1)(B) shall include the following*
 6 *elements:*

7 *(A) An identification of any units, per-*
 8 *sonnel billets, equipment, and resources currently*
 9 *residing in the Air Force Reserve and Air Na-*
 10 *tional Guard that will be transferred into the*
 11 *Space Force, including, for items currently in*
 12 *the Air National Guard, a breakdown of assets*
 13 *by State.*

14 *(B) A timeline for the implementation of*
 15 *the authorities provided by this title.*

16 *(C) An explanation of any units personnel*
 17 *billets, equipment, and resources transferred be-*
 18 *tween the Regular Air Force, Air Force Reserve,*
 19 *Air National Guard, and Space Force, includ-*
 20 *ing, for any assets transferred into or out of the*
 21 *Air National Guard, a breakdown of transfers by*
 22 *State.*

23 *(b) PERSONNEL PROTECTIONS.—*

24 *(1) IN GENERAL.—In enacting the authorities*
 25 *provided by this title, the Secretary of the Air Force*

1 *shall not require any currently serving member of the*
 2 *Air National Guard to enlist or commission into the*
 3 *Space Force.*

4 (2) *JOB PLACEMENT.*—*The Secretary of the Air*
 5 *Force shall provide employment opportunities within*
 6 *the Air National Guard to any currently serving*
 7 *member of the Air National Guard who, as a direct*
 8 *result of the enactment of this title, declines to affil-*
 9 *iate with the Space Force.*

10 (3) *SPACE FORCE AFFILIATION.*—*The Secretary*
 11 *of the Air Force shall guarantee in writing that any*
 12 *member of the Air National Guard who joins the*
 13 *Space Force as a result of the enactment of this title*
 14 *will not lose rank or pay upon transferring to the*
 15 *Space Force.*

16 (c) *NATIONAL GUARD PROTECTIONS.*—*The Secretary*
 17 *of the Air Force shall ensure that no State National Guard*
 18 *loses Federal resources, including net personnel billets and*
 19 *Federal funding, as a result of the enactment of the authori-*
 20 *ties provided by this title.*

21 **SEC. 1803. COMPREHENSIVE ASSESSMENT OF SPACE FORCE**
 22 **EQUITIES IN THE NATIONAL GUARD.**

23 (a) *STUDY REQUIRED.*—*Not later than 30 days after*
 24 *the date of the enactment of this Act, the Secretary of De-*
 25 *fense shall seek to enter into an agreement with a Federally*

1 *funded research and development center under which such*
2 *center will conduct an independent study to assess the feasi-*
3 *bility and advisability of moving all units, personnel bil-*
4 *lets, equipment, and resources performing core space func-*
5 *tions, under the operational control of the Space Force, or*
6 *otherwise integral to the Space Force mission that may*
7 *exist in the National Guard and into a single-component*
8 *Space Force and provide to the Secretary a report on the*
9 *findings of the study. The conduct of such study shall in-*
10 *clude the following elements:*

11 (1) *An analysis and recommendations associated*
12 *with at least the three following possible courses of ac-*
13 *tion:*

14 (A) *Maintaining the current model in*
15 *which the Air National Guard has units and*
16 *personnel performing core space functions.*

17 (B) *Transitioning such units and personnel*
18 *to the Space Force.*

19 (C) *The creation of a new National Guard*
20 *component of the Space Force.*

21 (2) *A cost-benefit analysis for each of the ana-*
22 *lyzed courses of action.*

23 (3) *With respect to the course of action described*
24 *in paragraph (1)(B), an analysis of the ideal per-*
25 *sonnel, units, and resources that could be transitioned*

1 to the respective Air National Guards of States that
2 may lose space-related personnel, units, and resources
3 as a result of the consolidation of space-related per-
4 sonnel, units, and resources into the Space Force com-
5 ponent.

6 (b) *DEADLINE FOR COMPLETION.*—An agreement en-
7 tered into pursuant to subsection (a) shall specify that the
8 study conducted under the agreement shall be completed by
9 not later than February 1, 2025.

10 (c) *BRIEFING AND REPORT.*—

11 (1) *IN GENERAL.*—Upon completion of a study
12 conducted under an agreement entered into pursuant
13 to subsection (a), the Secretary shall provide to the
14 Committees on Armed Services of the Senate and
15 House of Representatives a briefing and report on the
16 findings of the study, including a description of any
17 proposed personnel, unit, or resource realignments re-
18 lated to the creation of the Space Force single compo-
19 nent or recommended by such study.

20 (2) *CLASSIFICATION OF REPORT.*—The report re-
21 quired under paragraph (1) shall be submitted in un-
22 classified form but may include classified appendices
23 as required.

1 ***Subtitle A—Space Force Military***
 2 ***Personnel System Without Com-***
 3 ***ponent***

4 ***SEC. 1811. ESTABLISHMENT OF MILITARY PERSONNEL MAN-***
 5 ***AGEMENT SYSTEM FOR THE SPACE FORCE.***

6 *Title 10, United States Code, is amended by adding*
 7 *at the end the following new subtitle:*

8 ***“Subtitle F—Alternative Military***
 9 ***Personnel Systems***

10 ***“PART I—SPACE FORCE***

“Chap.

“2001. Space Force Personnel System 20001

“2003. Status and Participation 20101

“2005. Officers 20201

“2007. Enlisted Members 20301

“2009. Retention and Separation Generally 20401

*“2011. Separation of Officers for Substandard Performance of Duty or
 for Certain Other Reasons 20501*

“2013. Retirement 20601

11 ***“CHAPTER 2001—SPACE FORCE***

12 ***PERSONNEL SYSTEM***

“Sec.

“20001. Single military personnel management system.

“20002. Members: duty status.

“20003. Members: minimum service requirement as applied to Space Force.

13 ***“§ 20001. Single military personnel management sys-***
 14 ***tem***

15 *“Members of the Space Force shall be managed through*
 16 *a single military personnel management system, without*
 17 *component.”.*

1 **SEC. 1812. COMPOSITION OF THE SPACE FORCE WITHOUT**
 2 **COMPONENT.**

3 (a) *COMPOSITION OF THE SPACE FORCE.*—Section
 4 9081(b) of title 10, United States Code, is amended—

5 (1) *by striking paragraph (1);*

6 (2) *by redesignating paragraphs (2) and (3) as*
 7 *paragraphs (1) and (2), respectively; and*

8 (3) *in paragraph (1), as so redesignated, by*
 9 *striking “, including” and all that follows through*
 10 *“emergency”.*

11 (b) *EFFECTIVE DATE.*—The amendments made by sub-
 12 section (a) shall take effect on the date of the certification
 13 by the Secretary of the Air Force under section 1745.

14 **SEC. 1813. DEFINITIONS FOR SINGLE PERSONNEL MANAGE-**
 15 **MENT SYSTEM FOR THE SPACE FORCE.**

16 (a) *SPACE FORCE DEFINITIONS.*—Section 101 of title
 17 10, United States Code, is amended—

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

20 (2) *by inserting after subsection (d) the following*
 21 *new subsection (e):*

22 “(e) *SPACE FORCE.*—The following definitions relat-
 23 ing to members of the Space Force apply in this title:

24 “(1) The term ‘Space Force active status’ means
 25 the status of a member of the Space Force who is not
 26 in a Space Force inactive status and is not retired.

1 “(2) The term ‘Space Force inactive status’
 2 means the status of a member of the Space Force who
 3 is designated by the Secretary of the Air Force, under
 4 regulations prescribed by the Secretary, as being in a
 5 Space Force inactive status.

6 “(3) The term ‘Space Force retired status’ means
 7 the status of a member of the Space Force who—

8 “(A) is receiving retired pay; or

9 “(B) but for being under the eligibility age
 10 applicable under section 12731 of this title,
 11 would be eligible for retired pay under chapter
 12 1223 of this title.

13 “(4) The term ‘sustained duty’ means full-time
 14 duty by a member of the Space Force ordered to such
 15 duty by an authority designated by the Secretary of
 16 the Air Force—

17 “(A) in the case of an officer—

18 “(i) to fulfill the terms of an active-
 19 duty service commitment incurred by the of-
 20 ficer under any provision of law; or

21 “(ii) with the consent of the officer;

22 and

23 “(B) in the case of an enlisted member,
 24 with the consent of the enlisted member as speci-

1 *fied in the terms of the member's enlistment or*
 2 *reenlistment agreement."*

3 **(b) AMENDMENTS TO EXISTING DUTY STATUS DEFINI-**
 4 **TIONS.—***Subsection (d) of such section is amended—*

5 *(1) in paragraph (1), by inserting “, including*
 6 *sustained duty in the Space Force” after “United*
 7 *States”; and*

8 *(2) in paragraph (7), by inserting “, or a mem-*
 9 *ber of the Space Force,” after “Reserves” both places*
 10 *it appears.*

11 **SEC. 1814. BASIC POLICIES RELATING TO SERVICE IN THE**
 12 **SPACE FORCE.**

13 *Chapter 2001 of title 10, United States Code, as added*
 14 *by section 1711, is amended by adding at the end the fol-*
 15 *lowing new sections:*

16 **“§ 20002. Members: duty status**

17 *“Under regulations prescribed by the Secretary of the*
 18 *Air Force, each member of the Space Force shall be placed*
 19 *in one of the following duty statuses:*

20 *“(1) Space Force active status.*

21 *“(2) Space Force inactive status.*

22 *“(3) Space Force retired status.*

1 **“§20003. *Members: minimum service requirement as***
 2 ***applied to Space Force***

3 “(a) *INAPPLICABILITY OF ACTIVE/RESERVE SERVICE*
 4 *DISTINCTION.—In applying section 651 of this title to a*
 5 *person who becomes a member of the Space Force, the provi-*
 6 *sions of the second sentence of subsection (a) and of sub-*
 7 *section (b) of that section (relating to service in a reserve*
 8 *component) are inapplicable.*

9 “(b) *TREATMENT UPON TRANSFER OUT OF SPACE*
 10 *FORCE.—A member of the Space Force who transfers to one*
 11 *of the other armed forces before completing the service re-*
 12 *quired by subsection (a) of section 651 of this title shall*
 13 *upon such transfer be subject to section 651 of this title in*
 14 *the same manner as if such member had initially entered*
 15 *the armed force to which the member transfers.”.*

16 **SEC. 1815. STATUS AND PARTICIPATION.**

17 *Subtitle F of title 10, United States Code, as added*
 18 *by section 1711, is amended by adding at the end the fol-*
 19 *lowing new chapter:*

20 **“CHAPTER 2003—STATUS AND**
 21 ***PARTICIPATION***

“Sec.

“20101. *Members in Space Force active status: amount of annual training or ac-*
tive duty service required.

“20102. *Individual ready guardians: designation; mobilization category.*

“20103. *Members not on sustained duty: agreements concerning conditions of serv-*
ice.

“20104. *Orders to active duty: with consent of member.*

“20105. *Sustained duty.*

“20106. *Orders to active duty: without consent of member.*

“20107. Transfer to inactive status: initial service obligation not complete.

“20108. Members of Space Force: credit for service for purposes of laws providing pay and benefits for members, dependents, and survivors.

“20109. Policy for order to active duty based upon determination by Congress.

1 **“§20101. Members in Space Force active status:**
 2 **amount of annual training or active duty**
 3 **service required**

4 *“Except as specifically provided in regulations pre-*
 5 *scribed by the Secretary of Defense, a member of the Space*
 6 *Force in a Space Force active status who is not serving*
 7 *on sustained duty shall be required to—*

8 *“(1) participate in at least 48 scheduled drills or*
 9 *training periods during each year and serve on active*
 10 *duty for not less than 14 days (exclusive of travel*
 11 *time) during each year; or*

12 *“(2) serve on active duty for not more than 30*
 13 *days during each year.*

14 **“§20102. Individual ready guardians: designation;**
 15 **mobilization category**

16 *“(a) IN GENERAL.—Under regulations prescribed by*
 17 *the Secretary of Defense, the Secretary of the Air Force may*
 18 *designate a member of the Space Force in a Space Force*
 19 *active status as an Individual Ready Guardian.*

20 *“(b) MOBILIZATION CATEGORY.—*

21 *“(1) IN GENERAL.—Among members of the Space*
 22 *Force designated as Individual Ready Guardians,*
 23 *there is a category of members (referred to as a ‘mobi-*

1 *lization category') who, as designated by the Sec-*
 2 *retary of the Air Force, are subject to being ordered*
 3 *to active duty without their consent in accordance*
 4 *with section 20106(a) of this title.*

5 *“(2) LIMITATIONS ON PLACEMENT IN MOBILIZA-*
 6 *TION CATEGORY.—A member designated as an Indi-*
 7 *vidual Ready Guardian may not be placed in the mo-*
 8 *bilization category referred to in paragraph (1) un-*
 9 *less—*

10 *“(A) the member volunteers to be placed in*
 11 *that mobilization category; and*

12 *“(B) the member is selected by the Secretary*
 13 *of the Air Force, based upon the needs of the*
 14 *Space Force and the grade and military skills of*
 15 *that member.*

16 *“(3) LIMITATION ON TIME IN MOBILIZATION CAT-*
 17 *EGORY.—A member of the Space Force in a Space*
 18 *Force active status may not remain designated an In-*
 19 *dividual Ready Guardian in such mobilization cat-*
 20 *egory after the end of the 24-month period beginning*
 21 *on the date of the separation of the member from ac-*
 22 *tive service.*

23 *“(4) DESIGNATION OF GRADES AND MILITARY*
 24 *SKILLS OR SPECIALTIES.—The Secretary of the Air*
 25 *Force shall designate the grades and military skills or*

1 specialties of members to be eligible for placement in
2 such mobilization category.

3 “(5) *BENEFITS.*—A member in such mobilization
4 category shall be eligible for benefits (other than pay
5 and training) on the same basis as are available to
6 members of the Individual Ready Reserve who are in
7 the special mobilization category under section
8 10144(b) of this title, as determined by the Secretary
9 of Defense.

10 **“§20103. Members not on sustained duty: agreements**
11 **concerning conditions of service**

12 “(a) *AGREEMENTS.*—The Secretary of the Air Force
13 may enter into a written agreement with a member of the
14 Space Force not on sustained duty—

15 “(1) requiring the member to serve on active
16 duty for a definite period of time;

17 “(2) specifying the conditions of the member’s
18 service on active duty; and

19 “(3) for a member serving in a Space Force in-
20 active status, specifying the conditions for the mem-
21 ber’s continued service as well as order to active duty
22 with and without the consent of the member.

23 “(b) *CONDITIONS OF SERVICE.*—An agreement under
24 subsection (a) shall specify the conditions of service. The

1 *Secretary of the Air Force shall prescribe regulations estab-*
 2 *lishing—*

3 “(1) *what conditions of service may be specified*
 4 *in the agreement;*

5 “(2) *the obligations of the parties; and*

6 “(3) *the consequences of failure to comply with*
 7 *the terms of the agreement.*

8 “(c) *AUTHORITY FOR RETENTION ON ACTIVE DUTY*
 9 *DURING WAR OR NATIONAL EMERGENCY.—If the period of*
 10 *service on active duty of a member under an agreement*
 11 *under subsection (a) expires during a war or during a na-*
 12 *tional emergency declared by Congress or the President, the*
 13 *member concerned may be kept on active duty, without the*
 14 *consent of the member, as otherwise prescribed by law.*

15 **“§20104. Orders to active duty: with consent of mem-**
 16 **ber**

17 “(a) *AUTHORITY.—A member of the Space Force who*
 18 *is serving in a Space Force active status and is not on sus-*
 19 *tained duty, or who is serving in a Space Force inactive*
 20 *status, may, with the consent of the member, be ordered to*
 21 *active duty, or retained on active duty, under the following*
 22 *sections of chapter 1209 of this title in the same manner*
 23 *as applies to a member of a reserve component ordered to*
 24 *active duty, or retained on active duty, under that section*
 25 *with the consent of the member:*

1 “(1) Section 12301(d), relating to orders to ac-
2 tive duty at any time with the consent of the member.

3 “(2) Section 12301(h), relating to orders to ac-
4 tive duty in connection with medical or health care
5 matters.

6 “(3) Section 12322, relating to active duty for
7 health care.

8 “(4) Section 12323, relating to active duty pend-
9 ing line of duty determination required for response
10 to sexual assault.

11 “(b) *APPLICABLE PROVISIONS OF LAW.*—The following
12 sections of chapter 1209 of this title pertaining to a member
13 of a reserve component ordered to active duty with the con-
14 sent of the member apply to a member of the Space Force
15 who is ordered to active duty under this section in the same
16 manner as to such a reserve component member:

17 “(1) Section 12308, relating to retention after
18 becoming qualified for retired pay.

19 “(2) Section 12309, relating to use of Reserve of-
20 ficers in expansion of armed forces.

21 “(3) Section 12313, relating to release of reserve
22 members from active duty.

23 “(4) Section 12314, relating to kinds of duty.

24 “(5) Section 12315, relating to duty with or
25 without pay.

1 “(6) *Section 12316, relating to payment of cer-*
2 *tain Reserves while on duty.*

3 “(7) *Section 12318, relating to duties and fund-*
4 *ing of reserve members on active duty.*

5 “(8) *Section 12320, relating to grade in which*
6 *ordered to active duty.*

7 “(9) *Section 12321, relating to a limitation on*
8 *number of reserve members assigned to Reserve Officer*
9 *Training Corps units.*

10 **“§ 20105. Sustained duty**

11 “(a) *ENLISTED MEMBERS.—An authority designated*
12 *by the Secretary of the Air Force may order an enlisted*
13 *member of the Space Force in a Space Force active status*
14 *to sustained duty, or retain an enlisted member on sus-*
15 *tained duty, with the consent of that member, as specified*
16 *in the terms of the member’s enlistment or reenlistment*
17 *agreement.*

18 “(b) *OFFICERS.—(1) An authority designated by the*
19 *Secretary of the Air Force may order a Space Force officer*
20 *in a Space Force active status to sustained duty—*

21 “(A) *with the consent of the officer; or*

22 “(B) *to fulfill the terms of an active-duty service*
23 *commitment incurred by the officer under any provi-*
24 *sion of law.*

1 “(2) *An officer ordered to sustained duty under para-*
 2 *graph (1) may not be released from sustained duty without*
 3 *the officer’s consent except as provided in chapter 2009 or*
 4 *2011 of this title.*

5 **“§20106. Orders to active duty: without consent of**
 6 **member**

7 “(a) *MEMBERS IN A SPACE FORCE ACTIVE STATUS.—*
 8 *(1) A member of the Space Force in a Space Force active*
 9 *status who is not on sustained duty, may, without the con-*
 10 *sent of the member, be ordered to active duty or inactive*
 11 *duty in the same manner as a member of a reserve compo-*
 12 *nent ordered to active duty or inactive duty under the pro-*
 13 *visions of chapter 1209 of this title and any other provision*
 14 *of law authorizing the order to active duty of a member*
 15 *of a reserve component in an active status without the con-*
 16 *sent of the member.*

17 “(2) *The provisions of chapter 1209 of this title, or*
 18 *other applicable provisions of law, pertaining to a member*
 19 *of the Ready Reserve when ordered to active duty shall*
 20 *apply to a member of the Space Force who is in a Space*
 21 *Force active status when ordered to active duty under para-*
 22 *graph (1).*

23 “(3) *The provisions of section 12304 of this title per-*
 24 *taining to members in the Individual Ready Reserve mobi-*
 25 *lization category shall apply to a member of the Space*

1 *Force who is designated an Individual Ready Guardian*
 2 *when ordered to active duty who meets the provisions of*
 3 *section 20102(b) of this title.*

4 “(b) *MEMBERS IN A SPACE FORCE INACTIVE STA-*
 5 *TUS.—(1) A member of the Space Force in a Space Force*
 6 *inactive status may be ordered to active duty under—*

7 “(A) *the provisions of chapter 1209 of this title;*

8 “(B) *any other provision of law authorizing the*
 9 *order to active duty of a member of a reserve compo-*
 10 *nent in an inactive status; and*

11 “(C) *the terms of any agreement entered into by*
 12 *the member under section 20103 of this title.*

13 “(2) *The provisions of chapter 1209 of this title, or*
 14 *other applicable provisions of law, pertaining to the Stand-*
 15 *by Reserve shall apply to a member of the Space Force who*
 16 *is in a Space Force inactive service when ordered to active*
 17 *duty.*

18 “(c) *MEMBERS IN A SPACE FORCE RETIRED STA-*
 19 *TUS.—(1) Chapters 39 and 1209 of this title include provi-*
 20 *sions authorizing the order to active duty of a member of*
 21 *the Space Force in a Space Force retired status.*

22 “(2) *The provisions of sections 688, 688a, and 12407*
 23 *of this title pertaining to a retired member or a member*
 24 *of the Retired Reserve shall apply to a member of the Space*

1 *Force in a Space Force retired status when ordered to active*
 2 *duty.*

3 “(3) *The provisions of section 689 of this title per-*
 4 *taining to a retired member ordered to active duty shall*
 5 *apply to a member of the Space Force in a Space Force*
 6 *retired status who is ordered to active duty.*

7 “(d) *OTHER APPLICABLE PROVISIONS.—The following*
 8 *provisions of chapter 1209 of this title pertaining shall*
 9 *apply to a member of the Space Force ordered to active*
 10 *duty in the same manner as to a Reserve or member of*
 11 *the Retired Reserve ordered to active duty:*

12 “(1) *Section 12305, relating to the authority of*
 13 *the President to suspend certain laws relating to pro-*
 14 *motion, retirement, and separation.*

15 “(2) *Section 12308, relating to retention after*
 16 *becoming qualified for retired pay.*

17 “(3) *Section 12313, relating to release from ac-*
 18 *tive duty.*

19 “(4) *Section 12314, relating to kinds of duty.*

20 “(5) *Section 12315, relating to duty with or*
 21 *without pay.*

22 “(6) *Section 12316, relating to payment of cer-*
 23 *tain Reserves while on duty.*

24 “(7) *Section 12317, relating to theological stu-*
 25 *dents; limitations.*

1 “(8) *Section 12320, relating to grade in which*
 2 *ordered to active duty.*

3 **“§20107. *Transfer to inactive status: initial service***
 4 ***obligation not complete***

5 “(a) *GENERAL RULE.—A member of the Space Force*
 6 *who has not completed the required minimum service obli-*
 7 *gation referred to in section 20003 of this title shall, if ter-*
 8 *minating Space Force active status, be transferred to a*
 9 *Space Force inactive status and, unless otherwise des-*
 10 *ignated an Individual Ready Guardian under section*
 11 *20102 of this title, shall remain subject to order to active*
 12 *duty without the member’s consent under section 20106 of*
 13 *this title.*

14 “(b) *EXCEPTION.—Subsection (a) does not apply to a*
 15 *member who is separated from the Space Force by the Sec-*
 16 *retary of the Air Force under section 20503 of this title.*

17 **“§20108. *Members of Space Force: credit for service***
 18 ***for purposes of laws providing pay and***
 19 ***benefits for members, dependents, and***
 20 ***survivors***

21 “*For the purposes of laws providing pay and benefits*
 22 *for members of the Armed Forces and their dependents and*
 23 *beneficiaries:*

24 “(1) *Military training, duty, or other service*
 25 *performed by a member of the Space Force in a Space*

1 *Force active status not on sustained duty shall be*
2 *considered military training, duty, or other service,*
3 *as the case may be, as a member of a reserve compo-*
4 *nent.*

5 “(2) Sustained duty performed by a member of
6 the Space Force under section 20105 of this title shall
7 be considered active duty as a member of a regular
8 component.

9 “(3) Active duty performed by a member of the
10 Space Force in a Space Force active status not on
11 sustained duty shall be considered active duty as a
12 member of a reserve component.

13 “(4) Inactive-duty training performed by a
14 member of the Space Force shall be considered inac-
15 tive-duty training as a member of a reserve compo-
16 nent.

17 **“§ 20109. Policy for order to active duty based upon**
18 **determination by Congress**

19 “Whenever Congress determines that more units and
20 organizations capable of conducting space operations are
21 needed for the national security than are available among
22 those units comprised of members of the Space Force serving
23 on active duty, members of the Space Force not serving on
24 active duty shall be ordered to active duty and retained as
25 long as so needed.”.

1 **SEC. 1816. OFFICERS.**

2 (a) *ORIGINAL APPOINTMENTS.*—Subtitle *F* of title 10,
3 *United States Code*, as amended by section 1715, is further
4 amended by adding at the end the following new chapter:

5 **“CHAPTER 2005—OFFICERS**

<i>“Subchapter</i>	<i>Sec.</i>
<i>“I. Original appointments</i>	<i>20201</i>
<i>“II. Selection boards</i>	<i>20211</i>
<i>“III. Promotions</i>	<i>20231</i>
<i>“IV. Persons not considered for promotion and other promotion-related provisions</i>	<i>20241</i>
<i>“V. Applicability of other laws</i>	<i>20251</i>

6 **“SUBCHAPTER I—ORIGINAL APPOINTMENTS**

“Sec.
“20201. Original appointments: how made.
“20202. Original appointments: qualifications.
“20203. Original appointments: service credit.

7 **“§ 20201. Original appointments: how made**

8 *“The provisions of section 531 of this title shall apply*
9 *to original appointments of commissioned officers in the*
10 *Space Force.*

11 **“§ 20202. Original appointments: qualifications**

12 *“(a) IN GENERAL.—An original appointment as a*
13 *commissioned officer in the Space Force may be given only*
14 *to a person who—*

15 *“(1) is a citizen of the United States;*

16 *“(2) is at least 18 years of age; and*

17 *“(3) has such other physical, mental, moral, pro-*
18 *fessional, and age qualifications as the Secretary of*
19 *the Air Force may prescribe by regulation.*

1 “(b) *EXCEPTION.*—A person who is otherwise quali-
 2 fied, but who has a physical condition that the Secretary
 3 of the Air Force determines will not interfere with the per-
 4 formance of the duties to which that person may be as-
 5 signed, may be appointed as an officer in the Space Force.

6 **“§ 20203. Original appointments: service credit**

7 “The provisions of section 533 of this title shall apply
 8 to the crediting of prior active commissioned service for
 9 original appointments of commissioned officers.”.

10 (b) *CONFORMING AMENDMENTS RELATING TO ORIGI-*
 11 *NAL APPOINTMENTS.*—

12 (1) *DEFINITIONS.*—Section 101 of title 10,
 13 *United States Code*, is amended in subsection (b)(10)
 14 by inserting before the period at the end the following:
 15 “and, with respect to the appointment of a member
 16 of the armed forces in the Space Force, refers to that
 17 member’s most recent appointment in the Space Force
 18 that is neither a promotion nor a demotion”.

19 (2) *ORIGINAL APPOINTMENTS OF COMMISSIONED*
 20 *OFFICERS.*—Section 531 of such title is amended by
 21 striking “Regular” before “Space Force” each place it
 22 appears.

23 (3) *QUALIFICATIONS FOR ORIGINAL APPOINT-*
 24 *MENT AS A COMMISSIONED OFFICER.*—Section 532(a)
 25 of such title is amended by striking “Regular Marine

(4) *SERVICE CREDIT UPON ORIGINAL APPOINTMENT AS A COMMISSIONED OFFICER.*—Section 533 of such title is amended by striking “Regular” before “Space Force” each place it appears.

7 (c) *SELECTION BOARDS AND PROMOTIONS.*—Chapter
8 205 of title 10, United States Code, as added by subsection
9 (a), is amended by adding at the end the following new
10 subchapters:

11 “SUBCHAPTER II—SELECTION BOARDS

“20217. Action on reports of selection boards for promotion to brigadier general or major general.

12 **“§ 20211. Convening of selection boards**

13 “(a) *IN GENERAL.*—Whenever the needs of the service
14 *require, the Secretary of the Air Force shall convene selec-*
15 *tion boards to recommend for promotion to the next higher*
16 *permanent grade officers of the Space Force in each perma-*
17 *nent grade from first lieutenant through brigadier general.*

18 “(b) *EXCEPTION FOR OFFICERS IN GRADE OF FIRST*
19 *LIEUTENANT.*—Subsection (a) does not require the con-
20 *vening of a selection board in the case of Space Force offi-*
21 *cers in the permanent grade of first lieutenant when the*

1 *Secretary of the Air Force recommends for promotion to*
 2 *the grade of captain under section 20238(a)(4)(A) of this*
 3 *title all such officers whom the Secretary finds to be fully*
 4 *qualified for promotion.*

5 “(c) *SECTION 20404 SELECTION BOARDS.—The Sec-*
 6 *retary of the Air Force may convene selection boards to rec-*
 7 *ommend officers for early retirement under section 20404(a)*
 8 *of this title or for discharge under section 20404(b) of this*
 9 *title.*

10 “(d) *REGULATIONS.—The convening of selection*
 11 *boards under subsection (a) shall be under regulations pre-*
 12 *scribed by the Secretary of the Defense.*

13 **“§ 20212. Composition of selection boards —**

14 “(a) *APPOINTMENT AND COMPOSITION OF BOARDS.—*

15 “(1) *IN GENERAL.—Members of a selection board*
 16 *shall be appointed by the Secretary of Air Force in*
 17 *accordance with this section. A selection board shall*
 18 *consist of five or more officers of the Space Force.*
 19 *Each member of a selection board must be serving in*
 20 *a grade higher than the grade of the officers under*
 21 *consideration by the board, except that no member of*
 22 *a board may be serving in a grade below major. The*
 23 *members of a selection board shall include at least one*
 24 *member serving on sustained duty and at least one*
 25 *member in a Space Force active status who is not*

1 *serving on sustained duty. The ratio of the members*
2 *of a selection board serving on sustained duty to*
3 *members serving in a Space Force active status not*
4 *on sustained duty shall, to the extent practicable, re-*
5 *fect the ratio of officers serving in each of those*
6 *statuses who are being considered for promotion by*
7 *the board. The members of a selection board shall rep-*
8 *resent the diverse population of the Space Force to the*
9 *extent practicable.*

10 “(2) *REPRESENTATION FROM COMPETITIVE CAT-*
11 *EGORIES.—(A) Except as provided in subparagraph*
12 *(B), a selection board shall include at least one officer*
13 *from each competitive category of officers to be consid-*
14 *ered by the board.*

15 “(B) *A selection board need not include an offi-*
16 *cer from a competitive category when there are no of-*
17 *ficers of that competitive category on the Space Force*
18 *officer list in a grade higher than the grade of the of-*
19 *ficers to be considered by the board and eligible to*
20 *serve on the board.*

21 “(3) *RETIRED OFFICERS.—If qualified officers*
22 *on the Space Force officer list are not available in*
23 *sufficient number to comprise a selection board, the*
24 *Secretary of the Air Force shall complete the member-*

1 *ship of the board by appointing as members of the*
 2 *board—*

3 “(A) *Space Force officers who hold a grade*
 4 *higher than the grade of the officers under con-*
 5 *sideration by the board and who are retired offi-*
 6 *cers; and*

7 “(B) *if sufficient Space Force officers are*
 8 *not available pursuant to subparagraph (A), Air*
 9 *Force officers who hold a grade higher than the*
 10 *grade of the officers under consideration by the*
 11 *board and who are retired officers, but only if*
 12 *the Air Force officer to be appointed to the board*
 13 *has served in a space-related career field of the*
 14 *Air Force for sufficient time such that the Sec-*
 15 *retary of the Air Force determines that the re-*
 16 *tired Air Force officer has adequate knowledge*
 17 *concerning the standards of performance and*
 18 *conduct required of an officer of the Space Force.*

19 “(4) *EXCLUSION OF RETIRED GENERAL OFFI-*
 20 *CERS ON ACTIVE DUTY TO SERVE ON A BOARD FROM*
 21 *NUMERIC GENERAL OFFICER ACTIVE-DUTY LIMITA-*
 22 *TIONS.—A retired general officer who is on active*
 23 *duty for the purpose of serving on a selection board*
 24 *shall not, while so serving, be counted against any*

1 *limitation on the number of general and flag officers*
 2 *who may be on active duty.*

3 “(b) *LIMITATION ON MEMBERSHIP ON CONSECUTIVE*
 4 *BOARDS.—*

5 “(1) *GENERAL RULE.—Except as provided in*
 6 *paragraph (2), no officer may be a member of two*
 7 *successive selection boards convened under section*
 8 *20211 of this title for the consideration of officers of*
 9 *the same grade.*

10 “(2) *EXCEPTION FOR GENERAL OFFICER*
 11 *BOARDS.—Paragraph (1) does not apply with respect*
 12 *to selection boards convened under section 20211 of*
 13 *this title for the consideration of officers in the grade*
 14 *of colonel or brigadier general.*

15 “(c) *JOINT QUALIFIED OFFICERS.—(1) Each selection*
 16 *board convened under section 20211 of this title that will*
 17 *consider an officer described in paragraph (2) shall include*
 18 *at least one officer designated by the Chairman of the Joint*
 19 *Chiefs of Staff who is a joint qualified officer.*

20 “(2) *Paragraph (1) applies with respect to an officer*
 21 *who—*

22 “(A) *is serving on, or has served on, the Joint*
 23 *Staff; or*

24 “(B) *is a joint qualified officer.*

1 “(3) *The Secretary of Defense may waive the require-*
 2 *ment in paragraph (1) for any selection board of the Space*
 3 *Force.*

4 **“§ 20213. Notice of convening of selection boards**

5 “(a) *NOTICE TO ELIGIBLE OFFICERS.—At least 30*
 6 *days before a selection board is convened under section*
 7 *20211 of this title to recommend officers in a grade for pro-*
 8 *motion to the next higher grade, the Secretary of the Air*
 9 *Force shall—*

10 “(1) *notify in writing the officers eligible for*
 11 *consideration for promotion of the date on which the*
 12 *board is to convene and the name and date of rank*
 13 *of the junior officer, and of the senior officer, in the*
 14 *promotion zone as of the date of the notification; or*

15 “(2) *issue a general written notice to the Space*
 16 *Force regarding the convening of the board which*
 17 *shall include the convening date of the board and the*
 18 *name and date of rank of the junior officer, and of*
 19 *the senior officer, in the promotion zone as of the date*
 20 *of the notification.*

21 “(b) *COMMUNICATION FROM OFFICERS.—An officer el-*
 22 *igible for consideration by a selection board convened under*
 23 *section 20211 of this title (other than an officer who has*
 24 *been excluded under section 20231(d) of this title from con-*
 25 *sideration by the board) may send a written communica-*

tion to the board, to arrive not later than 10 calendar days before the date on which the board convenes, calling attention to any matter concerning the officer that the officer considers important to the officer's case. The selection board shall give consideration to any timely communication under this subsection.

“(c) *NOTICE OF INTENT OF CERTAIN OFFICERS TO SERVE ON OR OFF ACTIVE DUTY.*—An officer on the Space Force officer list in the grade of colonel or brigadier general who receives a notice under subsection (a) shall inform the Secretary of the officer's preference to serve either on or off active duty if promoted to the grade of brigadier general or major general, respectively.

“§ 20214. Information furnished to selection boards

“The provisions of section 615 of this title shall apply to information furnished to selection boards.

“§ 20215. Recommendations for promotion by selection boards

“The provisions of section 616 of this title shall apply to recommendations for promotion by selection boards.

“§ 20216. Reports of selection boards

“The provisions of section 617 of this title shall apply to reports of selection boards.

1 **“§ 20217. Action on reports of selection boards for pro-**
 2 **motion to brigadier general or major gen-**
 3 **eral**

4 *“The provisions of section 618 of this title shall apply*
 5 *to action on reports of selection boards.*

6 **“SUBCHAPTER III—PROMOTIONS**

“Sec.

“20231. Eligibility for consideration for promotion: time-in-grade and other re-
quirements.

“20232. Eligibility for consideration for promotion: designation as joint qualified
officer required before promotion to brigadier general; exceptions.

“20233. Opportunities for consideration for promotion.

“20234. Space Force officer list.

“20235. Competitive categories.

“20236. Numbers to be recommended for promotion.

“20237. Establishment of promotion zones.

“20238. Promotions: how made; authorized delay of promotions.

7 **“§ 20231. Eligibility for consideration for promotion:**
 8 **time-in-grade and other requirements**

9 *“(a) TIME-IN-GRADE REQUIREMENTS.—(1) An officer*
 10 *who is in a Space Force active status on the Space Force*
 11 *officer list and holds a permanent appointment in the grade*
 12 *of second lieutenant or first lieutenant may not be promoted*
 13 *to the next higher permanent grade until the officer has*
 14 *completed the following period of service in the grade in*
 15 *which the officer holds a permanent appointment:*

16 *“(A) Eighteen months, in the case of an officer*
 17 *holding a permanent appointment in the grade of sec-*
 18 *ond lieutenant.*

1 “(B) *Two years, in the case of an officer holding*
2 *a permanent appointment in the grade of first lieu-*
3 *tenant.*

4 “(2) *Subject to paragraph (5), an officer who is in a*
5 *Space Force active status on the Space Force officer list*
6 *and holds a permanent appointment in a grade above first*
7 *lieutenant may not be considered for selection for promotion*
8 *to the next higher permanent grade until the officer has*
9 *completed the following period of service in the grade in*
10 *which the officer holds a permanent appointment:*

11 “(A) *Three years, in the case of an officer hold-*
12 *ing a permanent appointment in the grade of cap-*
13 *tain, major, or lieutenant colonel.*

14 “(B) *One year, in the case of an officer holding*
15 *a permanent appointment in the grade of colonel or*
16 *brigadier general.*

17 “(3) *When the needs of the service require, the Sec-*
18 *retary of the Air Force may prescribe a longer period of*
19 *service in grade for eligibility for promotion, in the case*
20 *of officers to whom paragraph (1) applies, or for eligibility*
21 *for consideration for promotion, in the case of officers to*
22 *whom paragraph (2) applies.*

23 “(4) *When the needs of the service require, the Sec-*
24 *retary of the Air Force may prescribe a shorter period of*
25 *service in grade, but not less than two years, for eligibility*

1 *for consideration for promotion, in the case of officers des-*
 2 *ignated for limited duty to whom paragraph (2) applies.*

3 “(5) *The Secretary of the Air Force may waive para-*
 4 *graph (2) to the extent necessary to assure that officers de-*
 5 *scribed in subparagraph (A) of such paragraph have at*
 6 *least two opportunities for consideration for promotion to*
 7 *the next higher grade as officers below the promotion zone.*

8 “(6) *In computing service in grade for purposes of this*
 9 *section, service in a grade held as a result of assignment*
 10 *to a position is counted as service in the grade in which*
 11 *the officer would have served except for such assignment or*
 12 *appointment.*

13 “(b) *CONTINUED ELIGIBILITY FOR CONSIDERATION*
 14 *FOR PROMOTION OF OFFICERS WHO HAVE PREVIOUSLY*
 15 *FAILED OF SELECTION.—(1) Except as provided in para-*
 16 *graph (2), an officer who has failed of selection for pro-*
 17 *motion to the next higher grade remains eligible for consid-*
 18 *eration for promotion to that grade as long as the officer*
 19 *continues on active duty in other than a retired status and*
 20 *is not promoted.*

21 “(2) *Paragraph (1) does not apply to an officer on*
 22 *active status who is ineligible for consideration for pro-*
 23 *motion under section 631(c) of this title for the second time.*

24 “(c) *OFFICERS TO BE CONSIDERED BY PROMOTION*
 25 *BOARDS.—(1) Each time a selection board is convened*

1 *under section 20211 of this title for consideration of officers*
2 *in a competitive category for promotion to the next higher*
3 *grade, each officer in the promotion zone (except as pro-*
4 *vided under paragraph (2)), and each officer above the pro-*
5 *motion zone, for the grade and competitive category under*
6 *consideration shall be considered for promotion.*

7 “(2) *The Secretary of the Air Force—*

8 “(A) *may, in accordance with standards and*
9 *procedures prescribed by the Secretary of Defense in*
10 *regulations which shall apply uniformly among the*
11 *military departments, limit the officers to be consid-*
12 *ered by a selection board from below the promotion*
13 *zone to those officers who are determined to be excep-*
14 *tionally well qualified for promotion;*

15 “(B) *may, by regulation, prescribe a period of*
16 *time, not to exceed one year, from the time an officer*
17 *on the Space Force officer list transfers on or off of*
18 *sustained duty during which the officer shall be ineli-*
19 *gible for consideration for promotion; and*

20 “(C) *may, by regulation, preclude from consider-*
21 *ation by a selection board by which the officer would*
22 *otherwise be eligible to be considered, an officer who*
23 *has an established separation date that is within 90*
24 *days after the date on which the board is to be con-*
25 *vened.*

1 “(3)(A) *The Secretary of Defense may authorize the*
2 *Secretary of the Air Force to preclude from consideration*
3 *by selection boards for promotion to the grade of brigadier*
4 *general, officers in the grade of colonel who—*

5 “(i) *have been considered and not selected for*
6 *promotion to the grade of brigadier general or by at*
7 *least two selection boards; and*

8 “(ii) *are determined, in accordance with stand-*
9 *ards and procedures prescribed pursuant to subpara-*
10 *graph (B), as not being exceptionally well qualified*
11 *for promotion.*

12 “(B) *If the Secretary of Defense authorizes the Sec-*
13 *retary of the Air Force to have the authority described in*
14 *subparagraph (A), the Secretary shall prescribe by regula-*
15 *tion the standards and procedures for the exercise of such*
16 *authority. Those regulations shall apply uniformly among*
17 *the military departments and shall include the following*
18 *provisions:*

19 “(i) *A requirement that the Secretary of the Air*
20 *Force may exercise such authority in the case of a*
21 *particular selection board only if the Secretary of De-*
22 *fense approves the exercise of that authority for that*
23 *board.*

24 “(ii) *A requirement that an officer may be pre-*
25 *cluded from consideration by a selection board under*

1 *this paragraph only upon the recommendation of a*
2 *preselection board of officers convened by the Sec-*
3 *retary of the military department concerned and com-*
4 *posed of at least three officers all of whom are serving*
5 *in a grade higher than the grade of such officer.*

6 *“(iii) A requirement that such a preselection*
7 *board may not recommend that an officer be pre-*
8 *cluded from such consideration unless the Secretary of*
9 *the Air Force has given the officer advance written*
10 *notice of the convening of such board and of the mili-*
11 *tary records that will be considered by the board and*
12 *has given the officer a reasonable period before the*
13 *convening of the board in which to submit comments*
14 *to the board.*

15 *“(iv) A requirement that the Secretary of the Air*
16 *Force shall provide general guidance to the board in*
17 *accordance with standards and procedures prescribed*
18 *by the Secretary of Defense in those regulations.*

19 *“(v) A requirement that the preselection board*
20 *may recommend that an officer be precluded from*
21 *consideration by a selection board only on the basis*
22 *of the general guidance provided by the Secretary Air*
23 *Force, information in the officer’s official military*
24 *personnel records that has been described in the notice*
25 *provided the officer as required pursuant to clause*

1 (iii), and any communication to the board received
2 from that officer before the board convenes.

3 “(d) *CERTAIN OFFICERS NOT TO BE CONSIDERED.*—
4 A selection board convened under section 20211 of this title
5 may not consider for promotion to the next higher grade
6 any of the following officers:

7 “(1) An officer whose name is on a promotion
8 list for that grade as a result of the officer’s selection
9 for promotion to that grade by an earlier selection
10 board convened under that section.

11 “(2) An officer who is recommended for pro-
12 motion to that grade in the report of an earlier selec-
13 tion board convened under that section, in the case of
14 such a report that has not yet been approved by the
15 President.

16 “(3) An officer in the grade of first lieutenant
17 who is on an approved all-fully-qualified-officers list
18 under section 20238(a)(4) of this title.

19 “(4) An officer in the grade of captain who is
20 not a citizen of the United States.

21 “(5) An officer excluded under subsection (e).

22 “(e) *AUTHORITY TO ALLOW OFFICERS TO OPT OUT*
23 *OF SELECTION BOARD CONSIDERATION.*—(1) The Secretary
24 of the Air Force may provide that an officer on the Space
25 Force officer list may, upon the officer’s request and with

1 *the approval of the Secretary, be excluded from consider-*
2 *ation by a selection board convened under section 20211*
3 *of this title to consider officers for promotion to the next*
4 *higher grade.*

5 “(2) *The Secretary of the Air Force may only approve*
6 *a request under paragraph (1) if—*

7 “(A)(i) *the basis for the request is to allow an*
8 *officer to complete a broadening assignment, advanced*
9 *education, another assignment of significant value to*
10 *the Department, a career progression requirement de-*
11 *layed by the assignment or education;*

12 “(ii) *the Secretary determines the exclusion from*
13 *consideration is in the best interest of the Space*
14 *Force; and*

15 “(iii) *the officer has not previously failed of se-*
16 *lection for promotion to the grade for which the officer*
17 *requests the exclusion from consideration; or*

18 “(B)(i) *the officer is serving in a critical skill*
19 *position that cannot be filled by another Space Force*
20 *officer serving in the same grade;*

21 “(ii) *the Secretary determines that it is in the*
22 *best interests of the Space Force for the officer to con-*
23 *tinue to serve in their current position and grade;*
24 *and*

1 “(iii) the officer has not previously opted out of
2 a promotion board under this authority.

3 **“§ 20232. Eligibility for consideration for promotion:**
4 **designation as joint qualified officer re-**
5 **quired before promotion to brigadier gen-**
6 **eral; exceptions**

7 “The provisions of section 619a of this title shall apply
8 to officers of the Space Force.

9 **“§ 20233. Opportunities for consideration for pro-**
10 **motion**

11 “(a) SPECIFICATION OF NUMBER OF OPPORTUNITIES
12 FOR CONSIDERATION FOR PROMOTION.—Under regulations
13 prescribed by the Secretary of Defense, the Secretary of the
14 Air Force shall specify the number of opportunities for con-
15 sideration for promotion to be afforded to Space Force offi-
16 cers for promotion to each grade above the grade of captain.

17 “(b) LIMITATION ON NUMBER OF OPPORTUNITIES
18 THAT MAY BE SPECIFIED.—The number of opportunities
19 for consideration for promotion to be afforded officers of the
20 Space Force for promotion to a particular grade may not
21 exceed five.

22 “(c) LIMITED AUTHORITY OF SECRETARY OF THE AIR
23 FORCE TO MODIFY NUMBER OF OPPORTUNITIES.—The
24 Secretary of the Air Force may change the number of oppor-

1 *tunities for consideration for promotion to a particular*
 2 *grade not more frequently than once every five years.*

3 “(d) *AUTHORITY OF SECRETARY OF DEFENSE TO*
 4 *MODIFY NUMBER OF OPPORTUNITIES.*—*The Secretary of*
 5 *Defense may modify the number of opportunities for consid-*
 6 *eration for promotion to be afforded officers of the Space*
 7 *Force for promotion to a particular grade.*

8 **“§ 20234. Space Force officer list**

9 “(a) *SINGLE LIST.*—*The Secretary of the Air Force*
 10 *shall maintain a single list of all Space Force officers serv-*
 11 *ing in a Space Force active status. The list shall be known*
 12 *as the Space Force officer list.*

13 “(b) *ORDER OF OFFICERS ON LIST.*—*Officers shall be*
 14 *carried on the Space Force officer list in the order of senior-*
 15 *ity of the grade in which they are serving. Officers serving*
 16 *in the same grade shall be carried in the order of their rank*
 17 *in that grade.*

18 “(c) *EFFECT OF SERVICE IN A TEMPORARY APPOINT-*
 19 *MENT.*—*An officer whose position on the Space Force officer*
 20 *list results from service under a temporary appointment or*
 21 *in a grade held by reason of assignment to a position has,*
 22 *when that appointment or assignment ends, the grade and*
 23 *position on the Space Force officer list that the officer would*
 24 *have held if the officer had not received that appointment*
 25 *or assignment.*

1 **“§ 20235. *Competitive categories***

2 “(a) *REQUIREMENT TO ESTABLISH COMPETITIVE*
 3 *CATEGORIES FOR PROMOTION.*—Under regulations pre-
 4 scribed by the Secretary of Defense, the Secretary of the Air
 5 Force shall establish at least one competitive category for
 6 promotion for officers on the Space Force officer list. Each
 7 officer whose name appears on the Space Force officer list
 8 shall be carried in a competitive category of officers. Offi-
 9 cers in the same competitive category shall compete among
 10 themselves for promotion.

11 “(b) *SINGLE COMPETITIVE CATEGORY FOR PRO-*
 12 *MOTION TO GENERAL OFFICER GRADES.*—The Secretary of
 13 the Air Force shall establish a single competitive category
 14 for all officers on the Space Force officer list who will be
 15 considered by a selection board convened under section
 16 20211 of this title for promotion to the grade of brigadier
 17 general or major general.

18 **“§ 20236. *Numbers to be recommended for promotion***

19 “(a) *PROMOTION TO GRADES BELOW BRIGADIER GEN-*
 20 *ERAL.*—(1) Before convening a selection board under sec-
 21 tion 20211 of this title to consider officers for recommenda-
 22 tion for promotion to a grade below brigadier general and
 23 in any competitive category, the Secretary of the Air Force
 24 shall determine—

25 “(A) the number of positions needed to accom-
 26 plish mission objectives which require officers of that

1 *competitive category in the grade to which the board*
2 *will recommend officers for promotion;*

3 “(B) *the estimated number of officers needed to*
4 *fill vacancies in those positions during the period in*
5 *which it is anticipated that officers selected for pro-*
6 *motion will be promoted; and*

7 “(C) *the number of officers in a Space Force ac-*
8 *tive status authorized by the Secretary of the Air*
9 *Force to serve both on sustained duty and not on sus-*
10 *tained duty in the grade and competitive category*
11 *under consideration.*

12 “(2) *Based on the determinations under paragraph*
13 *(1), the Secretary of the Air Force shall determine the max-*
14 *imum number of officers in that competitive category which*
15 *the selection board may recommend for promotion.*

16 “(b) *PROMOTION TO BRIGADIER GENERAL AND MAJOR*
17 *GENERAL.—(1) Before convening a selection board under*
18 *section 20211 of this title to consider officers for rec-*
19 *ommendation for promotion to the grade of brigadier gen-*
20 *eral or major general, the Secretary of the Air Force shall*
21 *determine—*

22 “(A) *the number of positions needed to accom-*
23 *plish mission objectives which require officers serving*
24 *in a Space Force active status on sustained duty, and*
25 *in a Space Force active status not on sustained duty,*

1 *in the grade to which the board will recommend offi-*
 2 *cers for promotion; and*

3 “(B) *the estimated number of officers on sus-*
 4 *tained duty and not on sustained duty needed to fill*
 5 *vacancies in those positions over the 24-month period*
 6 *beginning on the date on which the selection board*
 7 *convenes.*

8 “(2) *Based on the determinations under paragraph*
 9 *(1), the Secretary of the Air Force shall determine the max-*
 10 *imum number of officers serving in a Space Force active*
 11 *status on sustained duty, and the maximum number of offi-*
 12 *cers serving in a Space Force active status not on sustained*
 13 *duty, which the selection board may recommend for pro-*
 14 *motion.*

15 **“§ 20237. Establishment of promotion zones**

16 “(a) *IN GENERAL.—Before convening a selection board*
 17 *under section 20211 of this title to consider officers for pro-*
 18 *motion to any grade above first lieutenant or lieutenant*
 19 *(junior grade), the Secretary of the Air Force shall establish*
 20 *a promotion zone for officers serving in each grade and*
 21 *competitive category to be considered by the board.*

22 “(b) *DETERMINATION OF NUMBER.—The Secretary of*
 23 *the Air Force shall determine the number of officers in the*
 24 *promotion zone for officers serving in any grade and com-*
 25 *petitive category from among officers who are eligible for*

1 promotion in that grade and competitive category. Such de-
 2 termination shall be made on the basis of an estimate of—

3 “(1) the number of officers needed in that com-
 4 petitive category in the next higher grade in each of
 5 the next five years;

6 “(2) the number of officers to be serving in that
 7 competitive category in the next higher grade in each
 8 of the next five years;

9 “(3) in the case of a promotion zone for officers
 10 to be promoted to a grade to which section 523 of this
 11 title is applicable, the number of officers authorized
 12 for such grade under such section to be on active duty
 13 on the last day of each of the next five fiscal years;
 14 and

15 “(4) the number of officers that should be placed
 16 in that promotion zone in each of the next five years
 17 to provide to officers in those years relatively similar
 18 opportunity for promotion.

19 **“§ 20238. Promotions: how made; authorized delay of**
 20 **promotions**

21 “(a) *PROCEDURE FOR PROMOTION OF OFFICERS ON*
 22 *AN APPROVED PROMOTION LIST.*—

23 “(1) *PLACEMENT OF NAMES ON PROMOTION*
 24 *LIST.*—When the report of a selection board convened
 25 under section 20211 of this title is approved by the

1 *President, the Secretary of the Air Force shall place*
2 *the names of all officers approved for promotion with-*
3 *in a competitive category on a single list for that*
4 *competitive category, to be known as a promotion list,*
5 *in the order of the seniority of such officers on the list*
6 *or based on particular merit, as determined by the*
7 *promotion board. A promotion list is considered to be*
8 *established under this section as of the date of the ap-*
9 *proval of the report of the selection board under the*
10 *preceding sentence.*

11 “(2) *ORDER AND TIMING OF PROMOTIONS.—Ex-*
12 *cept as provided in subsection (d), officers on a pro-*
13 *motion list for a competitive category shall be pro-*
14 *moted to the next higher grade when additional offi-*
15 *cers in that grade and competitive category are need-*
16 *ed. Promotions shall be made in the order in which*
17 *the names of officers appear on the promotion list*
18 *and after officers previously selected for promotion in*
19 *that competitive category have been promoted. Officers*
20 *to be promoted to the grade of first lieutenant shall*
21 *be promoted in accordance with regulations pre-*
22 *scribed by the Secretary of the Air Force.*

23 “(3) *LIMITATION ON PROMOTIONS TO GENERAL*
24 *OFFICER GRADES TO COMPLY WITH STRENGTH LIM-*
25 *TATIONS.—Under regulations prescribed by the Sec-*

1 *retary of Defense, the promotion of an officer on the*
 2 *Space Force officer list to a general officer grade shall*
 3 *be delayed if that promotion would cause any*
 4 *strength limitation of section 526 of this title to be ex-*
 5 *ceeded. The delay shall expire when the Secretary of*
 6 *the Air Force determines that the delay is no longer*
 7 *required to ensure compliance with the strength limi-*
 8 *tation.*

9 *“(4) PROMOTION OF FIRST LIEUTENANTS ON AN*
 10 *ALL-FULLY-QUALIFIED OFFICERS LIST.—(A) Except*
 11 *as provided in subsection (d), officers on the Space*
 12 *Force officer list in the grade of first lieutenant who*
 13 *are on an approved all-fully-qualified-officers list*
 14 *shall be promoted to the grade of captain in accord-*
 15 *ance with regulations prescribed by the Secretary of*
 16 *the Air Force.*

17 *“(B) An all-fully-qualified-officers list shall be*
 18 *considered to be approved for purposes of subpara-*
 19 *graph (A) when the list is approved by the President.*
 20 *When so approved, such a list shall be treated in the*
 21 *same manner as a promotion list under this chapter.*

22 *“(C) The Secretary of the Air Force may make*
 23 *a recommendation to the President for approval of an*
 24 *all-fully-qualified-officers list only when the Secretary*

1 *determines that all officers on the list are needed in*
2 *the next higher grade to accomplish mission objectives.*

3 “(D) *For purposes of this paragraph, an all-*
4 *fully-qualified-officers list is a list of all officers on*
5 *the Space Force officers list in a grade who the Sec-*
6 *retary of the Air Force determines—*

7 “(i) *are fully qualified for promotion to the*
8 *next higher grade; and*

9 “(ii) *would be eligible for consideration for*
10 *promotion to the next higher grade by a selection*
11 *board convened under section 20211 of this title*
12 *upon the convening of such a board.*

13 “(E) *If the Secretary of the Air Force determines*
14 *that one or more officers or former officers were not*
15 *placed on an all-fully-qualified-list under this para-*
16 *graph because of administrative error, the Secretary*
17 *may prepare a supplemental all-fully-qualified-offi-*
18 *cers list containing the names of any such officers for*
19 *approval in accordance with this paragraph.*

20 “(b) *DATE OF RANK.—The date of rank of an officer*
21 *appointed to a higher grade under this section is deter-*
22 *mined under section 741(d) of this title.*

23 “(c) *APPOINTMENT AUTHORITY.—Appointments under*
24 *this section shall be made by the President, by and with*
25 *the advice and consent of the Senate, except that appoint-*

1 *ments under this section in the grade of first lieutenant or*
 2 *captain shall be made by the President alone.*

3 “(d) *AUTHORITY TO DELAY APPOINTMENTS FOR*
 4 *SPECIFIED REASONS.*—*The provisions of subsection (d) of*
 5 *section 624 of this title shall apply to the appointment of*
 6 *an officer under this section in the same manner as they*
 7 *apply to an appointment of an officer under that section,*
 8 *and any reference in that subsection to an active-duty list*
 9 *shall be treated for purposes of applicability to an officer*
 10 *of the Space Force as referring to the Space Force officer*
 11 *list.*

12 “*SUBCHAPTER IV—PERSONS NOT CONSIDERED*
 13 *FOR PROMOTION AND OTHER PROMOTION-*
 14 *RELATED PROVISIONS*

“*Sec.*

“20241. *Persons not considered for promotion and other promotion-related provisions.*

15 “**§ 20241. Persons not considered for promotion and**
 16 ***other promotion-related provisions***

17 “*Subchapter III of chapter 36 of this title shall apply*
 18 *to officers of the Space Force.*

19 “*SUBCHAPTER V—APPLICABILITY OF OTHER*
 20 *LAWS*

“*Sec.*

“20251. *Applicability of certain DOPMA officer personnel policy provisions.*

1 **“§ 20251. Applicability of certain DOPMA officer per-**
 2 **sonnel policy provisions**

3 *“Except as otherwise modified or provided for in this*
 4 *chapter, the following provisions of chapter 36 of this title*
 5 *(relating to promotion, separation, and involuntary retire-*
 6 *ment of officers on the active-duty list) shall apply to Space*
 7 *Force officers and officer promotions:*

8 *“(1) Subchapter I (relating to selection boards).*

9 *“(2) Subchapter II (relating to promotions).*

10 *“(3) Subchapter III (relating to failure of selec-*
 11 *tion for promotion and retirement for years of serv-*
 12 *ice).*

13 *“(4) Subchapter IV (relating to continuation on*
 14 *active duty and selective early retirement).*

15 *“(5) Subchapter V (additional provisions relat-*
 16 *ing to promotion, separation, and retirement).*

17 *“(6) Subchapter VI (relating to alternative pro-*
 18 *motion authority for officers in designated competi-*
 19 *tive categories).”.*

20 *(d) TEMPORARY (“BREVET”) PROMOTIONS FOR OFFI-*
 21 *CERS WITH CRITICAL SKILLS.—Section 605 of title 10,*
 22 *United States Code, is amended as follows:*

23 *(1) COVERAGE OF SPACE FORCE OFFICERS.—*
 24 *Subsections (a), (b)(2)(A), (f)(1), and (f)(2) are*
 25 *amended by striking “or Marine Corps,” each place*

1 *it appears and inserting “Marine Corps, or Space*
 2 *Force,”.*

3 (2) *DISAGGREGATION OF AIR FORCE MAXIMUM*
 4 *NUMBERS.—Subsection (g) is amended—*

5 (A) *by redesignating paragraphs (3) and*
 6 (4) *as paragraphs (4) and (5), respectively; and*

7 (B) *by striking paragraph (2) and inserting*
 8 *the following new paragraphs (2) and (3):*

9 “(2) *In the case of the Air Force—*

10 “(A) *as captain, 95;*

11 “(B) *as major, 305;*

12 “(C) *as lieutenant colonel, 165; and*

13 “(D) *as colonel, 75.*

14 “(3) *In the case of the Space Force—*

15 “(A) *as captain, 5;*

16 “(B) *as major, 20;*

17 “(C) *as lieutenant colonel, 10; and*

18 “(D) *as colonel, 5.”.*

19 **SEC. 1817. ENLISTED MEMBERS.**

20 (a) *IN GENERAL.—Subtitle F of title 10, United States*
 21 *Code, as amended by section 1716, is further amended by*
 22 *adding at the end the following new chapter:*

23 **“CHAPTER 2007—ENLISTED MEMBERS**

“Sec.

“20301. *Original enlistments: qualifications; grade.*

“20302. *Enlisted members: term of enlistment.*

“20303. *Reference to chapter 31.*

1 **“§ 20301. Original enlistments: qualifications; grade**

2 “(a) *ORIGINAL ENLISTMENTS.*—

3 “(1) *AUTHORITY TO ACCEPT.*—*The Secretary of*
 4 *the Air Force may accept original enlistments in the*
 5 *Space Force of qualified, effective, and able-bodied*
 6 *persons.*

7 “(2) *AGE.*—*A person accepted for original enlist-*
 8 *ment shall be not less than seventeen years of age.*
 9 *However, no person under eighteen years of age may*
 10 *be originally enlisted without the written consent of*
 11 *the person’s parent or guardian, if the person has a*
 12 *parent or guardian entitled to the person’s custody*
 13 *and control.*

14 “(b) *GRADE.*—*A person is enlisted in the Space Force*
 15 *in the grade prescribed by the Secretary of the Air Force.*

16 **“§ 20302. Enlisted members: term of enlistment**

17 “(a) *TERM OF ORIGINAL ENLISTMENTS.*—*The Sec-*
 18 *retary of the Air Force may accept original enlistments of*
 19 *persons for the duration of their minority or for a period*
 20 *of at least two but not more than eight years in the Space*
 21 *Force.*

22 “(b) *TERM OF REENLISTMENTS.*—*The Secretary of the*
 23 *Air Force may accept a reenlistment in the Space Force*
 24 *for a period determined in accordance with paragraphs (2),*
 25 *(3), and (4) of section 505(d) of this title.*

1 **“§ 20303. Reference to chapter 31**

2 *“For other provisions of this title applicable to enlist-*
 3 *ments in the Space Force, see chapter 31 of this title.”.*

4 **(b) AMENDMENTS TO TITLE 10 CHAPTER RELATING**
 5 **TO ENLISTMENTS.**—*Chapter 31 of such title is amended as*
 6 *follows:*

7 **(1) RECRUITING CAMPAIGNS.**—*Section 503(a) is*
 8 *amended by striking “and Regular Coast Guard” and*
 9 *inserting “Regular Coast Guard, and the Space*
 10 *Force”.*

11 **(2) QUALIFICATIONS, TERM, GRADE.**—*Section*
 12 *505 is amended—*

13 **(A)** *by striking “Regular Space Force,”*
 14 *each place it appears; and*

15 **(B)** *by adding at the end the following new*
 16 *subsection:*

17 *“(e) For enlistments in the Space Force, see sections*
 18 *20301 and 20302 of this title.”.*

19 **(3) EXTENSION OF ENLISTMENTS DURING**
 20 **WAR.**—*Section 506 is amended by striking “Regular”*
 21 *before “Space Force”.*

22 **(4) REENLISTMENT.**—*Section 508 is amended*
 23 *striking “Regular” before “Space Force” both places*
 24 *it appears.*

1 (5) *ENLISTMENT INCENTIVES FOR PURSUIT OF*
 2 *SKILLS TO FACILITATE NATIONAL SERVICE.*—Section
 3 510(c) is amended—

4 (A) in paragraph (2), by inserting “or the
 5 Space Force” after “Selected Reserve”; and

6 (B) in paragraph (3)—

7 (i) by redesignating subparagraphs (D)
 8 and (E) as subparagraphs (E) and (F), re-
 9 spectively;

10 (ii) by inserting after subparagraph
 11 (C) the following new subparagraph (D):

12 “(D) in the Space Force;”; and

13 (iii) in subparagraph (F), as so redес-
 14 ignated, by striking “subparagraphs (A)
 15 through (D)” and inserting “subparagraphs
 16 (A) through (E)”.

17 (6) *COLLEGE FIRST PROGRAM.*—Section
 18 511(b)(1)(A) is amended by inserting “or as a mem-
 19 ber of the Space Force,” after “reserve component,”.

20 (7) *DELAYED ENTRY PROGRAM.*—Section 513(a)
 21 is amended—

22 (A) by inserting, “, or who is qualified
 23 under section 20301 of this title and applicable
 24 regulations for enlistment in the Space Force,”
 25 after “armed force”; and

1 (B) by inserting “, or be enlisted as a mem-
 2 ber of the Space Force,” after “Coast Guard Re-
 3 serve”.

4 (8) *EFFECT UPON ENLISTED STATUS OF ACCEPT-*
 5 *ANCE OF APPOINTMENT AS CADET OR MIDSHIPMAN.—*

6 Section 516(b) is amended by inserting “or in the
 7 Space Force,” after “armed force”.

8 **SEC. 1818. RETENTION AND SEPARATION GENERALLY.**

9 (a) *IN GENERAL.*—Subtitle F of title 10, United States
 10 Code, as amended by section 1717, is further amended by
 11 adding at the end the following new chapter:

12 **“CHAPTER 2009—RETENTION AND**
 13 **SEPARATION GENERALLY**

“Sec.

“20401. Applicability of certain provisions of law related to separation.

“20402. Enlisted members: standards and qualifications for retention.

“20403. Officers: standards and qualifications for retention.

“20404. Selection of officers for early retirement or discharge.

“20405. Force shaping authority.

14 **“§ 20401. Applicability of certain provisions of law re-**
 15 **lated to separation**

16 “(a) *OFFICER SEPARATION.*—Except as specified in
 17 this section or otherwise modified in this chapter, the provi-
 18 sions of chapter 59 of this title applicable to officers of a
 19 regular component shall apply to officers of the Space
 20 Force.

21 “(b) *ENLISTED MEMBER SEPARATION.*—Except as
 22 specified in this section or otherwise modified in this chap-

1 *ter, the provisions of chapter 59 of this title applicable to*
 2 *enlisted members of a regular component shall apply to en-*
 3 *listed members of the Space Force.*

4 “(c) *SEPARATION PAY UPON INVOLUNTARY DIS-*
 5 *CHARGE OR RELEASE FROM ACTIVE DUTY.*—*The provi-*
 6 *sions of section 1174 of this title—*

7 “(1) *pertaining to a regular officer shall apply*
 8 *to a Space Force officer serving on sustained duty;*

9 “(2) *pertaining to a regular enlisted member*
 10 *shall apply to an enlisted member of the Space Force*
 11 *serving on sustained duty; and*

12 “(3) *pertaining to other members shall apply to*
 13 *members of the Space Force not serving on sustained*
 14 *duty.*

15 “(d) *VOLUNTARY SEPARATION INCENTIVE.*—*The pro-*
 16 *visions of section 1175 of this title pertaining to a vol-*
 17 *untary appointment, enlistment, or transfer to a reserve*
 18 *component shall apply to the voluntary release from active*
 19 *duty of a member of the Space Force on sustained duty.*

20 “(e) *VOLUNTARY SEPARATION PAY AND BENEFITS.*—
 21 *The provisions of section 1176 of this title—*

22 “(1) *pertaining to a regular enlisted member*
 23 *shall apply to an enlisted member of the Space Force*
 24 *serving on sustained duty; and*

1 “(2) *pertaining to a reserve enlisted member*
 2 *serving in an active status shall apply to an enlisted*
 3 *member of the Space Force serving in a Space Force*
 4 *active status or on sustained duty.*

5 **“§ 20402. Enlisted members: standards and qualifica-**
 6 **tions for retention**

7 “(a) *STANDARDS AND QUALIFICATIONS FOR RETEN-*
 8 *TION.—Subject to such limitations as the Secretary of De-*
 9 *fense may prescribe, the Secretary of the Air Force shall,*
 10 *by regulation, prescribe—*

11 “(1) *standards and qualifications for the reten-*
 12 *tion of enlisted members of the Space Force; and*

13 “(2) *equitable procedures for the periodic deter-*
 14 *mination of the compliance of each such member with*
 15 *those standards and qualifications.*

16 “(b) *EFFECT OF FAILURE TO COMPLY WITH STAND-*
 17 *ARDS AND QUALIFICATIONS.—If an enlisted member serving*
 18 *in Space Force active status fails to comply with the stand-*
 19 *ards and qualifications prescribed under subsection (a), the*
 20 *member shall—*

21 “(1) *if qualified, be transferred to Space Force*
 22 *inactive status;*

23 “(2) *if qualified, be retired in accordance with*
 24 *section 20603 of this title; or*

25 “(3) *have the member’s enlistment terminated.*

1 **“§ 20403. Officers: standards and qualifications for**
 2 **retention**

3 “(a) *STANDARDS AND QUALIFICATIONS.—To be re-*
 4 *tained in an active status, a Space Force officer must—*

5 “(1) *in any applicable yearly period, attain the*
 6 *number of points specified under section 12732(a)(2)*
 7 *of this title; and*

8 “(2) *conform to such other standards and quali-*
 9 *fications as the Secretary may prescribe for officers of*
 10 *the Space Force.*

11 “(b) *RESULT OF FAILURE TO COMPLY.—A Space*
 12 *Force officer who fails to attain the number of points pre-*
 13 *scribed under subsection (a)(1), or to conform to the stand-*
 14 *ards and qualifications prescribed under subsection (a)(2),*
 15 *may be referred to a board convened under section 20501(a)*
 16 *of this title.*

17 **“§ 20404. Selection of officers for early retirement or**
 18 **discharge**

19 “(a) *CONSIDERATION FOR EARLY RETIREMENT.—The*
 20 *Secretary of the Air Force may convene selection boards*
 21 *under section 20211(b) of this title to consider for early re-*
 22 *tirement officers on the Space Force officer list as follows:*

23 “(1) *Officers in the grade of lieutenant colonel*
 24 *who have failed of selection for promotion at least one*
 25 *time and whose names are not on a list of officers rec-*
 26 *ommended for promotion.*

1 “(2) Officers in the grade of colonel who have
 2 served in that grade for at least two years and whose
 3 names are not on a list of officers recommended for
 4 promotion.

5 “(3) Officers, other than those described in para-
 6 graphs (1) and (2), holding a grade below the grade
 7 of colonel—

8 “(A) who are eligible for retirement under
 9 section 20601 of this title or who after two addi-
 10 tional years or less of active service would be eli-
 11 gible for retirement under that section; and

12 “(B) whose names are not on a list of offi-
 13 cers recommended for promotion.

14 “(b) CONSIDERATION FOR DISCHARGE.—

15 “(1) Subject to such limitations as the Secretary
 16 of Defense may prescribe, the Secretary of the Air
 17 Force may convene selection boards under section
 18 20211 of this title to consider for discharge officers on
 19 the Space Force officer list—

20 “(A) who have served at least one year of
 21 active status in the grade currently held;

22 “(B) whose names are not on a list of offi-
 23 cers recommended for promotion; and

24 “(C) who are not eligible to be retired under
 25 any provision of law (other than by reason of

1 *eligibility pursuant to section 4403 of the Na-*
 2 *tional Defense Authorization Act for Fiscal Year*
 3 *1993 (Public Law 102–484)) and are not within*
 4 *two years of becoming so eligible.*

5 “(2) *An officer who is recommended for dis-*
 6 *charge by a selection board convened pursuant to the*
 7 *authority of paragraph (1) and whose discharge is*
 8 *approved by the Secretary of the Air Force shall be*
 9 *discharged on a date specified by the Secretary.*

10 “(3) *Selection of officers for discharge under*
 11 *paragraph (1) shall be based on the needs of the serv-*
 12 *ice.*

13 “(c) *DISCHARGES AND RETIREMENTS CONSIDERED TO*
 14 *BE INVOLUNTARY.—The discharge or retirement of an offi-*
 15 *cer pursuant to this section shall be considered to be invol-*
 16 *untary for purposes of any other provision of law.*

17 **“§ 20405. Force shaping authority**

18 “(a) *AUTHORITY.—The Secretary of the Air Force*
 19 *may, solely for the purpose of restructuring the Space*
 20 *Force—*

21 “(1) *discharge an officer described in subsection*
 22 *(b); or*

23 “(2) *involuntarily release such an officer from*
 24 *sustained duty.*

1 “(b) *COVERED OFFICERS.*—(1) *The authority under*
 2 *this section may be exercised in the case of an officer of*
 3 *the Space Force serving on sustained duty who—*

4 “(A) *has completed not more than six years of*
 5 *service as a commissioned officer in the armed forces;*
 6 *or*

7 “(B) *has completed more than six years of serv-*
 8 *ice as a commissioned officer in the armed forces, but*
 9 *has not completed the minimum service obligation ap-*
 10 *plicable to that officer.*

11 “(2) *In this subsection, the term ‘minimum service ob-*
 12 *ligation’, with respect to a member of the Space Force,*
 13 *means the initial period of required active duty service ap-*
 14 *plicable to the member, together with any additional period*
 15 *of required active duty service incurred by that member*
 16 *during the member’s initial period of required active duty*
 17 *service.*

18 “(c) *REGULATIONS.*—*The Secretary of the Air Force*
 19 *shall prescribe regulations for the exercise of the Secretary’s*
 20 *authority under this section.”.*

21 (b) *CONFORMING AMENDMENTS.*—*Section 647 of title*
 22 *10, United States Code, is amended—*

23 (1) *in subsection (b)(1), by inserting “(other*
 24 *than an officer of the Space Force)” after “in the case*
 25 *of an officer”;*

9 **SEC. 1819. SEPARATION OF OFFICERS FOR SUBSTANDARD**
10 **PERFORMANCE OF DUTY OR FOR CERTAIN**
11 **OTHER REASONS.**

12 *Subtitle F of title 10, United States Code, as amended*
13 *by section 1718, is further amended by adding at the end*
14 *the following new chapter:*

15 **“CHAPTER 2011—SEPARATION OF OFFI-**
16 **CERS FOR SUBSTANDARD PERFORM-**
17 **ANCE OF DUTY OR FOR CERTAIN**
18 **OTHER REASONS**

“20501. Authority to establish procedures to consider the separation of officers for substandard performance of duty and for certain other reasons.

“20503. Removal of officer: action by secretary upon recommendation of retention board.

“20505. Officer considered for removal: voluntary retirement or discharge.

“20506. *Officers eligible to serve on retention boards.*

1 **“§ 20501. Authority to establish procedures to consider**
 2 **the separation of officers for substandard**
 3 **performance of duty and for certain other**
 4 **reasons**

5 “(a) *PROCEDURES FOR REVIEW OF RECORD OF OFFI-*
 6 *CERS RELATING TO STANDARDS OF PERFORMANCE OF*
 7 *DUTY.—(1) The Secretary of the Air Force shall prescribe,*
 8 *by regulation, procedures for the review at any time of the*
 9 *record of any commissioned officer (other than a retired of-*
 10 *ficer) of the Space Force in a Space Force active status*
 11 *to determine whether the officer shall be required, because*
 12 *of a reason stated in paragraph (2), to show cause for the*
 13 *officer’s retention in a Space Force active status.*

14 “(2) *The reasons referred to in paragraph (1) are the*
 15 *following:*

16 “(A) *The officer’s performance of duty has fallen*
 17 *below standards prescribed by the Secretary of De-*
 18 *fense.*

19 “(B) *The officer has failed to satisfy the stand-*
 20 *ards and qualifications established under section*
 21 *20403 of this title by the Secretary of the Air Force.*

22 “(b) *PROCEDURES FOR REVIEW OF RECORD OF OFFI-*
 23 *CERS RELATING TO CERTAIN OTHER REASONS.—(1) The*
 24 *Secretary of the Air Force shall prescribe, by regulation,*
 25 *procedures for the review at any time of the record of any*
 26 *commissioned officer (other than a retired officer) of the*

1 *Space Force in a Space Force active status to determine*
 2 *whether the officer should be required, because of a reason*
 3 *stated in paragraph (2), to show cause for the officer's reten-*
 4 *tion in a Space Force active status.*

5 “(2) *The reasons referred to in paragraph (1) are the*
 6 *following:*

7 “(A) *Misconduct.*

8 “(B) *Moral or professional dereliction.*

9 “(C) *The officer's retention is not clearly con-*
 10 *sistent with the interests of national security.*

11 “(c) *SECRETARY OF DEFENSE LIMITATIONS.—Regula-*
 12 *tions prescribed by the Secretary of the Air Force under*
 13 *this section are subject to such limitations as the Secretary*
 14 *of Defense may prescribe.*

15 **“§ 20502. Retention boards**

16 “(a) *CONVENING OF BOARDS TO CONSIDER OFFICERS*
 17 *REQUIRED TO SHOW CAUSE.—The Secretary of the Air*
 18 *Force shall convene retention boards at such times and*
 19 *places as the Secretary may prescribe to receive evidence*
 20 *and make findings and recommendations as to whether an*
 21 *officer who is required under section 20501 of this title to*
 22 *show cause for retention in a Space Force active status*
 23 *should be retained in a Space Force active status. Each re-*
 24 *tention board shall be composed of not less than three offi-*

1 *cers having the qualifications prescribed by section 20506*
 2 *of this title.*

3 “(b) *FAIR AND IMPARTIAL HEARING.*—A retention
 4 board shall give a fair and impartial hearing to each officer
 5 required under section 20501 of this title to show cause for
 6 retention in a Space Force active status.

7 “(c) *EFFECT OF BOARD DETERMINATION THAT AN*
 8 *OFFICER HAS FAILED TO ESTABLISH THAT THE OFFICER*
 9 *SHOULD BE RETAINED.*—(1) *If a retention board deter-*
 10 *mines that the officer has failed to establish that the officer*
 11 *should be retained in a Space Force active status, the board*
 12 *shall recommend to the Secretary of the Air Force one of*
 13 *the following:*

14 “(A) *That the officer be transferred to an inac-*
 15 *tive status.*

16 “(B) *That the officer, if qualified under any pro-*
 17 *vision of law, be retired.*

18 “(C) *That the officer be discharged from the*
 19 *Space Force.*

20 “(2) *Under regulations prescribed by the Secretary of*
 21 *the Air Force, an officer as to whom a retention board*
 22 *makes a recommendation under paragraph (1) that the offi-*
 23 *cer not be retained in a Space Force active status may be*
 24 *required to take leave pending the completion of the officer’s*
 25 *case under this chapter. The officer may be required to begin*

1 such leave at any time following the officer's receipt of the
2 report of the retention board, including the board's rec-
3 ommendation for removal from a Space Force active status,
4 and the expiration of any period allowed for submission
5 by the officer of a rebuttal to that report. The leave may
6 be continued until the date on which action by the Secretary
7 of the Air Force on the officer's case is completed or may
8 be terminated at any earlier time.

9 “(d) *EFFECT OF BOARD DETERMINATION THAT AN*
10 *OFFICER HAS ESTABLISHED THAT THE OFFICER SHOULD*
11 *BE RETAINED.*—(1) *If a retention board determines that*
12 *the officer has established that the officer should be retained*
13 *in a Space Force active status, the officer's case is closed.*

14 “(2) *An officer who is required to show cause for reten-*
15 *tion in a Space Force active status under subsection (a)*
16 *of section 20501 of this title and who is determined under*
17 *paragraph (1) to have established that the officer should be*
18 *retained in a Space Force active status may not again be*
19 *required to show cause for retention in a Space Force active*
20 *status under such subsection within the one-year period be-*
21 *ginning on the date of that determination.*

22 “(3)(A) *Subject to subparagraph (B), an officer who*
23 *is required to show cause for retention in a Space Force*
24 *active status under subsection (b) of section 20501 of this*
25 *title and who is determined under paragraph (1) to have*

1 *established that the officer should be retained in a Space*
 2 *Force active status may again be required to show cause*
 3 *for retention at any time.*

4 “(B) *An officer who has been required to show cause*
 5 *for retention in a Space Force active status under sub-*
 6 *section (b) of section 20501 of this title and who is thereafter*
 7 *retained in an active status may not again be required to*
 8 *show cause for retention in a Space Force active status*
 9 *under such subsection solely because of conduct which was*
 10 *the subject of the previous proceedings, unless the findings*
 11 *or recommendations of the retention board that considered*
 12 *the officer’s previous case are determined to have been ob-*
 13 *tained by fraud or collusion.*

14 “(4) *In the case of an officer described in paragraph*
 15 *(2) or paragraph (3)(A), the retention board may rec-*
 16 *ommend that the officer be required to complete additional*
 17 *training, professional education, or such other develop-*
 18 *mental programs as may be available to correct any identi-*
 19 *fied deficiencies and improve the officer’s performance with-*
 20 *in the Space Force.*

21 **“§ 20503. Removal of officer: action by Secretary upon**
 22 **recommendation of retention board**

23 *“The Secretary of the Air Force may remove an officer*
 24 *from Space Force active status if the removal of such officer*

1 *from Space Force active status is recommended by a reten-*
 2 *tion board convened under section 20502 of this title.*

3 **“§ 20504. Rights and procedures**

4 “(a) *IN GENERAL.*—Under regulations prescribed by
 5 *the Secretary of the Air Force, each officer required under*
 6 *section 20501 of this title to show cause for retention in*
 7 *a Space Force active status—*

8 “(1) *shall be notified in writing, at least 30 days*
 9 *before the hearing of the officer’s case by a retention*
 10 *board, of the reasons for which the officer is being re-*
 11 *quired to show cause for retention in a Space Force*
 12 *active status;*

13 “(2) *shall be allowed a reasonable time, as deter-*
 14 *mined by the board, to prepare the officer’s showing*
 15 *of cause for retention in a Space Force active status;*

16 “(3) *shall be allowed to appear either in person*
 17 *or through electronic means and to be represented by*
 18 *counsel at proceedings before the board; and*

19 “(4) *shall be allowed full access to, and shall be*
 20 *furnished copies of, records relevant to the officer’s*
 21 *case, except that the board shall withhold any record*
 22 *that the Secretary determines should be withheld in*
 23 *the interest of national security.*

24 “(b) *SUMMARY OF RECORDS WITHHELD IN INTEREST*
 25 *OF NATIONAL SECURITY.*—When a record is withheld under

1 subsection (a)(4), the officer whose case is under consider-
 2 ation shall, to the extent that the interest of national secu-
 3 rity permits, be furnished a summary of the record so with-
 4 held.

5 **“§ 20505. Officer considered for removal: voluntary re-**
 6 **irement or discharge**

7 “(a) *IN GENERAL.*—At any time during proceedings
 8 under this chapter with respect to the removal of an officer
 9 from a Space Force active status, the Secretary of the Air
 10 Force may grant a request by the officer—

11 “(1) *for voluntary retirement, if the officer is*
 12 *qualified for retirement; or*

13 “(2) *for discharge in accordance with subsection*
 14 *(b)(2).*

15 “(b) *RETIREMENT OR DISCHARGE.*—An officer re-
 16 moved from a Space Force active status under section 20503
 17 of this title shall—

18 “(1) *if eligible for voluntary retirement under*
 19 *any provision of law on the date of such removal, be*
 20 *retired in the grade and with the retired pay for*
 21 *which the officer would be eligible if retired under*
 22 *such provision; and*

23 “(2) *if ineligible for voluntary retirement under*
 24 *any provision of law on the date of such removal—*

1 “(A) *be honorably discharged in the grade*
 2 *then held, in the case of an officer whose case*
 3 *was brought under subsection (a) of section*
 4 *20501 of this title; or*

5 “(B) *be discharged in the grade then held,*
 6 *in the case of an officer whose case was brought*
 7 *under subsection (b) of section 20501 of this title.*

8 “(c) *SEPARATION PAY FOR DISCHARGED OFFICER.—*
 9 *An officer who is discharged under subsection (b)(2) is enti-*
 10 *tled, if eligible therefor, to separation pay under section*
 11 *1174(a)(2) of this title.*

12 **“§ 20506. Officers eligible to serve on retention boards**

13 “(a) *IN GENERAL.—The provisions of section 1187 of*
 14 *this title apply to the membership of boards convened under*
 15 *this chapter in the same manner as to the membership of*
 16 *boards convened under chapter 60 of this title.*

17 “(b) *RETIRED AIR FORCE OFFICERS.—*

18 “(1) *AUTHORITY.—In applying subsection (b) of*
 19 *section 1187 of this title to a board convened under*
 20 *this chapter, the Secretary of the Air Force may ap-*
 21 *point retired officers of the Air Force, in addition to*
 22 *retired officers of the Space Force, to complete the*
 23 *membership of the board.*

24 “(2) *LIMITATION.—A retired officer of the Air*
 25 *Force may be appointed to a board under paragraph*

1 *(1) only if the officer served in a space-related career*
 2 *field of the Air Force for sufficient time such that the*
 3 *Secretary of the Air Force determines that the retired*
 4 *Air Force officer has adequate knowledge concerning*
 5 *the standards of performance and conduct required of*
 6 *an officer of the Space Force.”.*

7 **SEC. 1820. RETIREMENT.**

8 *(a) IN GENERAL.—Subtitle F of title 10, United States*
 9 *Code, as amended by section 1719, is further amended by*
 10 *adding at the end the following new chapter:*

11 **“CHAPTER 2013—VOLUNTARY**
 12 **RETIREMENT FOR LENGTH OF SERVICE**

“Sec.

“20601. Officers: voluntary retirement for length of service.

“20602. Officers: computation of years of service for voluntary retirement.

“20603. Enlisted members: voluntary retirement for length of service.

“20604. Enlisted members: computation of years of service for voluntary retire-
 ment.

“20605. Applicability of other provisions of law relating to retirement.

13 **“§ 20601. Officers: voluntary retirement for length of**
 14 **service**

15 *“(a) TWENTY YEARS OR MORE.—The Secretary of the*
 16 *Air Force may, upon the officer’s request, retire a commis-*
 17 *sioned officer of the Space Force who has at least 20 years*
 18 *of service computed under section 20602 of this title, at least*
 19 *10 years of which have been active service as a commis-*
 20 *sioned officer.*

21 *“(b) THIRTY YEARS OR MORE.—A commissioned offi-*
 22 *cer of the Space Force who has at least 30 years of service*

1 *computed under section 20602 of this title may be retired*
 2 *upon the officer's request, in the discretion of the President.*

3 “(c) *FORTY YEARS OR MORE.*—*Except as provided in*
 4 *section 20503 of this title, a commissioned officer of the*
 5 *Space Force who has at least 40 years of service computed*
 6 *under section 20602 of this title shall be retired upon the*
 7 *officer's request.*

8 **“§ 20602. Officers: computation of years of service for**
 9 ***voluntary retirement***

10 “(a) *YEARS OF ACTIVE SERVICE.*—*For the purpose of*
 11 *determining whether an officer of the Space Force may be*
 12 *retired under section 20601 of this title, the officer's years*
 13 *of service are computed by adding all active service in the*
 14 *armed forces.*

15 “(b) *REFERENCE TO SECTION EXCLUDING SERVICE*
 16 *DURING CERTAIN PERIODS.*—*Section 972(b) of this title ex-*
 17 *cludes from computation of an officer's years of service for*
 18 *purposes of this section any time identified with respect to*
 19 *that officer under that section.*

20 **“§ 20603. Enlisted members: voluntary retirement for**
 21 ***length of service***

22 “(a) *TWENTY TO THIRTY YEARS.*—*Under regulations*
 23 *to be prescribed by the Secretary of the Air Force, an en-*
 24 *listed member of the Space Force who has at least 20, but*

1 *less than 30, years of service computed under section 20604*
 2 *of this title may, upon the member's request, be retired.*

3 “(b) *THIRTY YEARS OR MORE.—An enlisted member*
 4 *of the Space Force who has at least 30 years of service com-*
 5 *puted under section 20604 of this title shall be retired upon*
 6 *the member's request.*

7 **“§20604. Enlisted members: computation of years of**
 8 ***service for voluntary retirement***

9 “(a) *YEARS OF ACTIVE SERVICE.—For the purpose of*
 10 *determining whether an enlisted member of the Space Force*
 11 *may be retired under section 20603 of this title, the mem-*
 12 *ber's years of service are computed by adding all active*
 13 *service in the armed forces.*

14 “(b) *REFERENCE TO SECTION EXCLUDING COUNTING*
 15 *OF CERTAIN SERVICE REQUIRED TO BE MADE UP.—Time*
 16 *required to be made up under section 972(a) of this title*
 17 *may not be counted in computing years of service under*
 18 *subsection (a).*

19 **“§20605. Applicability of other provisions of law re-**
 20 ***lating to retirement***

21 “(a) *APPLICABILITY TO MEMBERS OF THE SPACE*
 22 *FORCE.—Except as specifically provided for by this chap-*
 23 *ter, the provisions of this title specified in subsection (b)*
 24 *apply to members of the Space Force as follows:*

1 “(1) Provisions pertaining to an officer of the
2 *Air Force shall apply to an officer of the Space Force.*

3 “(2) Provisions pertaining to an enlisted mem-
4 *ber of the Air Force shall apply to an enlisted mem-*
5 *ber of the Space Force.*

6 “(3) Provisions pertaining to a regular officer
7 *shall apply to an officer who is on sustained duty in*
8 *the Space Force.*

9 “(4) Provisions pertaining to a regular enlisted
10 *member shall apply to an enlisted member who is on*
11 *sustained duty in the Space Force.*

12 “(5) Provisions pertaining to a reserve officer
13 *shall apply to an officer who is in a Space Force ac-*
14 *tive status but not on sustained duty.*

15 “(6) Provisions pertaining to a reserve enlisted
16 *member shall apply to an enlisted member who is in*
17 *a Space Force active status but not on sustained*
18 *duty.*

19 “(7) Provisions pertaining to service in a reg-
20 *ular component shall apply to service on sustained*
21 *duty.*

22 “(8) Provisions pertaining to service in a reserve
23 *component shall apply to service in a Space Force ac-*
24 *tive status not on sustained duty.*

1 “(9) *Provisions pertaining to a member of the*
 2 *Ready Reserve shall apply to a member of the Space*
 3 *Force who is in a Space Force active status prior to*
 4 *being ordered to active duty.*

5 “(10) *Provisions pertaining to a member of the*
 6 *Retired Reserve shall apply to a member of the Space*
 7 *Force who has retired under chapter 1223 of this title.*

8 “(b) *PROVISIONS OF LAW.—The provisions of this title*
 9 *referred to in subsection (a) are the following:*

10 “(1) *Chapter 61, relating to retirement or sepa-*
 11 *ration for physical disability.*

12 “(2) *Chapter 63, relating to retirement for age.*

13 “(3) *Chapter 69, relating to retired grade.*

14 “(4) *Chapter 71, relating to computation of re-*
 15 *tired pay.*

16 “(5) *Chapter 941, relating to retirement from the*
 17 *Air Force for length of service.*

18 “(6) *Chapter 945, relating to computation of re-*
 19 *tired pay.*

20 “(7) *Chapter 1223, relating to retired pay for*
 21 *non-regular service.*

22 “(8) *Chapter 1225, relating to retired grade.”.*

23 (b) *CONFORMING AMENDMENTS.—Title 10, United*
 24 *States Code, is amended as follows:*

1 (1) *RETIRED MEMBERS ORDERED TO ACTIVE*
 2 *DUTY.—Section 688(b) is amended—*

3 (A) *in paragraph (1), by striking “Regular*
 4 *Marine Corps, or Regular Space Force” and in-*
 5 *serting “or Regular Marine Corps”; and*

6 (B) *by adding at the end the following new*
 7 *paragraph:*

8 “(4) *A retired member of the Space Force.*”.

9 (2) *RETIRED GRADE.—Section 9341 is amend-*
 10 *ed—*

11 (A) *in subsection (a), by striking “or the*
 12 *Space Force” both places it appears;*

13 (B) *in subsection (b), by striking “or a Reg-*
 14 *ular or Reserve of the Space Force”; and*

15 (C) *by adding at the end the following new*
 16 *subsection:*

17 “(c) *SPACE FORCE.—(1) The retired grade of a com-*
 18 *missioned officer of the Space Force who retires other than*
 19 *for physical disability is determined under section 1370 or*
 20 *1370a of this title, as applicable to the officer.*

21 “(2) *Unless entitled to a higher retired grade under*
 22 *some other provision of law, a member of the Space Force*
 23 *not covered by paragraph (1) who retires other than for*
 24 *physical disability retires in the grade that the member*
 25 *holds on the date of the member’s retirement.*”.

1 (3) *RETIRED GRADE OF ENLISTED MEMBERS*
 2 *AFTER 30 YEARS OF SERVICE.*—Section 9344(b)(2) is
 3 amended by striking “Regular” before “Space Force”.

4 (4) *RETIRED LISTS.*—Section 9346 is amend-
 5 ed—

6 (A) in subsection (a), by striking “or the
 7 Regular Space Force” and inserting “and a sep-
 8 arate retired list containing the name of each re-
 9 tired commissioned officer of the Space Force
 10 (other than an officer whose name is on the list
 11 maintained under subsection (b)(2))”;

12 (B) in subsection (b)—

13 (i) by redesignating paragraphs (1)
 14 and (2) as subparagraphs (A) and (B), re-
 15 spectively;

16 (ii) by inserting “(1)” after “(b)”;

17 (iii) in subparagraph (A), as redesign-
 18 ated by clause (i), by striking “, or for
 19 commissioned officers of the Space Force
 20 other than of the Regular Space Force”;

21 (iv) in subparagraph (B), as so redес-
 22 ignated, by striking “or the Space Force”;
 23 and

24 (v) by adding at the end the following
 25 new paragraph:

1 “(2) *The Secretary shall maintain a retired list con-*
 2 *taining the name of—*

3 “(A) *each person entitled to retired pay who as*
 4 *a member of the Space Force qualified for retirement*
 5 *under section 20601 of this title; and*

6 “(B) *each retired warrant officer or enlisted*
 7 *member of the Space Force who is advanced to a com-*
 8 *missioned grade.”;*

9 “(C) *in subsection (c), by striking “or the*
 10 *Space Force” and inserting “and a separate re-*
 11 *tired list containing the name of each retired*
 12 *warrant officer of the Space Force”;* and

13 “(D) *in subsection (d), by striking “or the*
 14 *Regular Space Force” and inserting “and a sep-*
 15 *arate retired list containing the name of each re-*
 16 *tired enlisted member of the Space Force”.*

17 ***Subtitle B—Conforming Amend-***
 18 ***ments Related to Space Force***
 19 ***Military Personnel System***

20 ***SEC. 1831. AMENDMENTS TO DEPARTMENT OF THE AIR***
 21 ***FORCE PROVISIONS OF TITLE 10, UNITED***
 22 ***STATES CODE.***

23 “(a) *PROVISIONS RELATING TO PERSONNEL.—Part II*
 24 *of subtitle D of title 10, United States Code, is amended*
 25 *as follows:*

1 (1) *GENDER-FREE BASIS FOR ACCEPTANCE OF*
2 *ORIGINAL ENLISTMENTS.—*

3 (A) *Section 9132 is amended by striking*
4 *“Regular” before “Space Force”.*

5 (B) *The heading of such section is amended*
6 *by striking “**REGULAR SPACE FORCE**” and*
7 *inserting “**SPACE FORCE**”.*

8 (2) *REENLISTMENT AFTER SERVICE AS AN OFFI-*
9 *CER.—*

10 (A) *Section 9138(a) is amended by striking*
11 *“Regular” before “Space Force” both places it*
12 *appears.*

13 (B) *The heading of section 9138 is amended*
14 *by striking “**REGULAR SPACE FORCE**” and*
15 *inserting “**SPACE FORCE**”.*

16 (3) *WARRANT OFFICERS: ORIGINAL APPOINT-*
17 *MENT; QUALIFICATIONS.—Section 9160 is amended by*
18 *striking “Regular” before Space Force”.*

19 (4) *SERVICE AS AN OFFICER TO BE COUNTED AS*
20 *ENLISTED SERVICE.—Section 9252 is amended by*
21 *striking “Regular” before “Space Force”.*

22 (5) *CHAPTER HEADING.—*

23 (A) *The heading of chapter 915 is amended*
24 *to read as follows:*

1 **“CHAPTER 915—APPOINTMENTS IN THE**
 2 **REGULAR AIR FORCE AND IN THE**
 3 **SPACE FORCE”.**

4 *(B) The tables of chapters at the beginning*
 5 *of subtitle D, and at the beginning of part II of*
 6 *subtitle D of such title, are each amended by*
 7 *striking the item relating to chapter 915 and in-*
 8 *serting the following new item:*

“915. Appointments in the Regular Air Force and in the Space Force 9151.”.

9 *(b) PROVISIONS RELATING TO TRAINING GEN-*
 10 *ERALLY.—Section 9401 of such title is amended—*

11 *(1) in subsection (b)—*

12 *(A) by striking “or the Regular Space*
 13 *Force” after “Regular Air Force”; and*

14 *(B) by inserting “or one of the Space Force*
 15 *in a Space Force active status not on sustained*
 16 *duty,” after “on the active-duty list,”;*

17 *(2) in subsection (c)—*

18 *(A) by striking “or Reserve of the Space*
 19 *Force” and inserting “or member of the Space*
 20 *Force in a Space Force active status not on sus-*
 21 *tained duty”; and*

22 *(B) by striking “the Reserve’s consent” and*
 23 *inserting “the member’s consent”; and*

24 *(3) in subsection (f)—*

1 (A) by striking “the Regular Space Force”
 2 and inserting “of Space Force members on sus-
 3 tained duty”; and

4 (B) by striking “the Space Force Reserve”
 5 and inserting “of Space Force members in an
 6 active status not on sustained duty”.

7 (c) *PROVISIONS RELATING TO THE AIR FORCE ACAD-*
 8 *EMY.*—Chapter 953 of such title is amended as follows:

9 (1) *PERMANENT PROFESSORS; DIRECTOR OF AD-*
 10 *MISSIONS.*—Section 9436 is amended—

11 (A) in subsection (a)—

12 (i) by striking “the equivalent grade
 13 in” both places it appears;

14 (ii) by inserting “or the Space Force”
 15 after “Regular Air Force” the first place it
 16 appears;

17 (iii) by striking “and a permanent”
 18 and all that follows through “in the Regular
 19 Air Force”; and

20 (B) in subsection (b)—

21 (i) by striking “the equivalent grade
 22 in” both places it appears and inserting
 23 “the grade of lieutenant colonel in”; and

24 (ii) by striking “Regular Space Force
 25 has the grade equivalent to the grade of

1 *colonel in the Regular Air Force*” and in-
 2 *serting “Space Force has the grade of colo-*
 3 *nel in the Space Force”.*

4 (2) *APPOINTMENT OF CADETS.—Section 9442(b)*
 5 *is amended—*

6 (A) *in paragraph (1)(C), by inserting “, or*
 7 *the Space Force,” after “members of reserve com-*
 8 *ponents”;* and

9 (B) *in paragraph (2), by striking “Reg-*
 10 *ular” before “Space Force”.*

11 (3) *AGREEMENT OF CADETS TO SERVE AS OFFI-*
 12 *CERS.—Section 9448(a) is amended—*

13 (A) *in paragraph (2)(A), by striking “Reg-*
 14 *ular” before “Space Force”;* and

15 (B) *in paragraph (3)—*

16 (i) *in the matter preceding subpara-*
 17 *graph (A), by inserting “, or to terminate*
 18 *the officer’s order to sustained duty in the*
 19 *Space Force” after “resign as a regular offi-*
 20 *cer”;*

21 (ii) *in subparagraph (A), by striking*
 22 *“or as a Reserve in the Space Force for*
 23 *service in the Space Force Reserve” and in-*
 24 *serting “or will accept further assignment*
 25 *in a Space Force active status”;* and

1 (iii) in subparagraph (B), by inserting
 2 “, or the Space Force,” after “that reserve
 3 component”.

4 (4) *HAZING*.—Section 9452(c) is amended by
 5 striking “Marine Corps, or Space Force,” and insert-
 6 ing, “or Marine Corps, or in the Space Force,”.

7 (5) *COMMISSION UPON GRADUATION*.—Section
 8 9453(b) is amended—

9 (A) by striking “or in the equivalent grade
 10 in the Regular Space Force”; and

11 (B) by inserting before the period the fol-
 12 lowing: “or a second lieutenant in the Space
 13 Force under section 531 or 20201 of this title”.

14 (d) *PROVISIONS RELATING TO SCHOOLS AND*
 15 *CAMPS*.—Chapter 957 of such title is amended as follows:

16 (1) *PURPOSE*.—Section 9481 is amended—

17 (A) by striking “to qualify them for ap-
 18 pointment” and inserting “to qualify them for—
 19 “(1) appointment”;

20 (B) by striking “or the Space Force Re-
 21 serve.” and inserting “; or”; and

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

1 “(2) appointment as officers, or enlistment as
2 noncommissioned officers, for service in the Space
3 Force in a Space Force active status.”.

4 (2) OPERATION.—Section 9482(4) is amended by
5 striking “or the Regular Space Force” and inserting
6 “or members of the Space Force in an active status”.

7 **SEC. 1832. AMENDMENTS TO SUBTITLE A OF TITLE 10,**
8 **UNITED STATES CODE.**

9 (a) PROVISIONS RELATING TO ORGANIZATION AND
10 GENERAL MILITARY POWERS.—Part I of subtitle A of title
11 10, United States Code, is amended as follows:

12 (1) ANNUAL DEFENSE MANPOWER REPORT.—Sec-
13 tion 115a(d)(3)(F) is amended by inserting before the
14 period the following: “or, in the case of the Space
15 Force, officers ordered to active duty other than under
16 section 20105(b) of this title”.

17 (2) SUSPENSION OF END-STRENGTH AND OTHER
18 STRENGTH LIMITATIONS IN TIME OF WAR OR NA-
19 TIONAL EMERGENCY.—Section 123a(a)(2) is amended
20 by inserting “or the Space Force” after “a reserve
21 component”.

22 (3) DEPUTY COMMANDER OF USNORTHCOM.—
23 Section 164(e)(4) is amended—

24 (A) by inserting “(A)” after “(4)”;

1 (B) by striking “shall be a” and all that fol-
2 lows through the period at the end and inserting
3 “shall be—

4 “(i) a qualified officer of a reserve
5 component who is eligible for promotion to
6 the grade of lieutenant general or, in the
7 case of the Navy, vice admiral; or

8 “(ii) a qualified officer of the Space
9 Force whose prior service includes service in
10 a Space Force active status other than sus-
11 tained duty and who is eligible for pro-
12 motion to the grade of lieutenant general.”;
13 and

14 (C) by adding at the end the following new
15 subparagraph:

16 “(B) The requirement in subparagraph (A)
17 does not apply when the officer serving as com-
18 mander of the combatant command described in
19 that subparagraph is—

20 “(i) a reserve component officer; or

21 “(ii) an officer of the Space Force
22 whose prior service includes service in a
23 Space Force active status other than sus-
24 tained duty.”.

1 (4) *READINESS REPORTS*.—Section 482(a) is
 2 amended by inserting “and the Space Force” after
 3 “active and reserve components” both places it ap-
 4 pears.

5 (b) *DOPMA OFFICER PERSONNEL PROVISIONS*.—Chap-
 6 ter 36 of such title is amended as follows:

7 (1) *NONDISCLOSURE OF BOARD PROCEEDINGS*.—
 8 Section 613a is amended by striking “573, 611, or
 9 628” both places it appears and inserting “573, 611,
 10 628, or 20211”.

11 (2) *INFORMATION FURNISHED TO SELECTION*
 12 *BOARDS*.—Section 615(a) is amended—

13 (A) in paragraph (1), by inserting “or
 14 20211” after “section 611(a)”; and

15 (B) in paragraph (3)—

16 (i) in subparagraph (B)(i), by striking
 17 “regular officer” and all that follows
 18 through the period at the end and inserting
 19 “regular officer or an officer in the Space
 20 Force, a grade above captain or, in the case
 21 of the Navy, lieutenant.”; and

22 (ii) in subparagraph (D)—

23 (I) by striking “major general,”
 24 and inserting “major general or”; and

1 (II) by striking “or, in the case of
2 the Space Force, the equivalent
3 grade,”.

4 (3) *ELIGIBILITY FOR CONSIDERATION FOR PRO-*
5 *MOTION: TIME-IN-GRADE AND OTHER REQUIRE-*
6 *MENTS.*—Section 619(a) is amended by striking “Ma-
7 rine Corps, or Space Force” each place it appears
8 and inserting “or Marine Corps”.

9 (4) *AUTHORITY TO VACATE PROMOTIONS TO*
10 *GRADES OF BRIGADIER GENERAL AND REAR ADMIRAL*
11 *(LOWER HALF).*—Section 625(b) is amended—

12 (A) by striking “Marine Corps, or Space
13 Force” and inserting “or Marine Corps”; and

14 (B) by adding at the end the following new
15 sentence: “An officer of the Space Force whose
16 promotion is vacated under this section holds the
17 grade of colonel.”.

18 (5) *ACCEPTANCE OF PROMOTIONS; OATH OF OF-*
19 *FICE.*—Section 626 is amended by striking “section
20 624” both places it appears and inserting “section
21 624 or 20241”.

22 (6) *SPECIAL SELECTION REVIEW BOARD.*—Sec-
23 tion 628a is amended—

24 (A) in subsection (a)(1)(A)—

1 (i) by striking “major general,” and
2 inserting “major general or”; and

3 (ii) by striking “, or an equivalent
4 grade in the Space Force”;

5 (B) in subsection (e)(2), by adding at the
6 end the following new sentence: “However, in the
7 case of an officer on the Space Force officer list,
8 the provisions of section 618 of this title apply
9 to the report and proceedings of a special selec-
10 tion review board convened under this section in
11 the same manner as they apply to report and
12 proceedings of a promotion board convened
13 under section 20211 of this title.”; and

14 (C) in subsection (f)(1), by adding at the
15 end the following new sentence: “However, if the
16 report of a special selection review board con-
17 vened under this section recommends the
18 sustainment of the recommendation for pro-
19 motion to the next higher grade of an officer on
20 the Space Force officer list who was referred to
21 it for review under this section, and the Presi-
22 dent approves the report, the officer shall, as
23 soon as practicable, be appointed to the grade in
24 accordance with subsections (b) and (c) of section
25 20241 of this title.”.

1 (7) *REMOVAL FROM LIST OF OFFICERS REC-*
 2 *OMMENDED FOR PROMOTION.*—Section 629 is amend-
 3 *ed—*

4 (A) *in subsection (b), by inserting “or*
 5 *20241(c)” after “section 624(c)”;* and

6 (B) *in subsection (c)—*

7 (i) *by inserting “or 20241(a)” after*
 8 *“section 624(a)” both places it appears; and*

9 (ii) *by inserting “or 20241(c)” after*
 10 *“section 624(c)” both places it appears.*

11 (8) *RETIREMENT FOR YEARS OF SERVICE.*—

12 (A) *LIEUTENANT COLONELS.*—Section
 13 633(a) *is amended—*

14 (i) *by inserting “(1)” before “Except*
 15 *as”;*

16 (ii) *by striking “Regular Marine*
 17 *Corps, or Regular Space Force” and insert-*
 18 *ing “or Regular Marine Corps”;* and

19 (iii) *by adding at the end the following*
 20 *new paragraph:*

21 “(2) *Except as provided under section 637(b) or 637a*
 22 *of this title, each officer of the Space Force who holds the*
 23 *grade of lieutenant colonel who is not on a list of officers*
 24 *recommended for promotion to the grade of colonel shall,*
 25 *if not earlier retired, be retired on the first day of the month*

1 *after the month in which the officer completes 28 years of*
 2 *active commissioned service.”.*

3 (B) COLONELS.—Section 634(a) is amend-
 4 ed—

5 (i) by inserting “(1)” before “Except
 6 as”;

7 (ii) by striking “Regular Marine
 8 Corps, or Regular Space Force” and insert-
 9 ing “or Regular Marine Corps”; and

10 (iii) by adding at the end the following
 11 new paragraph:

12 “(2) Except as provided under section 637(b) or 637a
 13 of this title, each officer of the Space Force who holds the
 14 grade of colonel who is not on a list of officers recommended
 15 for promotion to the grade of brigadier general shall, if not
 16 earlier retired, be retired on the first day of the month after
 17 the month in which the officer completes 30 years of active
 18 commissioned service.”.

19 (C) BRIGADIER GENERALS.—Section 635 is
 20 amended—

21 (i) by inserting “(a) ARMY, NAVY, AIR
 22 FORCE, AND MARINE CORPS” before “Ex-
 23 cept as”;

1 (ii) by striking “Regular Marine
2 Corps, or Regular Space Force” and insert-
3 ing “or Regular Marine Corps”; and

4 (iii) by adding at the end the following
5 new subsection:

6 “(b) *SPACE FORCE*.—Except as provided under section
7 637(b) or 637a of this title, each officer of the Space Force
8 who holds the grade of brigadier general who is not on a
9 list of officers recommended for promotion to the grade of
10 major general shall, if not earlier retired, be retired as spec-
11 ified in subsection (a).”.

12 (D) *OFFICERS IN GRADES ABOVE BRIGA-*
13 *DIER GENERAL*.—Section 636(a) is amended—

14 (i) by inserting “(1)” before “Except
15 as”;

16 (ii) by striking “Regular Marine
17 Corps, or Regular Space Force” and insert-
18 ing “or Regular Marine Corps”; and

19 (iii) by adding at the end the following
20 new paragraph:

21 “(2) Except as provided in subsection (b) or (c) and
22 under section 637(b) or 637a of this title, each officer of
23 the Space Force who holds the grade of major general shall,
24 if not earlier retired, be retired as specified in paragraph
25 (1).”.

1 (E) SECTION HEADINGS.—

2 (i) The heading of section 633 is
 3 amended by striking “**LIEUTENANT**
 4 **COLONELS AND**” and inserting “**AND**
 5 **SPACE FORCE LIEUTENANT COLO-**
 6 **NELS; REGULAR NAVY**”.

7 (ii) The heading of section 634 is
 8 amended by striking “**COLONELS AND**”
 9 and inserting “**AND SPACE FORCE**
 10 **COLONELS; REGULAR**”.

11 (iii) The heading of section 635 is
 12 amended by striking “**BRIGADIER GEN-**
 13 **ERALS AND**” and inserting “**AND SPACE**
 14 **FORCE BRIGADIER GENERALS; REG-**
 15 **ULAR NAVY**”.

16 (iv) The heading of section 636 is
 17 amended by striking “**OFFICERS IN**
 18 **GRADES ABOVE BRIGADIER GENERAL**
 19 **AND**” and inserting “**AND SPACE FORCE**
 20 **OFFICERS IN GRADES ABOVE BRIGA-**
 21 **DIER GENERAL; REGULAR NAVY OFFI-**
 22 **CERS IN GRADES ABOVE**”.

23 (c) MANAGEMENT POLICIES FOR JOINT QUALIFIED
 24 OFFICERS.—Section 661(a) of such title is amended—

1 (1) *by striking “Marine Corps, and Space*
 2 *Force” and inserting “and Marine Corps”; and*

3 (2) *by inserting “, and officers of the Space*
 4 *Force on the Space Force officer list,” after “active-*
 5 *duty list”.*

6 (d) *LEAVE.—Chapter 40 of such title is amended as*
 7 *follows:*

8 (1) *ENTITLEMENT AND ACCUMULATION.—Section*
 9 *701 is amended—*

10 (A) *in subsection (h)—*

11 (i) *by inserting at the end of para-*
 12 *graph (2) the following new subparagraph:*

13 “(D) *A member of the Space Force in a*
 14 *Space Force active status on sustained duty or*
 15 *subject to a call or order to active duty for a pe-*
 16 *riod in excess of 12 months.”; and*

17 (ii) *in paragraphs (5)(B) and (6), by*
 18 *inserting “, or of the Space Force,” after*
 19 *“member of a reserve component”; and*

20 (B) *in subsection (i), by inserting “, or of*
 21 *the Space Force,” after “member of a reserve*
 22 *component”.*

23 (2) *PAYMENT UPON DISAPPROVAL OF CERTAIN*
 24 *BOARD OF INQUIRY RECOMMENDATIONS FOR EXCESS*
 25 *LEAVE REQUIRED TO BE TAKEN.—Section 707a(a)(1)*

1 *is amended by inserting “or 20503” after “section*
 2 *1182(c)(2)”.*

3 (3) *CAREER FLEXIBILITY TO ENHANCE RETEN-*
 4 *TION OF MEMBERS.—Section 710 is amended—*

5 (A) *in subsection (a), by inserting “or of the*
 6 *Space Force” after “regular components”;*

7 (B) *in subsection (b)(2), by inserting “, or*
 8 *a Space Force officer in a Space Force active*
 9 *status not on active duty under section 20105(b)*
 10 *of this title,” after “officer”;*

11 (C) *in subsection (c)(1), by inserting before*
 12 *the period at the end the following: “or, in the*
 13 *case of a member of the Space Force on sus-*
 14 *tained duty, to accept release from sustained*
 15 *duty orders and to serve in a Space Force active*
 16 *status”;* *and*

17 (D) *in subsection (g)(1)(A), by striking*
 18 *“chapter 36 or 1405” and inserting “chapter 36,*
 19 *1405, or 2005”.*

20 (e) *LIMITATION ON NUMBER OF OFFICERS WHO MAY*
 21 *BE FROCKED TO A HIGHER GRADE.—Section 777(d)(2) of*
 22 *such title is amended by inserting “, or for the Space Force,*
 23 *the Space Force officer list,” after “active-duty list”.*

1 (f) *UNIFORM CODE OF MILITARY JUSTICE*.—Chapter
 2 47 of such title (*the Uniform Code of Military Justice*), is
 3 amended as follows:

4 (1) *PERSONS SUBJECT TO UCMJ*.—Section 802
 5 (article 2) is amended—

6 (A) in subsection (a)—

7 (i) in paragraph (1), by inserting
 8 “and members of the Space Force on active
 9 duty under section 20105 of this title,” after
 10 “regular component of the armed forces,”;

11 (ii) in paragraph (3)(A)(i), by insert-
 12 ing “or the Space Force” after “reserve
 13 component”;

14 (iii) in paragraph (5), by inserting “,
 15 or retired members of the Space Force who
 16 qualified for a non-regular retirement and
 17 are receiving retired pay,” after “a reserve
 18 component”; and

19 (iv) by adding at the end the following
 20 new paragraph:

21 “(14) Retired members of the Space Force who
 22 qualified for a regular retirement under section 20603
 23 of this title and are receiving retired pay.”; and

24 (B) in subsection (d)—

1 (i) in paragraph (1), by inserting “or
2 the Space Force” after “reserve component”;

3 (ii) in paragraph (2), by inserting “or
4 the Space Force” after “a reserve compo-
5 nent”; and

6 (iii) in paragraph (4), by inserting
7 “or the Space Force” after “in a regular
8 component of the armed forces”.

9 (2) *JURISDICTION TO TRY CERTAIN PER-*
10 *SONNEL.*—Subsection (d) of section 803 (article 3) is
11 amended by inserting, “or the Space Force” after “re-
12 serve component”.

13 (3) *ARTICLES TO BE EXPLAINED.*—Section 937
14 (article 137) is amended—

15 (A) in subsection (a)(1)—

16 (i) by striking “or” at the end of sub-
17 paragraph (A);

18 (ii) by striking the period at the end of
19 subparagraph (B) and inserting “; or”; and

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

22 “(C) the member’s initial entrance on active
23 duty or into a Space Force active status.”;

24 (B) in subsection (a)(2)—

1 (i) by striking “and” at the end of sub-
2 paragraph (A);

3 (ii) by redesignating subparagraph (B)
4 as subparagraph (C); and

5 (iii) by inserting after subparagraph
6 (A) the following new subparagraph:

7 “(B) after a member of Space Force has
8 completed six months of sustained duty or in the
9 case of a member not on sustained duty, after the
10 member has completed basic or recruit training;
11 and”;

12 (C) in subsection (b)(1)(B), by inserting “or
13 the Space Force” after “in a reserve component”;
14 and

15 (D) in subsection (d)(1), by striking “or to
16 a member of a reserve component,” and inserting
17 “, to a member of a reserve component, or to a
18 member of the Space Force,”.

19 (g) *RESTRICTION ON PERFORMANCE OF CIVIL FUNC-*
20 *TIONS BY OFFICERS ON ACTIVE DUTY.*—Section 973(b)(1)
21 *of such title 10 is amended—*

22 (1) by striking “and” at the end of subpara-
23 graph (B);

24 (2) by striking the period at the end of subpara-
25 graph (C) and inserting “; and”; and

1 (3) by adding at the end the following new sub-
2 paragraph:

3 “(D) to an officer on the Space Force officer
4 list serving on active duty under section
5 20105(b) of this title or under a call or order to
6 active duty for a period in excess of 270 days.”.

7 (h) *USE OF COMMISSARY STORES AND MWR RETAIL*
8 *FACILITIES*.—Section 1063 of such title is amended—

9 (1) in subsection (c)—

10 (A) in the heading, by inserting “AND
11 SPACE FORCE” after “RESERVE”; and

12 (B) by inserting “or the Space Force” after
13 “reserve component”;

14 (2) by redesignating subsections (d) and (e) as
15 subsections (e) and (f), respectively;

16 (3) by inserting after subsection (c) the following
17 new subsection (d):

18 “(d) *MEMBERS OF THE SPACE FORCE*.—A member of
19 the Space Force in a Space Force active status who is not
20 on sustained duty shall be permitted to use commissary
21 stores and MWR retail facilities under the same conditions
22 as specified in subsection (a) for a member of the Selected
23 Reserve.”; and

24 (4) in subsection (e), as redesignated by para-
25 graph (2), by striking “subsection (a) or (b)” in

1 paragraph (1) and inserting “subsection (a), (b), or
2 (d)”.

3 (i) *MEMBERS INVOLUNTARY SEPARATED.*—

4 (1) *ELIGIBILITY FOR CERTAIN BENEFITS AND*
5 *SERVICES.*—Section 1141 of such title is amended—

6 (A) by striking “and” at the end of para-
7 graph (3);

8 (B) by striking the period at the end of
9 paragraph (4) and inserting a semicolon; and

10 (C) by adding at the end the following new
11 paragraphs:

12 “(5) in the case of an officer of the Space Force
13 (other than a retired officer), the officer is involun-
14 tarily discharged or released from active duty under
15 other than adverse conditions, as characterized by the
16 Secretary of the Air Force; and

17 “(6) in the case of an enlisted member of the
18 Space Force, the member is—

19 “(A) denied reenlistment; or

20 “(B) involuntarily discharged or released
21 from active duty under other than adverse condi-
22 tions, as characterized by the Secretary of the
23 Air Force.”.

24 (2) *SEPARATION PAY.*—Section 1174(a)(2) of
25 such title is amended by striking “, Marine Corps, or

1 *Space Force*” both places it appears and inserting “or
 2 *Marine Corps*”.

3 (j) *BOARDS FOR THE CORRECTION OF MILITARY*
 4 *RECORDS*.—Chapter 79 of such title is amended as follows:

5 (1) *REVIEW OF ACTIONS OF SELECTION BOARDS*
 6 *AND CORRECTION OF MILITARY RECORDS*.—Section
 7 1558 is amended—

8 (A) inserting “, or the *Space Force*,” after
 9 “reserve component” each place it appears; and

10 (B) in subsection (b)—

11 (i) in paragraph (1)(C), by striking
 12 “section 628 or 14502” and inserting “sec-
 13 tion 628, 14502, or 20252”;

14 (ii) in paragraph (2)(A), by striking
 15 “or 14705” and inserting “14507, or
 16 20403”; and

17 (iii) in paragraph (2)(B)(i), by strik-
 18 ing “or 14101(a)” and inserting “14101(a),
 19 or 20211”.

20 (2) *TITLE OF AIR FORCE SERVICE REVIEW AGEN-*
 21 *CY*.—

22 (A) Sections 1555(c)(3) and 1557(f)(3) are
 23 amended by inserting “the Department of” after
 24 “*Air Force*,”.

1 (B) Section 1556(a) is amended by insert-
 2 ing “the Department of” after “the Army Review
 3 Boards Agency,”.

4 (C) Section 1559(c)(3) is amended by in-
 5 serting “the Department of” after “Air Force,”.

6 (k) *MILITARY FAMILY PROGRAMS*.—Chapter 88 of such
 7 title is amended as follows:

8 (1) *MEMBERS OF DEPARTMENT OF DEFENSE*
 9 *MILITARY READINESS COUNCIL*.—Section
 10 1781a(b)(1)(B)(iii) is amended—

11 (A) by striking “member and” and insert-
 12 ing “member,”; and

13 (B) by inserting “, and one of whom shall
 14 be the spouse or parent of a member of the Space
 15 Force” after “parent of a reserve component
 16 member”.

17 (2) *DEPARTMENT OF DEFENSE POLICY AND*
 18 *PLANS FOR MILITARY FAMILY READINESS* .—Section
 19 1781b is amended—

20 (A) in subsection (b)(3), by striking “mili-
 21 tary families of members of the regular compo-
 22 nents and military families of members of the re-
 23 serve components” and inserting “military fami-
 24 lies of members of the regular components, the re-
 25 serve components, and the Space Force”; and

1 (B) in subsection (c)(2)—

2 (i) by striking “both”; and

3 (ii) by striking “military families of
4 members of the regular components and
5 military families of members of the reserve
6 components” and inserting “military fami-
7 lies of members of the regular components,
8 members of the reserve components, and
9 members of the Space Force”.

10 (l) *TRAINING AND EDUCATION PROGRAMS.*—

11 (1) *PAYMENT OF TUITION FOR OFF-DUTY TRAIN-*
12 *ING OR EDUCATION.*—Section 2007 of such title is
13 amended by adding at the end the following new sub-
14 section:

15 “(g) The provisions of this section pertaining to mem-
16 bers of the Ready Reserve, the Selected Reserve, or the Indi-
17 vidual Ready Reserve also apply to members of the Space
18 Force in a Space Force active status who are not on active
19 duty.”.

20 (2) *ROTC FINANCIAL ASSISTANT PROGRAM FOR*
21 *SPECIALLY SELECTED MEMBERS.*—Section 2107 of
22 such title is amended—

23 (A) in subsection (a)—

24 (i) by striking “Navy,” and inserting
25 “Navy or”; and

1 (ii) by striking “Marine Corps, or as
 2 an officer in the equivalent grade in the
 3 Space Force” and inserting “or Marine
 4 Corps”; and

5 (B) by adding at the end the following new
 6 subsection:

7 “(k) *APPLICABILITY TO SPACE FORCE*.—(1) *Provi-*
 8 *sions of this section referring to a regular commission, reg-*
 9 *ular officer, or a commission in a regular component shall*
 10 *be treated as also referring to the commission of an officer,*
 11 *or an officer, who is a commissioned officer in the Space*
 12 *Force serving on active duty pursuant to section 20105(b)*
 13 *of this title.*

14 “(2) *Provisions of this section referring to a reserve*
 15 *commission, reserve officer, or a commission in a reserve*
 16 *component shall be treated as also referring to the commis-*
 17 *sion of an officer, or an officer, who is a commissioned offi-*
 18 *cer in the Space Force not serving on active duty pursuant*
 19 *to section 20105(b) of this title.”.*

20 (3) *DUTY AS ROTC ADMINISTRATORS AND IN-*
 21 *STRUCTORS*.—Section 2111 of such title is amended
 22 by adding at the end the following new sentence: “*The*
 23 *Secretary of the Air Force may detail members of the*
 24 *Space Force in the same manner as regular and re-*
 25 *serve members of the Air Force.”.*

1 **SEC. 1833. TITLE 38, UNITED STATES CODE (VETERANS'**
 2 **BENEFITS).**

3 (a) *DEFINITIONS.*—

4 (1) *GENERAL DEFINITIONS.*—*Section 101 of title*
 5 *38, United States Code, is amended—*

6 (A) *in paragraph (23), by inserting “, or*
 7 *for members of the Space Force in a Space Force*
 8 *active status (as defined in section 101(e)(1) of*
 9 *title 10),” after “(including commissioned offi-*
 10 *cers of the Reserve Corps of the Public Health*
 11 *Service)” both places it appears; and*

12 (B) *in paragraph (27)—*

13 (i) *by striking subparagraph (E); and*

14 (ii) *by redesignating subparagraphs*
 15 *(F), (G), and (H) as subparagraphs (E),*
 16 *(F), and (G), respectively.*

17 (2) *DEFINITIONS FOR PURPOSES OF SGLI.*—*Sec-*
 18 *tion 1965 of such title is amended—*

19 (A) *in paragraph (2)(A), by inserting “, or*
 20 *by members of the Space Force in a Space Force*
 21 *active status (as defined in section 101(e)(1) of*
 22 *title 10) but not on sustained duty under section*
 23 *20105 of title 10,” after “for Reserves”; and*

24 (B) *in paragraph (3)(A), by inserting “, or*
 25 *for members of the Space Force in a Space Force*
 26 *active status (as defined in section 101(e)(1) of*

1 *title 10),” after “(including commissioned offi-*
 2 *cers of the Reserve Corps of the Public Health*
 3 *Service)”.*

4 *(b) PERSONS ELIGIBLE FOR INTERMENT IN NATIONAL*
 5 *CEMETERIES.—Section 2402(a) of such title is amended in*
 6 *paragraph (2), by inserting “any member of the Space*
 7 *Force,” after “a Reserve component of the Armed Forces,”.*

8 *(c) EDUCATIONAL ASSISTANCE.—*

9 (1) *MONTGOMERY GI BILL.—Section*
 10 *3011(a)(3)(D) of such title is amended by inserting*
 11 *“or for further service in the Space Force in a Space*
 12 *Force active status not on sustained duty under sec-*
 13 *tion 20105 of title 10” after “of the Armed Forces,”.*

14 (2) *POST 9–11 GI BILL.—Section 3311(c)(3) of*
 15 *such title is amended by inserting “, or for further*
 16 *service in the Space Force in a Space Force active*
 17 *status not on sustained duty under section 20105 of*
 18 *title 10,” after “of the Armed Forces” the second place*
 19 *it appears.*

20 ***Subtitle C—Transition Provisions***

21 ***SEC. 1841. TRANSITION PERIOD.***

22 *In this subtitle, the term “transition period” means*
 23 *the period beginning on the date of the enactment of this*
 24 *Act and ending on the last day of the fourth fiscal year*
 25 *beginning after the date of the enactment of this Act.*

1 **SEC. 1842. CHANGE OF DUTY STATUS OF MEMBERS OF THE**
2 **SPACE FORCE.**

3 (a) *CHANGE OF DUTY STATUS.*—

4 (1) *CONVERSION OF STATUS AND ORDER TO SUS-*
5 *TAINED DUTY.*—*During the transition period, the*
6 *Secretary of the Air Force shall change the duty sta-*
7 *tus of each member of the Regular Space Force to*
8 *Space Force active status and shall, at the same time,*
9 *order the member to sustained duty under section*
10 *20105 of title 10, United States Code, as added by*
11 *section 1715 of this Act. Any such order may be made*
12 *without regard to any otherwise applicable require-*
13 *ment that such an order be made only with the con-*
14 *sent of the member or as specified in an enlistment*
15 *agreement or active-duty service commitment.*

16 (2) *DEFINITIONS.*—*For purposes of this section,*
17 *the terms “Space Force active status” and “sustained*
18 *duty” have the meanings given those terms by sub-*
19 *section (e) of section 101 of title 10, United States*
20 *Code, as added by section 1713(a).*

21 (b) *EFFECTIVE DATE OF CHANGE OF DUTY STATUS.*—
22 *The change of a member’s duty status and order to sus-*
23 *tained duty in accordance with subsection (a) shall be effec-*
24 *tive on the date specified by the Secretary of the Air Force,*
25 *but not later than the last day of the transition period.*

1 **SEC. 1843. TRANSFER TO THE SPACE FORCE OF MEMBERS**
2 **OF THE AIR FORCE RESERVE AND THE AIR**
3 **NATIONAL GUARD.**

4 (a) *TRANSFER OF MEMBERS OF THE AIR FORCE RE-*
5 *SERVE.*—

6 (1) *OFFICERS.*—During the transition period,
7 the Secretary of Defense may, with the officer's con-
8 sent, transfer a covered officer of the Air Force Re-
9 serve or the Air National Guard to, and appoint the
10 officer in, the Space Force.

11 (2) *ENLISTED MEMBERS.*—During the transition
12 period, the Secretary of the Air Force may transfer
13 each covered enlisted member of the Air Force Reserve
14 or the Air National Guard to the Space Force, other
15 than those members who do not consent to the trans-
16 fer.

17 (3) *EFFECTIVE DATE OF TRANSFERS.*—Each
18 transfer under this subsection shall be effective on the
19 date specified by the Secretary of Defense, in the case
20 of an officer, or the Secretary of the Air Force, in the
21 case of an enlisted member, but not later than the last
22 day of the transition period.

23 (b) *REGULATIONS.*—Transfers under subsection (a)
24 shall be carried out under regulations prescribed by the Sec-
25 retary of Defense. In the case of an officer, applicable regu-

1 *lations shall include those prescribed pursuant to section*
 2 *716 of title 10, United States Code.*

3 (c) *TERM OF INITIAL ENLISTMENT IN SPACE*
 4 *FORCE.*—*In the case of a covered enlisted member who is*
 5 *transferred to the Space Force in accordance with sub-*
 6 *section (a), the Secretary of the Air Force may accept the*
 7 *initial enlistment of the member in the Space Force for a*
 8 *period of less than 2 years, but only if the period of enlist-*
 9 *ment in the Space Force is not less than the period remain-*
 10 *ing, as of the date of the transfer, in the member's term*
 11 *of enlistment in the Air Force Reserve.*

12 (d) *END STRENGTH ADJUSTMENTS UPON TRANSFERS*
 13 *FROM AIR FORCE RESERVE OR AIR NATIONAL GUARD TO*
 14 *SPACE FORCE.*—*During the transition period, upon the*
 15 *transfer of a mission of the Air Force Reserve or the Air*
 16 *National Guard to the Space Force—*

17 (1) *the end strength authorized for the Space*
 18 *Force pursuant to section 115(a)(1)(A) of title 10,*
 19 *United States Code, for the fiscal year during which*
 20 *the transfer occurs shall be increased by the number*
 21 *of billets associated with that mission; and*

22 (2) *the end strength authorized for the Air Force*
 23 *Reserve and the Air National Guard pursuant to sec-*
 24 *tion 115(a)(2) of such title for such fiscal year shall*
 25 *be decreased by the same number.*

1 (e) *ADMINISTRATIVE PROVISIONS.*—For purposes of
2 the transfer of covered members of the Air Force Reserve
3 in accordance with subsection (a)—

4 (1) the Air Force Reserve, the Air National
5 Guard, and the Space Force shall be considered to be
6 components of the same Armed Force; and

7 (2) the Space Force officer list shall be consid-
8 ered to be an active-duty list of an Armed Force.

9 (f) *RETRAINING AND REASSIGNMENT FOR MEMBERS*
10 *NOT TRANSFERRING.*—If a covered member of the Air Force
11 Reserve or the Air National Guard does not consent to
12 transfer to the Space Force in accordance with subsection
13 (a), the Secretary of the Air Force may, as determined ap-
14 propriate by the Secretary in the case of the individual
15 member, provide the member retraining and reassignment
16 within the Air Force Reserve.

17 (g) *COVERED MEMBERS.*—For purposes of this section,
18 the term “covered”, with respect to a member of the Air
19 Force Reserve or the Air National Guard, means—

20 (1) a member who as of the date of the enactment
21 of this Act holds an Air Force specialty code for a
22 specialty held by members of the Space Force; and

23 (2) any other member designated by the Sec-
24 retary of the Air Force for the purposes of this sec-
25 tion.

1 **SEC. 1844. PLACEMENT OF OFFICERS ON THE SPACE FORCE**

2 **OFFICER LIST.**

3 (a) *PLACEMENT ON LIST.*—Officers of the Space Force
4 whose duty status is changed in accordance with section
5 1742, and officers of the Air Force Reserve or the Air Na-
6 tional Guard who transfer to the Space Force in accordance
7 with section 1743, shall be placed on the Space Force officer
8 list in an order determined by their respective grades and
9 dates of rank.

10 (b) *OFFICERS OF SAME GRADE AND DATE OF RANK.*—
11 Among officers of the same grade and date of rank, place-
12 ment on the Space Force officer list shall be in the order
13 of their rank as determined in accordance with section
14 741(c) of title 10, United States Code.

15 **SEC. 1845. DISESTABLISHMENT OF REGULAR SPACE FORCE.**

16 (a) *DISESTABLISHMENT.*—The Secretary of the Air
17 Force shall disestablish the Regular Space Force not later
18 than the end of the transition period, once there are no
19 longer any members remaining in the Regular Space Force.
20 The Regular Space Force shall be disestablished upon the
21 completion of the change of duty status of all members of
22 the Space Force pursuant to section 1742 and certification
23 by the Secretary of the Air Force to the congressional de-
24 fense committees that there are no longer any members of
25 the Regular Space Force.

1 (b) *PUBLICATION OF NOTICE IN FEDERAL REG-*
 2 *ISTER.—The Secretary shall publish in the Federal Register*
 3 *notice of the disestablishment of the Regular Space Force,*
 4 *including the date thereof, together with any certification*
 5 *submitted pursuant to subsection (a).*

6 (c) *CONFORMING REPEAL.—*

7 (1) *REPEAL.—Section 9085 of title 10, United*
 8 *States Code, relating to the composition of the Reg-*
 9 *ular Space Force, is repealed.*

10 (2) *EFFECTIVE DATE.—The amendment made by*
 11 *this subsection shall take effect on the date on which*
 12 *the certification is submitted under subsection (a).*

13 **SEC. 1846. END STRENGTH FLEXIBILITY.**

14 (a) *ADDITIONAL AUTHORITY TO VARY END*
 15 *STRENGTHS.—*

16 (1) *AUTHORITY.—Notwithstanding section*
 17 *115(g) of title 10, United States Code, upon deter-*
 18 *mination by the Secretary of the Air Force that such*
 19 *action would enhance manning and readiness in es-*
 20 *sential units or in critical specialties, the Secretary*
 21 *may vary the end strength authorized by Congress for*
 22 *a fiscal year as follows:*

23 (A) *Increase the end strength authorized*
 24 *pursuant to section 115(a)(1)(A) of such title for*
 25 *a fiscal year for the Space Force by a number*

1 *equal to not more than 5 percent of such author-*
 2 *ized end strength.*

3 *(B) Decrease the end strength authorized*
 4 *pursuant to section 115(a)(1)(A) of such title for*
 5 *a fiscal year for the Space Force by a number*
 6 *equal to not more than 10 percent of such au-*
 7 *thorized end strength.*

8 (2) *TERMINATION.—The authority provided*
 9 *under paragraph (1) shall terminate on the last day*
 10 *of the transition period.*

11 (b) *TEMPORARY EXEMPTION FOR THE SPACE FORCE*
 12 *FROM END STRENGTH GRADE RESTRICTIONS.—Sections*
 13 *517 and 523 of title 10, United States Code, shall not apply*
 14 *to the Space Force during the transition period.*

15 **SEC. 1847. PROMOTION AUTHORITY FLEXIBILITY.**

16 (a) *PROMOTION AUTHORITY FLEXIBILITY.—During*
 17 *the transition period, the Secretary of the Air Force may*
 18 *convene selection boards to consider officers on the Space*
 19 *Force officer list for promotion, and may promote Space*
 20 *Force officers selected by such boards, in accordance with*
 21 *any of the following provisions of title 10, United States*
 22 *Code:*

23 (1) *Chapter 36.*

24 (2) *Part III of subtitle E.*

25 (3) *Chapter 2005, as added by section 1716.*

1 *(b) COORDINATION OF PROVISIONS.—(1) For a selec-*
 2 *tion board convened pursuant to subsection (a) to consider*
 3 *members of the Space Force for promotion in accordance*
 4 *with chapter 36 of such title—*

5 *(A) provisions that apply to an officer of a reg-*
 6 *ular component of the Armed Forces shall apply to an*
 7 *officer of the Space Force; and*

8 *(B) the Space Force officer list shall be consid-*
 9 *ered to be an active-duty list.*

10 *(2) For a selection board convened pursuant to sub-*
 11 *section (a) to consider members of the Space Force for pro-*
 12 *motion in accordance with part III of subtitle E of such*
 13 *title—*

14 *(A) provisions that apply to an officer of a re-*
 15 *serve component of the Armed Forces shall apply to*
 16 *an officer of the Space Force; and*

17 *(B) the Space Force officer list shall be consid-*
 18 *ered to be a reserve active-status list.*

19 *(3) For a selection board convened pursuant to sub-*
 20 *section (a) to consider members of the Space Force for pro-*
 21 *motion in accordance with either chapter 36 or part III*
 22 *of subtitle E of such title—*

23 *(A) section 20213 of such title, as added by sec-*
 24 *tion 1716 if this Act, shall apply to the composition*
 25 *of the selection board;*

1 (B) the provisions of chapter 2005 of such title,
2 as added by such section 1716, regarding officers on
3 the Space Force officer list eligible to be considered for
4 promotion to the grade of brigadier general or major
5 general shall apply;

6 (C) section 20216 of such title, as so added, shall
7 apply; and

8 (D) the provisions of chapter 36 or part III of
9 subtitle E of such title, as the case may be, regarding
10 failure of selection for promotion shall apply.

11 (c) *EFFECT OF USING NEW CHAPTER 2005 AUTHORI-*
12 *TIES.—If the Secretary of the Air Force convenes a selection*
13 *board under chapter 2005 of title 10, United States Code,*
14 *as added by section 1716, to consider officers on the Space*
15 *Force officer list in a particular grade and competitive cat-*
16 *egory for selection for promotion to the next higher grade,*
17 *the Secretary may not convene a future selection board pur-*
18 *suant to subsection (a) to consider officers of the same grade*
19 *and competitive category under chapter 36 or part III of*
20 *subtitle E of such title.*

***Subtitle D—Other Amendments
Related to the Space Force***

SEC. 1851. TITLE 10, UNITED STATES CODE.

(a) AMENDMENTS RELATING TO THE DESIGNATION OF GRADES FOR SPACE FORCE OFFICERS.—Title 10, United States Code, is amended as follows:

(1) COMMISSIONED OFFICER GRADES.—Section 9151 is amended by inserting “and in the Space Force” after “in the Regular Air Force”.

(2) RANK.—Section 741(a) is amended in the table by striking “and Marine Corps” and inserting “Marine Corps, and Space Force”.

(3) DEFINITION OF GENERAL OFFICER.—Section 101(b)(4) is amended by striking “or Marine Corps” and inserting “Marine Corps, or Space Force”.

(4) TEMPORARY APPOINTMENTS TO POSITIONS DESIGNATED TO CARRY THE GRADE OF GENERAL OR LIEUTENANT GENERAL.—Section 601(e) is amended—

(A) by striking “or Marine Corps,” and inserting “Marine Corps, or Space Force or”; and

(B) by striking “or the commensurate grades in the Space Force,”.

(5) RETIRED GRADE OF OFFICERS.—Section 1370 is amended as follows:

1 (A) Subsection (a)(2) is amended by strik-
 2 ing “rear admiral in the Navy, or the equivalent
 3 grade in the Space Force” both places it appears
 4 and inserting “or rear admiral in the Navy”.

5 (B) Subsection (b) is amended —

6 (i) in paragraph (1)—

7 (I) by striking “or Marine Corps”
 8 and all that follows through “the Space
 9 Force,” and inserting “Marine Corps,
 10 or Space Force or lieutenant in the
 11 Navy,”; and

12 (II) in subparagraph (B), by
 13 striking “major general” and all that
 14 follows through “Space Force” and in-
 15 serting “major general or rear admi-
 16 ral”;

17 (ii) in paragraph (4), by striking “or
 18 Marine Corps” and all that follows through
 19 “Space Force,” and inserting “Marine
 20 Corps, or Space Force or captain in the
 21 Navy,”;

22 (iii) in paragraph (5)—

23 (I) in subparagraph (A), by strik-
 24 ing “or Marine Corps” and all that
 25 follows through “Space Force,” and in-

serting “Marine Corps, or Space Force
or lieutenant commander in the
Navy,”;

(II) in subparagraph (B), by
striking “or Marine Corps” and all
that follows through “Space Force,”
and inserting “Marine Corps, or Space
Force or commander or captain in the
Navy,”; and

(III) in subparagraph (C), by
striking “or Marine Corps” and all
that follows through “Space Force,”
and inserting “Marine Corps, or Space
Force or rear admiral (lower half) or
rear admiral in the Navy,”; and

(iv) in paragraph (6), by striking “, or
an equivalent grade in the Space Force,”.

(C) Subsection (c)(1) is amended by strik-
ing “or Marine Corps” and all that follows
through “Space Force” and inserting “Marine
Corps, or Space Force or vice admiral or admi-
ral in the Navy”.

(D) Subsection (d) is amended—

(i) in paragraph (1), by striking “or
Marine Corps” and all that follows through

1 *“Space Force” and inserting “Marine*
 2 *Corps, or Space Force or rear admiral in*
 3 *the Navy”;* and

4 *(ii) in paragraph (3), by striking “or*
 5 *Marine Corps” and all that follows through*
 6 *“Space Force,” and inserting “Marine*
 7 *Corps, or Space Force or captain in the*
 8 *Navy,”.*

9 *(E) Subsection (e)(2) is amended by strik-*
 10 *ing “or Marine Corps” and all that follows*
 11 *through “Space Force,” and inserting “Marine*
 12 *Corps, or Space Force or vice admiral or admi-*
 13 *ral in the Navy,”.*

14 *(F) Subsection (f) is amended —*

15 *(i) in paragraph (3)—*

16 *(I) in subparagraph (A), by strik-*
 17 *ing “or Marine Corps” and all that*
 18 *follows through “Space Force,” and in-*
 19 *serting “Marine Corps, or Space Force*
 20 *or rear admiral in the Navy”;* and

21 *(II) in subparagraph (B), by*
 22 *striking “or Marine Corps” and all*
 23 *that follows through “Space Force”*
 24 *and inserting “Marine Corps, or Space*

1 *Force or vice admiral or admiral in*
 2 *the Navy”; and*

3 *(ii) in paragraph (6)—*

4 *(I) in subparagraph (A), by strik-*
 5 *ing “or Marine Corps” and all that*
 6 *follows through “Space Force,” and in-*
 7 *serting “Marine Corps, or Space Force*
 8 *or rear admiral in the Navy”; and*

9 *(II) in subparagraph (B), by*
 10 *striking “or Marine Corps” and all*
 11 *that follows through “Space Force,”*
 12 *and inserting “Marine Corps, or Space*
 13 *Force or vice admiral or admiral in*
 14 *the Navy”.*

15 (6) *HONORARY PROMOTIONS.—Sections*
 16 *1563(c)(1) and 1563a(a)(1) are each amended—*

17 *(A) by striking “general,” and inserting*
 18 *“general or”; and*

19 *(B) by striking “, or an equivalent grade in*
 20 *the Space Force”.*

21 (7) *AIR FORCE INSPECTOR GENERAL.—Section*
 22 *9020(a) is amended by striking “the general, flag, or*
 23 *equivalent officers of”.*

24 (b) *OTHER TITLE 10 AMENDMENTS.—Such title is fur-*
 25 *ther amended as follows:*

1 (1) *LIMITATION ON NUMBER OF RETIRED MEM-*
 2 *BERS ORDERED TO ACTIVE DUTY.*—Section 690(a) is
 3 *amended by striking “or Marine Corps,” and insert-*
 4 *ing “Marine Corps, or Space Force,”.*

5 (2) *THE UNIFORM.*—Section 772(i) is amend-
 6 *ed—*

7 (A) *by striking “an Air Force School” and*
 8 *inserting “an Air Force or Space Force school”;*
 9 *and*

10 (B) *by striking “aviation badges of the Air*
 11 *Force” and inserting “aviation or space badges*
 12 *of the Air Force or Space Force”.*

13 (3) *MEMBERSHIP IN MILITARY UNIONS, ORGA-*
 14 *NIZING OF MILITARY UNIONS, AND RECOGNITION OF*
 15 *MILITARY UNIONS PROHIBITED.*—Section
 16 976(a)(1)(C) is amended by inserting “or the Space
 17 Force” after “member of a Reserve component”.

18 (4) *LIMITATION ON ENLISTED AIDES.*—Section
 19 981 is amended—

20 (A) *in subsection (a), by striking “Marine*
 21 *Corps, Air Force,” and inserting “Air Force,*
 22 *Marine Corps, Space Force,”;*

23 (B) *in subsection (b), by striking “and Ma-*
 24 *rine Corps” and inserting “Marine Corps, and*
 25 *Space Force”; and*

1 (C) in subsection (c)(1), by inserting
 2 “Space Force,” after “Marine Corps,”.

3 (5) *DEFINITION OF VETERAN FOR PURPOSES OF*
 4 *FUNERAL HONORS.*—Section 1491(h)(1) is amended
 5 by striking “or air service” and inserting “air, or
 6 space service”.

7 (6) *HOUSING FOR RECRUITS.*—Section 9419(d)
 8 is amended by inserting “or the Space Force” after
 9 “training program of the Air Force”.

10 (7) *CHARTER OF CHIEF OF SPACE OPER-*
 11 *ATIONS.*—Section 9082 is amended as follows:

12 (A) *CROSS-REFERENCE CORRECTION.*—Sub-
 13 section (d)(5) is amended by striking “sections”
 14 and all that follows through “of law” and insert-
 15 ing “sections 171 and 3104 of this title and other
 16 provisions of law”.

17 (B) *ELAPSED-TIME PROVISION.*—Subsection
 18 (e)(1) is amended by striking “Commencing”
 19 and all that follows through “the Chief” and in-
 20 serting “The Chief”.

21 **SEC. 1852. OTHER PROVISIONS OF LAW.**

22 (a) *TRADE ACT OF 1974.*—Section 233(i)(1) of the
 23 Trade Act of 1974 (19 U.S.C. 2293(i)(1)) is amended by
 24 inserting “, or a member of the Space Force,” after “a mem-
 25 ber of a reserve component of the Armed Forces”.

1 (b) *TITLE 28, UNITED STATES CODE (JUDICIARY AND*
 2 *JUDICIAL PROCEDURE).*—Section 631(c) of title 28, United
 3 States Code is amended by inserting “, members of the
 4 Space Force” before “, and members of the Army National
 5 Guard”.

6 (c) *SERVICEMEMBERS CIVIL RELIEF ACT.*—The
 7 Servicemembers Civil Relief Act (50 U.S.C. 3901 et seq.)
 8 is amended as follows:

9 (1) *DEFINITION OF MILITARY SERVICE.*—Section
 10 101(2)(A) (50 U.S.C. 3911(2)(A)) is amended by in-
 11 serting “Space Force,” after “Marine Corps,”.

12 (2) *SAME RIGHTS AND PROTECTIONS AS RE-*
 13 *SERVES ORDERED TO REPORT FOR MILITARY SERV-*
 14 *ICE.*—Section 106 (50 U.S.C. 3917) is amended by
 15 adding at the end the following new subsection:

16 “(c) *TREATMENT OF MEMBERS OF SPACE FORCE.*—
 17 The provisions of subsection (a) apply to a member of the
 18 Space Force who is ordered to report for military service
 19 in the same manner as to a member of a reserve component
 20 who is ordered to report for military service.”.

21 (3) *EXERCISE OF RIGHTS UNDER SCRA.*—Section
 22 108(5) (50 U.S.C. 3919(5)) is amended by inserting
 23 “or as a member of the Space Force” before the period
 24 at the end.

1 ***DIVISION B—MILITARY CON-***
 2 ***STRUCTION AUTHORIZA-***
 3 ***TIONS***

4 ***SEC. 2001. SHORT TITLE.***

5 *This division may be cited as the “Military Construc-*
 6 *tion Authorization Act for Fiscal Year 2024”.*

7 ***SEC. 2002. EXPIRATION OF AUTHORIZATIONS AND***
 8 ***AMOUNTS REQUIRED TO BE SPECIFIED BY***
 9 ***LAW.***

10 *(a) EXPIRATION OF AUTHORIZATIONS AFTER THREE*
 11 *YEARS.—Except as provided in subsection (b), all author-*
 12 *izations contained in titles XXI through XXVII for military*
 13 *construction projects, land acquisition, family housing*
 14 *projects and facilities, and contributions to the North At-*
 15 *lantic Treaty Organization Security Investment Program*
 16 *(and authorizations of appropriations therefor) shall expire*
 17 *on the later of—*

18 *(1) October 1, 2026; or*

19 *(2) the date of the enactment of an Act author-*
 20 *izing funds for military construction for fiscal year*
 21 *2027.*

22 *(b) EXCEPTION.—Subsection (a) shall not apply to au-*
 23 *thorizations for military construction projects, land acqui-*
 24 *sition, family housing projects and facilities, and contribu-*
 25 *tions to the North Atlantic Treaty Organization Security*

1 *Investment Program (and authorizations of appropriations*
 2 *therefor), for which appropriated funds have been obligated*
 3 *before the later of—*

4 (1) *October 1, 2026; or*

5 (2) *the date of the enactment of an Act author-*
 6 *izing funds for fiscal year 2027 for military construc-*
 7 *tion projects, land acquisition, family housing*
 8 *projects and facilities, or contributions to the North*
 9 *Atlantic Treaty Organization Security Investment*
 10 *Program.*

11 **SEC. 2003. EFFECTIVE DATE.**

12 *Titles XXI through XXVII shall take effect on the later*
 13 *of—*

14 (1) *October 1, 2023; or*

15 (2) *the date of the enactment of this Act.*

16 ***TITLE XXI—ARMY MILITARY***
 17 ***CONSTRUCTION***

18 **SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND**
 19 **ACQUISITION PROJECTS.**

20 (a) *INSIDE THE UNITED STATES.*—*Using amounts ap-*
 21 *propriated pursuant to the authorization of appropriations*
 22 *in section 2103(a) and available for military construction*
 23 *projects inside the United States as specified in the funding*
 24 *table in section 4601, the Secretary of the Army may ac-*
 25 *quire real property and carry out military construction*

1 projects for the installations or locations inside the United
 2 States, and in the amounts, set forth in the following table:

Army: Inside the United States

State	Installation or Location	Amount
<i>Alabama</i>	<i>Redstone Arsenal</i>	<i>\$50,000,000</i>
<i>Georgia</i>	<i>Fort Eisenhower</i>	<i>\$163,000,000</i>
<i>Hawaii</i>	<i>Alamane Military Reservation</i>	<i>\$20,000,000</i>
	<i>Fort Shafter</i>	<i>\$23,000,000</i>
	<i>Helemano Military Reservation</i>	<i>\$33,000,000</i>
	<i>Schofield Barracks</i>	<i>\$37,000,000</i>
<i>Kansas</i>	<i>Fort Riley</i>	<i>\$105,000,000</i>
<i>Kentucky</i>	<i>Fort Campbell</i>	<i>\$38,000,000</i>
<i>Louisiana</i>	<i>Fort Johnson</i>	<i>\$13,400,000</i>
<i>Massachusetts</i>	<i>Soldier Systems Center Natick</i>	<i>\$18,500,000</i>
<i>Michigan</i>	<i>Detroit Arsenal</i>	<i>\$72,000,000</i>
<i>North Carolina</i>	<i>Fort Liberty</i>	<i>\$154,500,000</i>
<i>Pennsylvania</i>	<i>Letterkenny Army Depot</i>	<i>\$89,000,000</i>
<i>Texas</i>	<i>Fort Bliss</i>	<i>\$74,000,000</i>
	<i>Red River Army Depot</i>	<i>\$113,000,000</i>
<i>Washington</i>	<i>Joint Base Lewis-McChord</i>	<i>\$100,000,000</i>

3 (b) *OUTSIDE THE UNITED STATES.*—Using amounts
 4 appropriated pursuant to the authorization of appropria-
 5 tions in section 2103(a) and available for military con-
 6 struction projects outside the United States as specified in
 7 the funding table in section 4601, the Secretary of the Army
 8 may acquire real property and carry out military construc-
 9 tion projects for the installations or locations outside the
 10 United States, and in the amounts, set forth in the following
 11 table:

Army: Outside the United States

Country	Installation or Location	Amount
<i>Germany</i>	<i>Grafenwoehr</i>	<i>\$10,400,000</i>
	<i>Hohenfels</i>	<i>\$56,000,000</i>

12 (c) *PROTOTYPE PROJECT.*—Using amounts appro-
 13 priated pursuant to the authorization of appropriations in
 14 section 2103(a) and available for military construction

1 projects as specified in the funding table in section 4601,
 2 the Secretary of the Army may carry out a military con-
 3 struction project for the installation, and in the amount,
 4 set forth in the following table as a prototype project under
 5 the pilot program under section 4022(i) of title 10, United
 6 States Code, notwithstanding subchapters I and III of chap-
 7 ter 169 and chapters 221 and 223 of title 10, United States
 8 Code:

Army Prototype Project

State	Installation	Amount
North Carolina	Fort Liberty	\$85,000,000

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
 15 or acquire family housing units (including land acquisition
 16 and supporting facilities) at the installations or locations,
 17 in the number of units, and in the amounts set forth in
 18 the following table:

Army: Family Housing

Country	Installation or Location	Units	Amount
Germany	Baumholder	Family Housing New Construc- tion	\$78,746,000
Kwajalein	Kwajalein Atoll	Family Housing Replacement Construction	
			\$98,600,000

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 2103(a) and avail-
 5 able for military family housing functions as specified in
 6 the funding table in section 4601, the Secretary of the Army
 7 may improve existing military family housing units in an
 8 amount not to exceed \$100,000,000.

9 (c) *PLANNING AND DESIGN.*—Using amounts appro-
 10 priated pursuant to the authorization of appropriations in
 11 section 2103(a) and available for military family housing
 12 functions as specified in the funding table in section 4601,
 13 the Secretary of the Army 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 \$27,549,000.

17 **SEC. 2103. AUTHORIZATION OF APPROPRIATIONS, ARMY.**

18 (a) *AUTHORIZATION OF APPROPRIATIONS.*—Funds are
 19 hereby authorized to be appropriated for fiscal years begin-
 20 ning after September 30, 2023, for military construction,
 21 land acquisition, and military family housing functions of
 22 the Department of the Army as specified in the funding
 23 table in section 4601.

24 (b) *LIMITATION ON TOTAL COST OF CONSTRUCTION*
 25 *PROJECTS.*—Notwithstanding the cost variations author-

1 ized by section 2853 of title 10, United States Code, and
 2 any other cost variation authorized by law, the total cost
 3 of all projects carried out under section 2101 of this Act
 4 may not exceed the total amount authorized to be appro-
 5 priated under subsection (a), as specified in the funding
 6 table in section 4601.

7 **SEC. 2104. EXTENSION OF AUTHORITY TO USE CASH PAY-**
 8 **MENTS IN SPECIAL ACCOUNT FROM LAND**
 9 **CONVEYANCE, NATICK SOLDIER SYSTEMS**
 10 **CENTER, MASSACHUSETTS.**

11 *Section 2844(c)(2)(C) of the Military Construction Au-*
 12 *thorization Act for Fiscal Year 2018 (division B of Public*
 13 *Law 115–91; 131 Stat. 1865) is amended by striking “Octo-*
 14 *ber 1, 2025” and inserting “October 1, 2027”.*

15 **SEC. 2105. EXTENSION OF AUTHORITY TO CARRY OUT FIS-**
 16 **CAL YEAR 2018 PROJECT AT KUNSAN AIR**
 17 **BASE, KOREA.**

18 (a) *EXTENSION.*—Notwithstanding section 2002 of the
 19 *Military Construction Authorization Act for Fiscal Year*
 20 *2018 (division B of Public Law 115–91; 131 Stat. 1817),*
 21 *the authorization set forth in the table in subsection (b),*
 22 *as provided in section 2101(b) of that Act (131 Stat. 1819)*
 23 *and extended and modified by subsections (a) and (b) of*
 24 *section 2106 of the Military Construction Act for Fiscal*
 25 *Year 2023 (division B of Public Law 117–263), shall re-*

1 *main in effect until October 1, 2024, or the date of the en-*
 2 *actment of an Act authorizing funds for military construc-*
 3 *tion for fiscal year 2025, whichever is later.*

4 (b) *TABLE.—The table referred to in subsection (a) is*
 5 *as follows:*

Army: Extension of 2018 Project Authorization

<i>Country</i>	<i>Installation or Location</i>	<i>Project</i>	<i>Original Authorized Amount</i>
<i>Korea</i>	<i>Kunsan Air Base</i>	<i>Unmanned Aerial Vehicle Hangar</i>	<i>\$53,000,000</i>

6 ***SEC. 2106. EXTENSION OF AUTHORITY TO CARRY OUT CER-***
 7 ***TAIN FISCAL YEAR 2019 PROJECTS.***

8 (a) *ARMY CONSTRUCTION AND LAND ACQUISITION.—*

9 (1) *EXTENSION.—Notwithstanding section 2002*
 10 *of the Military Construction Authorization Act for*
 11 *Fiscal Year 2019 (division B of Public Law 115–232;*
 12 *132 Stat. 2240), the authorizations set forth in the*
 13 *table in paragraph (2), as provided in section 2101*
 14 *of that Act (132 Stat. 2241), shall remain in effect*
 15 *until October 1, 2024, or the date of the enactment of*
 16 *an Act authorizing funds for military construction*
 17 *for fiscal year 2025, whichever is later.*

18 (2) *TABLE.—The table referred to in paragraph*
 19 *(1) is as follows:*

Army: Extension of 2019 Project Authorizations

State/Coun- try	Installation or Location	Project	Original Authorized Amount
<i>Korea</i>	<i>Camp Tango</i>	<i>Command and Con- trol Facility</i>	<i>\$17,500,000</i>
<i>Maryland</i>	<i>Fort Meade</i>	<i>Cantonment Area Roads</i>	<i>\$16,500,000</i>

1 (b) OVERSEAS CONTINGENCY OPERATIONS.—

2 (1) EXTENSION.—Notwithstanding section 2002
3 of the Military Construction Authorization Act for
4 Fiscal Year 2019 (division B of Public Law 115–232;
5 132 Stat. 2240), the authorizations set forth in the
6 table in paragraph (2), as provided in section 2901
7 of that Act (132 Stat. 2286), shall remain in effect
8 until October 1, 2024, or the date of the enactment of
9 an Act authorizing funds for military construction
10 for fiscal year 2025, whichever is later.

11 (2) TABLE.—The table referred to in paragraph
12 (1) is as follows:

Army: Extension of 2019 Project Authorizations

Country	Installation or Location	Project	Original Authorized Amount
<i>Bulgaria</i>	<i>Nevo Selo FOS</i>	<i>EDI: Ammunition Holding Area</i>	<i>\$5,200,000</i>
<i>Romania</i>	<i>Mihail Kogalniceanu FOS</i>	<i>EDI: Explosives & Ammo Load/Un- load Apron.</i>	<i>\$21,651,000</i>

13 **SEC. 2107. EXTENSION OF AUTHORITY TO CARRY OUT CER-**
14 **TAIN FISCAL YEAR 2021 PROJECTS.**

15 (a) ARMY CONSTRUCTION AND LAND ACQUISITION.—

(1) *EXTENSION.*—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2021 (division B of Public Law 116–283; 134 Stat. 4294), the authorizations set forth in the table in paragraph (2), as provided in section 2101(a) of that Act (134 Stat. 4295), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.

(2) *TABLE.*—The table referred to in paragraph (1) is as follows:

Army: Extension of 2021 Project Authorizations

State	Installation or Location	Project	Original Authorized Amount
Arizona	Yuma Proving Ground ..	Ready Building	\$14,000,000
Georgia	Fort Gillem	Forensic Lab	\$71,000,000
Louisiana	Fort Johnson	Information Systems Facility	\$25,000,000

(b) *CHILD DEVELOPMENT CENTER, GEORGIA.*—

(1) *EXTENSION.*—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2021 (division B of Public Law 116–283; 134 Stat. 4294), the authorization under section 2865 of that Act (10 U.S.C. 2802 note) for the project described in paragraph (2) in Fort Eisenhower, Georgia, shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds

1 for military construction for fiscal year 2025, which-
2 ever is later.

3 (2) *PROJECT DESCRIBED.*—The project described
4 in this paragraph is the following:

Army: Extension of 2021 Project Authorization

State	Installation or Location	Project	Original Authorized Amount
Georgia	Fort Eisenhower	Child Development Center	\$21,000,000

5 **TITLE XXII—NAVY MILITARY**
6 **CONSTRUCTION**

7 **SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND**
8 **ACQUISITION PROJECTS.**

9 (a) *INSIDE THE UNITED STATES.*—Using amounts ap-
10 propriated pursuant to the authorization of appropriations
11 in section 2203(a) and available for military construction
12 projects inside the United States as specified in the funding
13 table in section 4601, the Secretary of the Navy may ac-
14 quire real property and carry out military construction
15 projects for the installations or locations inside the United
16 States, and in the amounts, set forth in the following table:

Navy: Inside the United States

State	Installation or Location	Amount
California	Marine Corps Air Ground Combat Center Twentynine Palms.	\$42,100,000
.....	Port Hueneme	\$110,000,000
Connecticut	Naval Submarine Base New London	\$331,718,000
District of Columbia	Marine Barracks Washington	\$131,800,000
Florida	Naval Air Station Whiting Field	\$141,500,000
Guam	Andersen Air Force Base	\$497,620,000
.....	Joint Region Marianas	\$174,540,000
.....	Naval Base Guam	\$946,500,000
Hawaii	Marine Corps Base Kaneohe Bay	\$227,350,000

Navy: Inside the United States—Continued

<i>State</i>	<i>Installation or Location</i>	<i>Amount</i>
<i>Maryland</i>	<i>Fort Meade</i>	\$186,480,000
.....	<i>Naval Air Station Patuxent River</i>	\$141,700,000
<i>North Carolina</i>	<i>Marine Corps Air Station Cherry Point</i>	\$270,150,000
.....	<i>Marine Corps Base Camp Lejeune</i>	\$183,780,000
<i>Pennsylvania</i>	<i>Naval Surface Warfare Center Philadelphia</i> ..	\$88,200,000
<i>Virginia</i>	<i>Dam Neck Annex</i>	\$109,680,000
.....	<i>Joint Expeditionary Base Little Creek - Fort Story.</i>	\$35,000,000
.....	<i>Marine Corps Base Quantico</i>	\$127,120,000
.....	<i>Naval Station Norfolk</i>	\$158,095,000
.....	<i>Naval Weapons Station Yorktown</i>	\$221,920,000
<i>Washington</i>	<i>Naval Base Kitsap</i>	\$245,000,000

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>Djibouti</i>	<i>Camp Lemonnier</i>	\$106,600,000
<i>Italy</i>	<i>Naval Air Station Sigonella</i>	\$77,072,000

10 ***(c) PROTOTYPE PROJECT.***—Using amounts appro-
11 priated pursuant to the authorization of appropriations in
12 section 2203(a) and available for military construction
13 projects as specified in the funding table in section 4601,
14 the Secretary of the Navy may carry out a military con-
15 struction project for the installation, and in the amount,
16 set forth in the following table as a prototype project under

1 the pilot program under section 4022(i) of title 10, United
 2 States Code, notwithstanding subchapters I and III of chap-
 3 ter 169 and chapters 221 and 223 of title 10, United States
 4 Code:

Navy Prototype Project

<i>State</i>	<i>Installation</i>	<i>Amount</i>
<i>Virginia</i>	<i>Joint Expeditionary Base Little Creek - Fort Story.</i>	<i>\$35,000,000</i>

5 ***SEC. 2202. FAMILY HOUSING.***

6 (a) CONSTRUCTION AND ACQUISITION.—Using
 7 amounts appropriated pursuant to the authorization of ap-
 8 propriations in section 2203(a) and available for military
 9 family housing functions as specified in the funding table
 10 in section 4601, the Secretary of the Navy may construct
 11 or acquire family housing units (including land acquisition
 12 and supporting facilities) at the installations or locations,
 13 in the number of units, and in the amounts set forth in
 14 the following table:

Navy: Family Housing

<i>Country</i>	<i>Installation or Location</i>	<i>Units</i>	<i>Amount</i>
<i>Guam</i>	<i>Joint Region Marianas.</i>	<i>Replace Andersen Housing Ph 8.</i>	<i>\$121,906,000</i>
<i>.....</i>	<i>Mariana Islands ..</i>	<i>Replace Andersen Housing (AF) PH7.</i>	<i>\$83,126,000</i>

15 (b) IMPROVEMENTS TO MILITARY FAMILY HOUSING
 16 UNITS.—Subject to section 2825 of title 10, United States
 17 Code, and using amounts appropriated pursuant to the au-
 18 thorization of appropriations in section 2203(a) and avail-

1 *able for military family housing functions as specified in*
 2 *the funding table in section 4601, the Secretary of the Navy*
 3 *may improve existing military family housing units in an*
 4 *amount not to exceed \$57,740,000.*

5 *(c) PLANNING AND DESIGN.—Using amounts appro-*
 6 *priated pursuant to the authorization of appropriations in*
 7 *section 2203(a) and available for military family housing*
 8 *functions as specified in the funding table in section 4601,*
 9 *the Secretary of the Navy 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 \$14,370,000.*

13 **SEC. 2203. AUTHORIZATION OF APPROPRIATIONS, NAVY.**

14 *(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are*
 15 *hereby authorized to be appropriated for fiscal years begin-*
 16 *ning after September 30, 2023, for military construction,*
 17 *land acquisition, and military family housing functions of*
 18 *the Department of the Navy, 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*
 23 *any other cost variation authorized by law, the total cost*
 24 *of all projects carried out under section 2201 of this Act*
 25 *may not exceed the total amount authorized to be appro-*

1 priated under subsection (a), as specified in the funding
 2 table in section 4601.

3 **SEC. 2204. EXTENSION OF AUTHORITY TO CARRY OUT CER-**
 4 **TAIN FISCAL YEAR 2019 PROJECTS.**

5 (a) NAVY CONSTRUCTION AND LAND ACQUISITION
 6 PROJECTS.—

7 (1) EXTENSION.—Notwithstanding section 2002
 8 of the Military Construction Authorization Act for
 9 Fiscal Year 2019 (division B of Public Law 115–232;
 10 132 Stat. 2240), the authorizations set forth in the
 11 table in paragraph (2), as provided in section 2201
 12 of that Act (132 Stat. 2243), shall remain in effect
 13 until October 1, 2024, or the date of the enactment of
 14 an Act authorizing funds for military construction
 15 for fiscal year 2025, whichever is later.

16 (2) TABLE.—The table referred to in paragraph
 17 (1) is as follows:

Navy: Extension of 2019 Project Authorizations

State/Country	Installation or Location	Project	Original Authorized Amount
<i>Bahrain</i>	<i>SW Asia</i>	<i>Fleet Maintenance Facility & TOC.</i>	<i>\$26,340,000</i>
<i>North Carolina</i>	<i>Marine Corps Base Camp Lejeune.</i>	<i>2nd Radio BN Complex, Phase 2.</i>	<i>\$51,300,000</i>
<i>South Carolina</i>	<i>Marine Corps Air Station Beaufort.</i>	<i>Recycling/Hazardous Waste Facility.</i>	<i>\$9,517,000</i>
<i>Washington</i>	<i>Bangor</i>	<i>Pier and Maintenance Facility.</i>	<i>\$88,960,000</i>

18 (b) LAUREL BAY FIRE STATION, SOUTH CAROLINA.—

(1) *EXTENSION*.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2019 (division B of Public Law 115–232; 132 Stat. 2240), the authorization under section 2810 of that Act (132 Stat. 2266) for the project described in paragraph (2) shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.

(2) *PROJECT DESCRIBED*.—The project described in this paragraph is the following::

Navy: Extension of 2019 Project Authorization

<i>State</i>	<i>Installation or Location</i>	<i>Project</i>	<i>Original Authorized Amount</i>
<i>South Carolina</i>	<i>Marine Corps Air Station Beaufort.</i>	<i>Laurel Bay Fire Station</i>	<i>\$10,750,000</i>

(c) *OVERSEAS CONTINGENCY OPERATIONS*.—

(1) *EXTENSION*.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2019 (division B of Public Law 115–232; 132 Stat. 2240), the authorization set forth in the table in paragraph (2), as provided in section 2902 of that Act (132 Stat. 2286), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.

(2) *TABLE.—The table referred to in paragraph (1) is as follows:*

Navy: Extension of 2019 Project Authorizations

<i>Country</i>	<i>Installation or Location</i>	<i>Project</i>	<i>Original Authorized Amount</i>
<i>Greece</i>	<i>Naval Support Activity Souda Bay.</i>	<i>EDI: Joint Mobility Processing Center.</i>	<i>\$41,650,000</i>

SEC. 2205. EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2021 PROJECTS.

(a) *EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2021 (division B of Public Law 116–283; 134 Stat. 4294), the authorizations set forth in the table in subsection (b), as provided in section 2201 of that Act (134 Stat. 4297), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.*

(b) *TABLE.—The table referred to in subsection (a) is as follows:*

Navy: Extension of 2021 Project Authorizations

<i>State/Country</i>	<i>Installation or Location</i>	<i>Project</i>	<i>Original Authorized Amount</i>
<i>California</i>	<i>Twentynine Palms.</i>	<i>Wastewater Treatment Plant.</i>	<i>\$76,500,000</i>
<i>Guam</i>	<i>Joint Region Marianas.</i>	<i>Joint Communication Upgrade.</i>	<i>\$166,000,000</i>
<i>Maine</i>	<i>NCTAMS LANT Detachment Cutler.</i>	<i>Perimeter Security</i>	<i>\$26,100,000</i>
<i>Nevada</i>	<i>Fallon</i>	<i>Range Training Complex, Phase I.</i>	<i>\$29,040,000</i>

TITLE XXIII—AIR FORCE MILITARY CONSTRUCTION

SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) *INSIDE THE UNITED STATES.*—Using amounts appropriated pursuant to the authorization of appropriations in section 2303(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Air Force: Inside the United States

<i>State</i>	<i>Installation or Location</i>	<i>Amount</i>
<i>Florida</i>	<i>MacDill Air Force Base</i>	<i>\$131,000,000</i>
.....	<i>Patrick Space Force Base</i>	<i>\$27,000,000</i>
	<i>Tyndall Air Force Base</i>	<i>\$252,000,000</i>
<i>Georgia</i>	<i>Robins Air Force Base</i>	<i>\$115,000,000</i>
<i>Guam</i>	<i>Joint Region Marianas</i>	<i>\$411,000,000</i>
<i>Massachusetts</i>	<i>Hanscom Air Force Base</i>	<i>\$37,000,000</i>
<i>Mississippi</i>	<i>Columbus Air Force Base</i>	<i>\$39,500,000</i>
<i>South Dakota</i>	<i>Ellsworth Air Force Base</i>	<i>\$235,000,000</i>
<i>Texas</i>	<i>Joint Base San Antonio-Lackland</i>	<i>\$20,000,000</i>
<i>Utah</i>	<i>Hill Air Force Base</i>	<i>\$82,000,000</i>
<i>Wyoming</i>	<i>F.E. Warren Air Force Base</i>	<i>\$85,000,000</i>

(b) *OUTSIDE THE UNITED STATES.*—Using amounts appropriated pursuant to the authorization of appropriations in section 2303(a) and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the installations or locations out-

1 side the United States, and in the amounts, set forth in
 2 the following table:

Air Force: Outside the United States

<i>Country</i>	<i>Installation or Location</i>	<i>Amount</i>
<i>Australia</i>	<i>Royal Australian Air Force Base Darwin</i>	<i>\$26,000,000</i>
<i>.....</i>	<i>Royal Australian Air Force Base Tindal</i>	<i>\$130,500,000</i>
<i>Norway</i>	<i>Rygge Air Station</i>	<i>\$119,000,000</i>
<i>Philippines</i>	<i>Cesar Basa Air Base</i>	<i>\$35,000,000</i>
<i>Spain</i>	<i>Morón Air Base</i>	<i>\$26,000,000</i>
<i>United Kingdom</i>	<i>Royal Air Force Fairford</i>	<i>\$47,000,000</i>
<i>.....</i>	<i>Royal Air Force Lakenheath</i>	<i>\$78,000,000</i>

3 (c) *PROTOTYPE PROJECT.*—Using amounts appro-
 4 priated pursuant to the authorization of appropriations in
 5 section 2303(a) and available for military construction
 6 projects as specified in the funding table in section 4601,
 7 the Secretary of the Air Force may carry out a military
 8 construction project for the installation, and in the amount,
 9 set forth in the following table as a prototype project under
 10 the pilot program under section 4022(i) of title 10, United
 11 States Code, notwithstanding subchapters I and III of chap-
 12 ter 169 and chapters 221 and 223 of title 10, United States
 13 Code:

Air Force Prototype Project

<i>State</i>	<i>Installation</i>	<i>Amount</i>
<i>Massachusetts</i>	<i>Hanscom Air Force Base</i>	<i>\$37,000,000</i>

14 **SEC. 2302. FAMILY HOUSING.**

15 (a) *IMPROVEMENTS TO MILITARY FAMILY HOUSING*
 16 *UNITS.*—Subject to section 2825 of title 10, United States
 17 Code, and using amounts appropriated pursuant to the au-
 18 thorization of appropriations in section 2303(a) and avail-

1 *able for military family housing functions as specified in*
 2 *the funding table in section 4601, the Secretary of the Air*
 3 *Force may improve existing military family housing units*
 4 *in an amount not to exceed \$229,282,000.*

5 *(b) PLANNING AND DESIGN.—Using amounts appro-*
 6 *priated pursuant to the authorization of appropriations in*
 7 *section 2303(a) and available for military family housing*
 8 *functions as specified in the funding table in section 4601,*
 9 *the Secretary of the Air Force may carry out architectural*
 10 *and engineering services and construction design activities*
 11 *with respect to the construction or improvement of family*
 12 *housing units in an amount not to exceed \$7,815,000.*

13 **SEC. 2303. AUTHORIZATION OF APPROPRIATIONS, AIR**
 14 **FORCE.**

15 *(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are*
 16 *hereby authorized to be appropriated for fiscal years begin-*
 17 *ning after September 30, 2023, for military construction,*
 18 *land acquisition, and military family housing functions of*
 19 *the Department of the Air Force, as specified in the funding*
 20 *table in section 4601.*

21 *(b) LIMITATION ON TOTAL COST OF CONSTRUCTION*
 22 *PROJECTS.—Notwithstanding the cost variations author-*
 23 *ized by section 2853 of title 10, United States Code, and*
 24 *any other cost variation authorized by law, the total cost*
 25 *of all projects carried out under section 2301 of this Act*

1 *may not exceed the total amount authorized to be appro-*
 2 *priated under subsection (a), as specified in the funding*
 3 *table in section 4601.*

4 **SEC. 2304. EXTENSION OF AUTHORITY TO CARRY OUT CER-**
 5 **TAIN FISCAL YEAR 2017 PROJECTS.**

6 *(a) AIR FORCE CONSTRUCTION AND LAND ACQUI-*
 7 *SITION PROJECTS.—*

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 authorizations set forth in the*
 12 *table in paragraph (2), as provided in section 2301(b)*
 13 *of that Act (130 Stat. 2697) and extended by section*
 14 *2304 of the Military Construction Authorization Act*
 15 *for Fiscal Year 2022 (division B of Public Law 117–*
 16 *181; 135 Stat. 2169), shall remain in effect until Oc-*
 17 *tober 1, 2024, or the date of the enactment of an Act*
 18 *authorizing funds for military construction for fiscal*
 19 *year 2025, whichever is later.*

20 *(2) TABLE.—The table referred to in paragraph*
 21 *(1) is as follows:*

Air Force: Extension of 2017 Project Authorizations

<i>Country</i>	<i>Installation or Location</i>	<i>Project</i>	<i>Original Authorized Amount</i>
<i>Germany</i>	<i>Ramstein Air Base</i>	<i>37 AS Squadron Operations/Aircraft Maintenance Unit</i>	<i>\$13,437,000</i>

Air Force: Extension of 2017 Project Authorizations—Continued

<i>Country</i>	<i>Installation or Location</i>	<i>Project</i>	<i>Original Authorized Amount</i>
.....	Spangdahlem Air Base ..	Upgrade Hardened Aircraft Shelters for F/A-22	\$2,700,000
Japan	Yokota Air Force Base ...	C-130J Corrosion Control Hangar	\$23,777,000

1 ***(b) OVERSEAS CONTINGENCY OPERATIONS.—***

2 ***(1) EXTENSION.—***Notwithstanding section 2002
3 *of the Military Construction Authorization Act for*
4 *Fiscal Year 2017 (division B of Public Law 114–328;*
5 *130 Stat. 2688), the authorization set forth in the*
6 *table in paragraph (2), as provided in section 2902*
7 *of that Act (130 Stat. 2743) and extended by section*
8 *2304 of the Military Construction Authorization Act*
9 *for Fiscal Year 2022 (division B of Public Law 117–*
10 *181; 135 Stat. 2169), shall remain in effect until Oc-*
11 *tober 1, 2024, or the date of the enactment of an Act*
12 *authorizing funds for military construction for fiscal*
13 *year 2025, whichever is later.*

14 ***(2) TABLE.—***The table referred to in paragraph
15 ***(1) is as follows:***

Air Force: Extension of 2017 Project Authorizations

<i>Country</i>	<i>Installation or Location</i>	<i>Project</i>	<i>Original Authorized Amount</i>
Germany	Spangdahlem Air Base ..	F/A-22 Low Observable/Composite Repair Facility	\$12,000,000

1 **SEC. 2305. EXTENSION OF AUTHORITY TO CARRY OUT CER-**
 2 **TAIN FISCAL YEAR 2018 PROJECTS.**

3 (a) *AIR FORCE CONSTRUCTION AND LAND ACQUI-*
 4 *TION PROJECTS.*—

5 (1) *EXTENSION.*—Notwithstanding section 2002
 6 of the Military Construction Authorization Act for
 7 Fiscal Year 2018 (division B of Public Law 115–91;
 8 131 Stat. 1817), the authorization set forth in the
 9 table in paragraph (2), as provided in section
 10 2301(a) of that Act (131 Stat. 1825) and extended by
 11 section 2304(a) of the Military Construction Author-
 12 ization Act for Fiscal Year 2023 (division B of Public
 13 Law 117–263), shall remain in effect until October 1,
 14 2024, or the date of the enactment of an Act author-
 15 izing funds for military construction for fiscal year
 16 2025, whichever is later.

17 (2) *TABLE.*—The table referred to in paragraph
 18 (1) is as follows:

Air Force: Extension of 2018 Project Authorizations

<i>State</i>	<i>Installation or Location</i>	<i>Project</i>	<i>Original Authorized Amount</i>
<i>Florida</i>	<i>Tyndall Air Force Base</i>	<i>Fire Station</i>	<i>\$17,000,000</i>

19 (b) *OVERSEAS CONTINGENCY OPERATIONS.*—

20 (1) *EXTENSION.*—Notwithstanding section 2002
 21 of the Military Construction Authorization Act for
 22 Fiscal Year 2018 (division B of Public Law 115–91;

131 Stat. 1817), the authorizations set forth in the table in paragraph (2), as provided in section 2903 of that Act (131 Stat. 1876) and extended by section 2304(b) of the Military Construction Authorization Act for Fiscal Year 2023 (division B of Public Law 117–263), shall remain in effect until October 1, 2024, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2025, whichever is later.

(2) *TABLE.—The table referred to in paragraph (1) is as follows:*

Air Force: Extension of 2018 Project Authorizations

<i>Country</i>	<i>Installation or Location</i>	<i>Project</i>	<i>Original Authorized Amount</i>
<i>Hungary</i>	<i>Kecskemet Air Base</i>	<i>ERI: Airfield Upgrades</i>	<i>\$12,900,000</i>
<i>.....</i>	<i>Kecskemet Air Base</i>	<i>ERI: Construct Parallel Taxiway</i>	<i>\$30,000,000</i>
<i>.....</i>	<i>Kecskemet Air Base</i>	<i>ERI: Increase POL Storage Capacity ..</i>	<i>\$12,500,000</i>
<i>Luxembourg</i>	<i>Sanem</i>	<i>ERI: ECAOS Deployable Airbase System Storage.</i>	<i>\$67,400,000</i>
<i>Slovakia</i>	<i>Malacky</i>	<i>ERI: Airfield Upgrades</i>	<i>\$4,000,000</i>
<i>.....</i>	<i>Malacky</i>	<i>ERI: Increase POL Storage Capacity ..</i>	<i>\$20,000,000</i>

SEC. 2306. EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2019 PROJECTS.

(a) *AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.—*

(1) *EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for*

1 *Fiscal Year 2019 (division B of Public Law 115–232;*
2 *132 Stat. 2240), the authorizations set forth in the*
3 *table in paragraph (2), as provided in section 2301*
4 *of that Act (132 Stat. 2246), shall remain in effect*
5 *until October 1, 2024, or the date of the enactment of*
6 *an Act authorizing funds for military construction*
7 *for fiscal year 2025, whichever is later.*

8 (2) *TABLE.—The table referred to in paragraph*
9 *(1) is as follows:*

Air Force: Extension of 2019 Project Authorizations

<i>State/Coun- try</i>	<i>Installation or Location</i>	<i>Project</i>	<i>Original Authorized Amount</i>
<i>Mariana Is- lands</i>	<i>Tinian</i>	<i>APR-Cargo Pad with Taxiway Exten- sion.</i>	<i>\$46,000,000</i>
<i>.....</i>	<i>Tinian</i>	<i>APR-Maintenance Support Facility ..</i>	<i>\$4,700,000</i>
<i>Maryland</i>	<i>Joint Base Andrews</i>	<i>Child Development Center</i>	<i>\$13,000,000</i>
<i>.....</i>	<i>Joint Base Andrews</i>	<i>PAR Relocate Haz Cargo Pad and EOD Range.</i>	<i>\$37,000,000</i>
<i>New Mexico</i>	<i>Holloman Air Force Base</i>	<i>MQ–9 FTU Ops Fa- cility</i>	<i>\$85,000,000</i>
<i>.....</i>	<i>Kirtland Air Force Base</i>	<i>Wyoming Gate Up- grade for Anti-Ter- rorism Compliance</i>	<i>\$7,000,000</i>
<i>United King- dom</i>	<i>Royal Air Force Lakenheath</i>	<i>F–35 ADAL Conven- tional Munitions MX</i>	<i>\$9,204,000</i>
<i>Utah</i>	<i>Hill Air Force Base</i>	<i>Composite Aircraft Antenna Calibra- tion Fac.</i>	<i>\$26,000,000</i>

10 (b) *OVERSEAS CONTINGENCY OPERATIONS.—*

11 (1) *EXTENSION.—Notwithstanding section 2002*
12 *of the Military Construction Authorization Act for*
13 *Fiscal Year 2019 (division B of Public Law 115–232;*

1 132 Stat. 2240), the authorizations set forth in the
 2 table in paragraph (2), as provided in section 2903
 3 of that Act (132 Stat. 2287), shall remain in effect
 4 until October 1, 2024, or the date of the enactment of
 5 an Act authorizing funds for military construction
 6 for fiscal year 2025, whichever is later.

7 (2) *TABLE.*—The table referred to in paragraph
 8 (1) is as follows:

Air Force: Extension of 2019 Project Authorizations

<i>Country</i>	<i>Installation or Location</i>	<i>Project</i>	<i>Original Authorized Amount</i>
<i>Slovakia</i>	<i>Malacky</i>	<i>EDI: Regional Munitions Storage Area</i>	\$59,000,000
<i>United Kingdom</i>	<i>RAF Fairford</i>	<i>EDI: Construct DABS-FEV Storage</i>	\$87,000,000
<i>.....</i>	<i>RAF Fairford</i>	<i>EDI: Munitions Holding Area</i>	\$19,000,000

9 ***SEC. 2307. EXTENSION OF AUTHORITY TO CARRY OUT CER-***
 10 ***TAIN FISCAL YEAR 2021 PROJECTS.***

11 (a) *AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECT.*—

12 (1) *EXTENSION.*—Notwithstanding section 2002
 13 of the Military Construction Authorization Act for
 14 Fiscal Year 2021 (division B of Public Law 116–283;
 15 134 Stat. 4294), the authorization set forth in the
 16 table in paragraph (2), as provided in section 2301
 17 of that Act (134 Stat. 4299), shall remain in effect
 18 until October 1, 2024, or the date of the enactment of
 19

1 *an Act authorizing funds for military construction*
 2 *for fiscal year 2025, whichever is later.*

3 (2) *TABLE.—The table referred to in paragraph*
 4 *(1) is as follows:*

Air Force: Extension of 2021 Project Authorization

<i>State</i>	<i>Installation or Location</i>	<i>Project</i>	<i>Original Authorized Amount</i>
<i>Virginia</i>	<i>Joint Base Langley-Eustis</i>	<i>Access Control Point Main Gate with Lang Acq.</i>	<i>\$19,500,00</i>

5 (b) *OVERSEAS CONTINGENCY OPERATIONS.—*

6 (1) *EXTENSION.—Notwithstanding section 2002*
 7 *of the Military Construction Authorization Act for*
 8 *Fiscal Year 2021 (division B of Public Law 116–283;*
 9 *134 Stat. 4294), the authorizations set forth in the*
 10 *table in paragraph (2), as provided in section 2902*
 11 *of that Act (134 Stat. 4373), shall remain in effect*
 12 *until October 1, 2024, or the date of the enactment of*
 13 *an Act authorizing funds for military construction*
 14 *for fiscal year 2025, whichever is later.*

15 (2) *TABLE.—The table referred to in paragraph*
 16 *(1) is as follows:*

Air Force: Extension of 2021 Project Authorizations

<i>Country</i>	<i>Installation or Location</i>	<i>Project</i>	<i>Original Authorized Amount</i>
<i>Germany</i>	<i>Ramstein</i>	<i>EDI: Rapid Airfield Damage Repair Storage</i>	<i>\$36,345,000</i>

Air Force: Extension of 2021 Project Authorizations—Continued

<i>Country</i>	<i>Installation or Location</i>	<i>Project</i>	<i>Original Authorized Amount</i>
.....	<i>Spangdahlem Air Base ..</i>	<i>EDI: Rapid Airfield Damage Repair Storage</i>	\$25,824,000

1 ***TITLE XXIV—DEFENSE AGEN-***
2 ***CIES MILITARY CONSTRU-***
3 ***TION***

4 ***SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRU-***
5 ***TION AND LAND ACQUISITION PROJECTS.***

6 (a) *INSIDE THE UNITED STATES.—Using amounts ap-*
7 *propriated pursuant to the authorization of appropriations*
8 *in section 2403(a) and available for military construction*
9 *projects inside the United States as specified in the funding*
10 *table in section 4601, the Secretary of Defense may acquire*
11 *real property and carry out military construction projects*
12 *for the installations or locations inside the United States,*
13 *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>\$147,975,000</i>
<i>California</i>	<i>Marine Corps Air Station Miramar</i>	<i>\$103,000,000</i>
	<i>Naval Base Coronado</i>	<i>\$51,000,000</i>
	<i>Naval Base San Diego</i>	<i>\$101,644,000</i>
<i>Delaware</i>	<i>Dover Air Force Base</i>	<i>\$30,500,000</i>
<i>Maryland</i>	<i>Fort Meade</i>	<i>\$885,000,000</i>
	<i>Joint Base Andrews</i>	<i>\$38,300,000</i>
<i>Montana</i>	<i>Great Falls International Airport</i>	<i>\$30,000,000</i>
<i>North Carolina</i>	<i>Marine Corps Base Camp Lejeune</i>	<i>\$70,000,000</i>
<i>Utah</i>	<i>Hill Air Force Base</i>	<i>\$14,200,000</i>
<i>Virginia</i>	<i>Fort Belvoir</i>	<i>\$185,000,000</i>
	<i>Joint Expeditionary Base Little Creek – Fort Story.</i>	<i>\$61,000,000</i>
	<i>Pentagon</i>	<i>\$30,600,000</i>
<i>Washington</i>	<i>Joint Base Lewis – McChord</i>	<i>\$62,000,000</i>
	<i>Manchester</i>	<i>\$71,000,000</i>

Defense Agencies: Inside the United States—Continued

State	Installation or Location	Amount
	<i>Naval Undersea Warfare Center Keyport ...</i>	<i>\$37,000,000</i>

1 (b) *OUTSIDE THE UNITED STATES.*—Using amounts
2 appropriated pursuant to the authorization of appropria-
3 tions in section 2403(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 Defense
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:

Defense Agencies: Outside the United States

Country	Installation or Location	Amount
<i>Cuba</i>	<i>Guantanamo Bay Naval Station</i>	<i>\$257,000,000</i>
<i>Germany</i>	<i>Baumholder</i>	<i>\$57,700,000</i>
	<i>Ramstein Air Base</i>	<i>\$181,764,000</i>
<i>Honduras</i>	<i>Soto Cano Air Base</i>	<i>\$41,300,000</i>
<i>Japan</i>	<i>Kadena Air Base</i>	<i>\$100,300,000</i>
<i>Spain</i>	<i>Naval Station Rota</i>	<i>\$80,000,000</i>

10 **SEC. 2402. AUTHORIZED ENERGY RESILIENCE AND CON-**
11 **SERVATION INVESTMENT PROGRAM**
12 **PROJECTS.**

13 (a) *INSIDE THE UNITED STATES.*—Using amounts ap-
14 propriated pursuant to the authorization of appropriations
15 in section 2403(a) and available for energy conservation
16 projects as specified in the funding table in section 4601,
17 the Secretary of Defense may carry out energy conservation
18 projects under chapter 173 of title 10, United States Code,

- 1 *for the installations or locations inside the United States,*
 2 *and in the amounts, set forth in the following table:*

ERCIP Projects: Inside the United States

<i>State</i>	<i>Installation or Location</i>	<i>Amount</i>
<i>California</i>	<i>Marine Corps Air Station Miramar</i>	<i>\$30,550,000</i>
	<i>Naval Base San Diego</i>	<i>\$6,300,000</i>
	<i>Vandenberg Space Force Base</i>	<i>\$57,000,000</i>
<i>Colorado</i>	<i>Buckley Space Force Base</i>	<i>\$14,700,000</i>
<i>Georgia</i>	<i>Naval Submarine Base Kings Bay</i>	<i>\$49,500,000</i>
<i>Kansas</i>	<i>Forbes Field</i>	<i>\$5,850,000</i>
<i>Missouri</i>	<i>Lake City Army Ammunition Plant</i>	<i>\$80,100,000</i>
<i>Nebraska</i>	<i>Offutt Air Force Base</i>	<i>\$41,000,000</i>
<i>North Carolina</i>	<i>Fort Liberty (Camp Mackall)</i>	<i>\$10,500,000</i>
<i>Oklahoma</i>	<i>Fort Sill</i>	<i>\$76,650,000</i>
<i>Puerto Rico</i>	<i>Fort Buchanan</i>	<i>\$56,000,000</i>
<i>Texas</i>	<i>Fort Cavazos</i>	<i>\$18,250,000</i>
<i>Virginia</i>	<i>Pentagon</i>	<i>\$2,250,000</i>
<i>Washington</i>	<i>Joint Base Lewis – McChord</i>	<i>\$49,850,000</i>
<i>Wyoming</i>	<i>F.E. Warren Air Force Base</i>	<i>\$25,000,000</i>

- 3 *(b) OUTSIDE THE UNITED STATES.—Using amounts*
 4 *appropriated pursuant to the authorization of appropria-*
 5 *tions in section 2403(a) and available for energy conserva-*
 6 *tion projects as specified in the funding table in section*
 7 *4601, the Secretary of Defense may carry out energy con-*
 8 *servation projects under chapter 173 of title 10, United*
 9 *States Code, for the installations or locations outside the*
 10 *United States, and in the amounts, set forth in the following*
 11 *table:*

ERCIP Projects: Outside the United States

<i>Country</i>	<i>Installation or Location</i>	<i>Amount</i>
<i>Korea</i>	<i>K-16 Air Base</i>	<i>\$5,650,000</i>
<i>Kuwait</i>	<i>Camp Buehring</i>	<i>\$18,850,000</i>

- 12 *(c) IMPROVEMENT OF CONVEYED UTILITY SYSTEMS.—*
 13 *In the case of a utility system that is conveyed under section*
 14 *2688 of title 10, United States Code, and that only provides*

1 *utility services to a military installation, notwithstanding*
 2 *subchapters I and III of chapter 169 and chapters 221 and*
 3 *223 of title 10, United States Code, the Secretary of Defense*
 4 *or the Secretary of a military department may authorize*
 5 *a contract with the conveyee of the utility system to carry*
 6 *out the military construction projects set forth in the fol-*
 7 *lowing table:*

Improvement of Conveyed Utility Systems

<i>State</i>	<i>Installation or Location</i>	<i>Project</i>
<i>Nebraska</i>	<i>Offutt Air Force Base</i>	<i>Microgrid and Backup Power</i>
<i>North Carolina</i>	<i>Fort Liberty (Camp Mackall)</i>	<i>Microgrid and Backup Power</i>
<i>Texas</i>	<i>Fort Cavazos</i>	<i>Microgrid and Backup Power</i>
<i>Washington</i>	<i>Joint Base Lewis – McChord</i>	<i>Power Generation and Microgrid</i>

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, 2023, 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 of this Act*

1 *may not exceed the total amount authorized to be appro-*
 2 *priated under subsection (a), as specified in the funding*
 3 *table in section 4601.*

4 **SEC. 2404. EXTENSION OF AUTHORITY TO CARRY OUT CER-**
 5 **TAIN FISCAL YEAR 2018 PROJECTS.**

6 (a) *EXTENSION.*—Notwithstanding section 2002 of the
 7 *Military Construction Authorization Act for Fiscal Year*
 8 *2018 (division B of Public Law 115–91; 131 Stat. 1817),*
 9 *the authorizations set forth in the table in subsection (b),*
 10 *as provided in section 2401(b) of that Act (131 Stat. 1829)*
 11 *and extended by section 2404 of the Military Construction*
 12 *Authorization Act for Fiscal Year 2023 (division B of Pub-*
 13 *lic Law 117–263), shall remain in effect until October 1,*
 14 *2024, or the date of the enactment of an Act authorizing*
 15 *funds for military construction for fiscal year 2025, which-*
 16 *ever is later.*

17 (b) *TABLE.*—The table referred to in subsection (a) is
 18 *as follows:*

Defense Agencies: Extension of 2018 Project Authorizations

<i>Country</i>	<i>Installation or Location</i>	<i>Project</i>	<i>Original Authorized Amount</i>
<i>Japan</i>	<i>Iwakuni</i>	<i>Construct Bulk Storage Tanks PH 1</i>	<i>\$30,800,000</i>
<i>Puerto Rico</i>	<i>Punta Borinquen</i>	<i>Ramey Unit School Replacement</i>	<i>\$61,071,000</i>

1 **SEC. 2405. EXTENSION AND MODIFICATION OF AUTHORITY**
 2 **TO CARRY OUT CERTAIN FISCAL YEAR 2019**
 3 **PROJECTS.**

4 (a) *EXTENSION.*—

5 (1) *IN GENERAL.*—Notwithstanding section 2002
 6 of the Military Construction Authorization Act for
 7 Fiscal Year 2019 (division B of Public Law 115–232;
 8 132 Stat. 2240), the authorizations set forth in the
 9 table in paragraph (2), as provided in section 2401(b)
 10 of that Act (132 Stat. 2249), shall remain in effect
 11 until October 1, 2024, or the date of the enactment of
 12 an Act authorizing funds for military construction
 13 for fiscal year 2025, whichever is later.

14 (2) *TABLE.*—The table referred to in paragraph
 15 (1) is as follows:

Defense Agencies: Extension of 2019 Project Authorizations

Country	Installation or Location	Project	Original Authorized Amount
<i>Germany</i>	<i>Baumholder</i>	<i>SOF Joint Parachute Rig-</i> <i>ging Facility</i>	\$11,504,000
<i>Japan</i>	<i>Camp McTureous</i>	<i>Betchel Elementary School</i>	\$94,851,000
	<i>Iwakuni</i>	<i>Fuel Pier</i>	\$33,200,000

16 (b) *MODIFICATION OF AUTHORITY TO CARRY OUT FIS-*
 17 *CAL YEAR 2019 PROJECT IN BAUMHOLDER, GERMANY.*—

18 (1) *MODIFICATION OF PROJECT AUTHORITY.*—In
 19 the case of the authorization contained in the table in
 20 section 2401(b) of the Military Construction Author-
 21 ization Act for Fiscal Year 2019 (division B of Public

1 *Law 115–232; 132 Stat. 2249) for Baumholder, Ger-*
 2 *many, for construction of a SOF Joint Parachute*
 3 *Rigging Facility, the Secretary of Defense may con-*
 4 *struct a 3,200 square meter facility.*

5 (2) *MODIFICATION OF PROJECT AMOUNTS.—*

6 (A) *DIVISION B TABLE.—The authorization*
 7 *table in section 2401(b) of the Military Construc-*
 8 *tion Defense Authorization Act for Fiscal Year*
 9 *2019 (division B of Public Law 115–232; 132*
 10 *Stat. 2249), as extended pursuant to subsection*
 11 *(a), is amended in the item relating to*
 12 *Baumholder, Germany, by striking*
 13 *“\$11,504,000” and inserting “\$23,000,000” to*
 14 *reflect the project modification made by para-*
 15 *graph (1).*

16 (B) *DIVISION D TABLE.—The funding table*
 17 *in section 4601 of the John S. McCain National*
 18 *Defense Authorization Act for Fiscal Year 2019*
 19 *(Public Law 115–232; 132 Stat. 2406) is amend-*
 20 *ed in the item relating to Defense-wide,*
 21 *Baumholder, Germany, SOF Joint Parachute*
 22 *Rigging Facility, by striking “\$11,504” in the*
 23 *Conference Authorized column and inserting*
 24 *“\$23,000” to reflect the project modification*
 25 *made by paragraph (1).*

1 **SEC. 2406. EXTENSION OF AUTHORITY TO CARRY OUT CER-**
 2 **TAIN FISCAL YEAR 2021 PROJECTS.**

3 (a) *DEFENSE AGENCIES CONSTRUCTION AND LAND*
 4 *ACQUISITION PROJECT.*—

5 (1) *EXTENSION.*—Notwithstanding section 2002
 6 of the Military Construction Authorization Act for
 7 Fiscal Year 2021 (division B of Public Law 116–283;
 8 134 Stat. 4294), the authorization set forth in the
 9 table in paragraph (2), as provided in section 2401(b)
 10 of that Act (134 Stat. 4305), shall remain in effect
 11 until October 1, 2024, or the date of the enactment of
 12 an Act authorizing funds for military construction
 13 for fiscal year 2025, whichever is later.

14 (2) *TABLE.*—The table referred to in paragraph
 15 (1) is as follows:

Defense Agencies: Extension of 2021 Project Authorization

<i>Country</i>	<i>Installation or Location</i>	<i>Project</i>	<i>Original Authorized Amount</i>
<i>Japan</i>	<i>Def Fuel Support Point Tsurumi</i>	<i>Fuel Wharf</i>	<i>\$49,500,000</i>

16 (b) *ENERGY RESILIENCE AND CONSERVATION INVEST-*
 17 *MENT PROGRAM PROJECTS.*—

18 (1) *EXTENSION.*—Notwithstanding section 2002
 19 of the Military Construction Authorization Act for
 20 Fiscal Year 2021 (division B of Public Law 116–283;
 21 134 Stat. 4294), the authorizations set forth in the
 22 table in paragraph (2), as provided in section 2402

1 of that Act (134 Stat. 4306), shall remain in effect
 2 until October 1, 2024, or the date of the enactment of
 3 an Act authorizing funds for military construction
 4 for fiscal year 2025, whichever is later.

5 (2) *TABLE.—The table referred to in subsection*
 6 (a) *is as follows:*

ERCIP Projects: Extension of 2021 Project Authorizations

<i>State/Country</i>	<i>Installation or Location</i>	<i>Project</i>	<i>Original Authorized Amount</i>
<i>Arkansas</i>	<i>Ebbing Air National Guard Base</i>	<i>PV Arrays and Battery Storage</i>	<i>\$2,600,000</i>
<i>California</i>	<i>Marine Corps Air Ground Combat Center Twentynine Palms</i>	<i>Install 10 Mw Battery Energy Storage for Various Buildings</i>	<i>\$11,646,000</i>
	<i>Military Ocean Terminal Concord</i>	<i>Military Ocean Terminal Concord Microgrid</i>	<i>\$29,000,000</i>
	<i>Naval Support Activity Monterey</i>	<i>Cogeneration Plant at B236</i>	<i>\$10,540,000</i>
<i>Italy</i>	<i>Naval Support Activity Naples</i>	<i>Smart Grid</i>	<i>\$3,490,000</i>
<i>Nevada</i>	<i>Creech Air Force Base</i>	<i>Central Standby Generators</i>	<i>\$32,000,000</i>
<i>Virginia</i>	<i>Naval Medical Center Portsmouth</i>	<i>Retro Air Handling Units From Constant Volume; Reheat to Variable Air Volume</i>	<i>\$611,000</i>

7 ***SEC. 2407. ADDITIONAL AUTHORITY TO CARRY OUT CER-***
 8 ***TAIN FISCAL YEAR 2022 PROJECTS.***

9 *In the case of a utility system that is conveyed under*
 10 *section 2688 of title 10, United States Code, and that only*
 11 *provides utility services to a military installation, notwith-*

1 *standing subchapters I and III of chapter 169 and chapters*
2 *221 and 223 of title 10, United States Code, the Secretary*
3 *of Defense or the Secretary of a military department may*
4 *authorize a contract with the conveyee of the utility system*
5 *to carry out the military construction projects set forth in*
6 *the following table:*

Improvement of Conveyed Utility Systems

<i>State</i>	<i>Installation or Location</i>	<i>Project</i>
<i>Alabama</i>	<i>Fort Novosel</i>	<i>Construct a 10 MW RICE Generator Plant and Micro-Grid Controls</i>
<i>Georgia</i>	<i>Fort Moore</i>	<i>Construct 4.8MW Generation and Microgrid</i>
	<i>Fort Stewart</i>	<i>Construct a 10 MW Generation Plant, with Microgrid Controls</i>
<i>New York</i>	<i>Fort Drum</i>	<i>Well Field Expansion Project</i>
<i>North Carolina</i>	<i>Fort Liberty</i>	<i>Construct 10 MW Microgrid Utilizing Existing and New Generators</i>
	<i>Fort Liberty</i>	<i>Fort Liberty Emergency Water System</i>

7 ***SEC. 2408. ADDITIONAL AUTHORITY TO CARRY OUT CER-***
8 ***TAIN FISCAL YEAR 2023 PROJECTS.***

9 *In the case of a utility system that is conveyed under*
10 *section 2688 of title 10, United States Code, and that only*
11 *provides utility services to a military installation, notwith-*
12 *standing subchapters I and III of chapter 169 and chapters*
13 *221 and 223 of title 10, United States Code, the Secretary*
14 *of Defense or the Secretary of a military department may*

1 *authorize a contract with the conveyee of the utility system*
 2 *to carry out the military construction projects set forth in*
 3 *the following table:*

Improvement of Conveyed Utility Systems

<i>State</i>	<i>Installation or Location</i>	<i>Project</i>
<i>Georgia</i>	<i>Fort Stewart – Hunter Army Airfield</i>	<i>Power Generation and Microgrid</i>
<i>Kansas</i>	<i>Fort Riley</i>	<i>Power Generation and Microgrid</i>
<i>Texas</i>	<i>Fort Cavazos</i>	<i>Power Generation and Microgrid</i>

4 ***TITLE XXV—INTERNATIONAL***
 5 ***PROGRAMS***
 6 ***Subtitle A—North Atlantic Treaty***
 7 ***Organization Security Invest-***
 8 ***ment Program***

9 ***SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND***
 10 ***ACQUISITION PROJECTS.***

11 *The Secretary of Defense may make contributions for*
 12 *the North Atlantic Treaty Organization Security Invest-*
 13 *ment Program as provided in section 2806 of title 10,*
 14 *United States Code, in an amount not to exceed the sum*
 15 *of the amount authorized to be appropriated for this pur-*
 16 *pose in section 2502 and the amount collected from the*
 17 *North Atlantic Treaty Organization as a result of construc-*
 18 *tion previously financed by the United States.*

19 ***SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.***

20 *Funds are hereby authorized to be appropriated for fis-*
 21 *cal years beginning after September 30, 2023, for contribu-*

tions by the Secretary of Defense under section 2806 of title 10, United States Code, for the share of the United States of the cost of projects for the North Atlantic Treaty Organization Security Investment Program authorized by section 2501 as specified in the funding table in section 4601.

Subtitle B—Host Country In-kind Contributions

SEC. 2511. REPUBLIC OF KOREA FUNDED CONSTRUCTION PROJECTS.

Pursuant to agreement with the Republic of Korea for required in-kind contributions, the Secretary of Defense may accept military construction projects for the installations or locations in the Republic of Korea, and in the amounts, set forth in the following table:

Republic of Korea Funded Construction Projects

Component	Installation or Location	Project	Amount
Army	Camp Bonifas	Vehicle Maintenance Shop	\$7,700,000
Army	Camp Carroll	Humidity-Controlled Warehouse.	\$189,000,000
Army	Camp Humphreys	Airfield Services Storage Warehouse.	\$7,100,000
Army	Camp Walker	Consolidated Fire and Military Police Station.	\$48,000,000
Army	Pusan	Warehouse Facility	\$40,000,000
Navy	Chinhae	Electrical Switchgear Building.	\$6,000,000
Air Force	Osan Air Base	Consolidated Operations Group and Maintenance Group Headquarters.	\$46,000,000
Air Force	Osan Air Base	Flight Line Dining Facility.	\$6,800,000
Air Force	Osan Air Base	Reconnaissance Squadron Operations and Avionics Facility.	\$30,000,000
Air Force	Osan Air Base	Repair Aircraft Maintenance Hangar B1732.	\$8,000,000
Air Force	Osan Air Base	Upgrade Electrical Distribution East, Phase 2.	\$46,000,000
Air Force	Osan Air Base	Water Supply Treatment Facility.	\$22,000,000

1 **SEC. 2512. REPUBLIC OF POLAND FUNDED CONSTRUCTION**
2 **PROJECTS.**

3 *Pursuant to agreement with the Republic of Poland*
4 *for required in-kind contributions, the Secretary of Defense*
5 *may accept military construction projects for the installa-*
6 *tions or locations in the Republic of Poland, and in the*
7 *amounts, set forth in the following table:*

Republic of Poland Funded Construction Projects

Country	Installation or Location	Project	Amount
<i>Army</i>	<i>Powidz</i>	<i>Barracks and Dining Facility.</i>	<i>\$93,000,000</i>
<i>Army</i>	<i>Powidz</i>	<i>Rotary Wing Aircraft Apron.</i>	<i>\$35,000,000</i>
<i>Army</i>	<i>Swietoszow</i>	<i>Bulk Fuel Storage</i>	<i>\$35,000,000</i>
<i>Army</i>	<i>Swietoszow</i>	<i>Rail Extension and Railroad.</i>	<i>\$7,300,000</i>
<i>Air Force</i>	<i>Wroclaw</i>	<i>Aerial Port of Debarkation Ramp.</i>	<i>\$59,000,000</i>
<i>Air Force</i>	<i>Wroclaw</i>	<i>Taxiways to Aerial Port of Debarkation Ramp.</i>	<i>\$39,000,000</i>
<i>Defense-wide</i>	<i>Lubliniec</i>	<i>Special Operations Forces Company Operations Facility.</i>	<i>\$16,200,000</i>

8 **TITLE XXVI—GUARD AND**
9 **RESERVE FORCES FACILITIES**

10 **SEC. 2601. AUTHORIZED ARMY NATIONAL GUARD CON-**
11 **STRUCTION AND LAND ACQUISITION**
12 **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 Army may ac-*
17 *quire real property and carry out military construction*
18 *projects for the Army National Guard locations inside the*

1 *United States, and in the amounts, set forth in the following*
 2 *table:*

Army National Guard

<i>State</i>	<i>Location</i>	<i>Amount</i>
<i>Arizona</i>	<i>Surprise Readiness Center</i>	<i>\$15,000,000</i>
<i>Florida</i>	<i>Camp Blanding</i>	<i>\$11,000,000</i>
<i>Idaho</i>	<i>Jerome County Regional Site</i>	<i>\$17,000,000</i>
<i>Illinois</i>	<i>North Riverside Armory</i>	<i>\$24,000,000</i>
<i>Kentucky</i>	<i>Burlington</i>	<i>\$16,400,000</i>
<i>Mississippi</i>	<i>Southaven</i>	<i>\$22,000,000</i>
<i>Missouri</i>	<i>Belle Fontaine</i>	<i>\$28,000,000</i>
<i>New Hampshire</i>	<i>Littleton</i>	<i>\$23,000,000</i>
<i>New Mexico</i>	<i>Rio Rancho Training Site</i>	<i>\$11,000,000</i>
<i>New York</i>	<i>Lexington Avenue Armory</i>	<i>\$90,000,000</i>
<i>Ohio</i>	<i>Camp Perry Joint Training Center</i>	<i>\$19,200,000</i>
<i>Oregon</i>	<i>Washington County Readiness Center</i>	<i>\$26,000,000</i>
<i>Pennsylvania</i>	<i>Hermitage Readiness Center</i>	<i>\$13,600,000</i>
<i>Rhode Island</i>	<i>North Kingstown</i>	<i>\$30,000,000</i>
<i>South Carolina</i>	<i>Aiken County Readiness Center</i>	<i>\$20,000,000</i>
.....	<i>McCrary Training Center</i>	<i>\$7,900,000</i>
<i>Virginia</i>	<i>Sandston RC & FMS 1</i>	<i>\$20,000,000</i>
<i>Wisconsin</i>	<i>Viroqua</i>	<i>\$18,200,000</i>

3 ***SEC. 2602. AUTHORIZED ARMY RESERVE CONSTRUCTION***
 4 ***AND LAND ACQUISITION PROJECTS.***

5 *Using amounts appropriated pursuant to the author-*
 6 *ization of appropriations in section 2606 and available for*
 7 *the National Guard and Reserve as specified in the funding*
 8 *table in section 4601, the Secretary of the Army may ac-*
 9 *quire real property and carry out military construction*
 10 *projects for the Army Reserve locations inside the United*
 11 *States, and in the amounts, set forth in the following table:*

Army Reserve

<i>State</i>	<i>Location</i>	<i>Amount</i>
<i>Alabama</i>	<i>Birmingham</i>	<i>\$57,000,000</i>
<i>Arizona</i>	<i>Queen Creek</i>	<i>\$12,000,000</i>
<i>California</i>	<i>Fort Hunter Liggett</i>	<i>\$40,000,000</i>

1 **SEC. 2603. AUTHORIZED NAVY RESERVE AND MARINE**
 2 **CORPS RESERVE CONSTRUCTION AND LAND**
 3 **ACQUISITION 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 Navy may ac-*
 8 *quire real property and carry out military construction*
 9 *projects for the Navy Reserve and Marine Corps Reserve*
 10 *locations inside the United States, and in the amounts, set*
 11 *forth in the following table:*

Navy Reserve and Marine Corps Reserve

<i>State</i>	<i>Location</i>	<i>Amount</i>
<i>Michigan</i>	<i>Battle Creek</i>	<i>\$24,549,000</i>
<i>Virginia</i>	<i>Marine Forces Reserve Dam Neck Virginia Beach</i>	<i>\$12,400,000</i>

12 **SEC. 2604. AUTHORIZED AIR NATIONAL GUARD CONSTRUC-**
 13 **TION 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*
 17 *table in section 4601, the Secretary of the Air Force may*
 18 *acquire real property and carry out military construction*
 19 *projects for the Air National Guard locations inside the*
 20 *United States, and in the amounts, set forth in the following*
 21 *table:*

Air National Guard

<i>State</i>	<i>Location</i>	<i>Amount</i>
<i>Alabama</i>	<i>Montgomery Regional Airport</i>	<i>\$7,000,000</i>
<i>Alaska</i>	<i>Joint Base Elmendorf – Richardson</i>	<i>\$7,000,000</i>
<i>Arizona</i>	<i>Tucson International Airport</i>	<i>\$11,600,000</i>
<i>Arkansas</i>	<i>Ebbing Air National Guard Base</i>	<i>\$76,000,000</i>
<i>Colorado</i>	<i>Buckley Space Force Base</i>	<i>\$12,000,000</i>
<i>Indiana</i>	<i>Fort Wayne International Airport</i>	<i>\$8,900,000</i>
<i>Oregon</i>	<i>Portland International Airport</i>	<i>\$71,500,000</i>
<i>Pennsylvania</i>	<i>Harrisburg International Airport</i>	<i>\$8,000,000</i>
<i>Wisconsin</i>	<i>Truax Field</i>	<i>\$5,200,000</i>

1 **SEC. 2605. AUTHORIZED AIR FORCE RESERVE 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 Force Reserve locations inside the*
9 *United States, and in the amounts, set forth in the following*
10 *table:*

Air Force Reserve

<i>State</i>	<i>Location</i>	<i>Amount</i>
<i>Arizona</i>	<i>Davis-Monthan Air Force Base</i>	<i>\$8,500,000</i>
<i>California</i>	<i>March Air Reserve Base</i>	<i>\$226,500,000</i>
<i>Guam</i>	<i>Joint Region Marianas</i>	<i>\$27,000,000</i>
<i>Louisiana</i>	<i>Barksdale Air Force Base</i>	<i>\$7,000,000</i>
<i>Texas</i>	<i>Naval Air Station Joint Reserve Base Fort Worth.</i>	<i>\$16,000,000</i>

11 **SEC. 2606. AUTHORIZATION OF APPROPRIATIONS, NA-**
12 **TIONAL GUARD AND RESERVE.**

13 *Funds are hereby authorized to be appropriated for fis-*
14 *cal years beginning after September 30, 2023, for the costs*
15 *of acquisition, architectural and engineering services, and*

1 *construction of facilities for the Guard and Reserve Forces,*
 2 *and for contributions therefor, under chapter 1803 of title*
 3 *10, United States Code (including the cost of acquisition*
 4 *of land for those facilities), as specified in the funding table*
 5 *in section 4601.*

6 **SEC. 2607. EXTENSION OF AUTHORITY TO CARRY OUT FIS-**
 7 **CAL YEAR 2018 PROJECT AT HULMAN RE-**
 8 **GIONAL AIRPORT, INDIANA.**

9 (a) *EXTENSION.*—Notwithstanding section 2002 of the
 10 *Military Construction Authorization Act for Fiscal Year*
 11 *2018 (division B of Public Law 115–91; 131 Stat. 1817),*
 12 *the authorization set forth in the table in subsection (b),*
 13 *as provided in section 2604 of that Act (131 Stat. 1836)*
 14 *and extended by section 2608 of the Military Construction*
 15 *Authorization Act for Fiscal Year 2023 (division B of Pub-*
 16 *lic Law 117–263), shall remain in effect until October 1,*
 17 *2024, or the date of the enactment of an Act authorizing*
 18 *funds for military construction for fiscal year 2025, which-*
 19 *ever is later.*

20 (b) *TABLE.*—The table referred to in subsection (a) is
 21 *as follows:*

***National Guard and Reserve: Extension of 2018 Project
 Authorization***

<i>State</i>	<i>Installation or Location</i>	<i>Project</i>	<i>Original Au- thorized Amount</i>
<i>Indiana</i>	<i>Hulman Regional Airport</i>	<i>Construct Small Arms Range</i>	<i>\$8,000,000</i>

1 **SEC. 2608. EXTENSION OF AUTHORITY TO CARRY OUT FIS-**
2 **CAL YEAR 2019 PROJECT AT FRANCIS S.**
3 **GABRESKI AIRPORT, NEW YORK.**

4 (a) *EXTENSION.*—Notwithstanding section 2002 of the
5 *Military Construction Authorization Act for Fiscal Year*
6 *2019 (division B of Public Law 115–232; 132 Stat. 2240),*
7 *the authorization set forth in the table in subsection (b),*
8 *as provided in section 2604 of that Act (132 Stat. 2255),*
9 *shall remain in effect until October 1, 2024, or the date*
10 *of the enactment of an Act authorizing funds for military*
11 *construction for fiscal year 2025, whichever is later.*

12 (b) *TABLE.*—The table referred to in subsection (a) is
13 *as follows:*

***National Guard and Reserve: Extension of 2019 Project
Authorization***

<i>State</i>	<i>Installation or Location</i>	<i>Project</i>	<i>Original Au- thorized Amount</i>
<i>New York</i>	<i>Francis S. Gabreski Air- port</i>	<i>Security Forces/Comm. Training Facility</i>	<i>\$20,000,000</i>

14 **SEC. 2609. EXTENSION OF AUTHORITY TO CARRY OUT CER-**
15 **TAIN FISCAL YEAR 2021 PROJECTS.**

16 (a) *EXTENSION.*—Notwithstanding section 2002 of the
17 *Military Construction Authorization Act for Fiscal Year*
18 *2021 (division B of Public Law 116–283; 134 Stat. 4294),*
19 *the authorizations set forth in the table in subsection (b),*
20 *as provided in sections 2601, 2602, and 2604 of that Act*
21 *(134 Stat. 4312, 4313, 4314), shall remain in effect until*

1 *October 1, 2024, or the date of the enactment of an Act*
 2 *authorizing funds for military construction for fiscal year*
 3 *2025, whichever is later.*

4 *(b) TABLE.—The table referred to in subsection (a) is*
 5 *as follows:*

***National Guard and Reserve: Extension of 2021 Project
Authorizations***

<i>State/Country</i>	<i>Installation or Location</i>	<i>Project</i>	<i>Original Authorized Amount</i>
<i>Arkansas</i>	<i>Fort Chaffee</i>	<i>National Guard Readiness Center</i>	<i>\$15,000,000</i>
<i>California</i>	<i>Bakersfield</i>	<i>National Guard Vehicle Maintenance Shop</i>	<i>\$9,300,000</i>
<i>Colorado</i>	<i>Peterson Space Force Base</i>	<i>National Guard Readiness Center</i>	<i>\$15,000,000</i>
<i>Guam</i>	<i>Joint Region Marianas</i>	<i>Space Control Facility #5</i>	<i>\$20,000,000</i>
<i>Ohio</i>	<i>Columbus</i>	<i>National Guard Readiness Center</i>	<i>\$15,000,000</i>
<i>Massachusetts ..</i>	<i>Devens Reserve Forces Training Area</i>	<i>Automated Multipurpose Machine Gun Range</i>	<i>\$8,700,000</i>
<i>North Carolina</i>	<i>Asheville</i>	<i>Army Reserve Center/Land</i>	<i>\$24,000,000</i>
<i>Puerto Rico</i>	<i>Fort Allen</i>	<i>National Guard Readiness Center</i>	<i>\$37,000,000</i>
<i>South Carolina</i>	<i>Joint Base Charleston</i>	<i>National Guard Readiness Center</i>	<i>\$15,000,000</i>
<i>Texas</i>	<i>Fort Worth</i>	<i>Aircraft Maintenance Hangar Addition/Alt.</i>	<i>\$6,000,000</i>
<i>.....</i>	<i>Joint Base San Antonio</i>	<i>F-16 Mission Training Center</i>	<i>\$10,800,000</i>
<i>Virgin Islands</i>	<i>St. Croix</i>	<i>Army Aviation Support Facility (AASF)</i>	<i>\$28,000,000</i>
<i>.....</i>	<i>.....</i>	<i>CST Ready Building</i>	<i>\$11,400,000</i>

6 ***SEC. 2610. MODIFICATION OF AUTHORITY TO CARRY OUT***
 7 ***FISCAL YEAR 2022 PROJECT AT NICKELL ME-***
 8 ***MORIAL ARMORY, KANSAS.***

9 *(a) TRANSFER AUTHORITY.—From amounts appro-*
 10 *priated for “Military Construction, Army National Guard”*
 11 *pursuant to the authorization of appropriations in section*

1 2606 and available as specified in the funding table in sec-
 2 tion 4601 of the National Defense Authorization Act for Fis-
 3 cal Year 2022 (Public Law 117–81, 135 Stat. 2315), the
 4 Secretary of Defense may transfer not more than \$420,000
 5 to an appropriation for “Military Construction, Air Na-
 6 tional Guard” for use for studying, planning, designing,
 7 and architect and engineer services for a sensitive compart-
 8 mented information facility project at Nickell Memorial Ar-
 9 mory, Kansas.

10 (b) *MERGER OF AMOUNTS TRANSFERRED.*—Any
 11 amount transferred under subsection (a) shall be merged
 12 with and available for the same purposes, and for the same
 13 time period, as the “Military Construction, Air National
 14 Guard” appropriation to which transferred.

15 (c) *AUTHORITY.*—Using amounts transferred pursuant
 16 to subsection (a), the Secretary of the Air Force may carry
 17 out study, planning, design, and architect and engineer
 18 services activities for a sensitive compartmented informa-
 19 tion facility project at Nickell Memorial Armory, Kansas.

20 **SEC. 2611. MODIFICATION OF AUTHORITY TO CARRY OUT**
 21 **FISCAL YEAR 2023 PROJECT AT CAMP PEN-**
 22 **DLETON, CALIFORNIA.**

23 *In the case of the authorization contained in the table*
 24 *in section 2602 of the Military Construction Authorization*
 25 *Act for Fiscal Year 2023 (division B of Public Law 117–*

1 263) and specified in the funding table in section 4601 of
 2 the James M. Inhofe National Defense Authorization Act
 3 for Fiscal Year 2023 (Public Law 117–263) for Camp Pen-
 4 dleton, California, for construction of an Area Maintenance
 5 Support Activity, the Secretary of the Army may construct
 6 a 15,000 square foot facility.

7 **SEC. 2612. AUTHORITY TO CONDUCT RESTORATION AND**
 8 **MODERNIZATION PROJECTS AT THE FIRST**
 9 **CITY TROOP READINESS CENTER IN PHILA-**
 10 **DELPHIA, PENNSYLVANIA.**

11 *The Chief of the National Guard Bureau may expend*
 12 *amounts available to the Army National Guard for facili-*
 13 *ties sustainment, restoration, and modernization to conduct*
 14 *restoration and modernization projects at the First City*
 15 *Troop Readiness Center in Philadelphia, Pennsylvania,*
 16 *if—*

17 *(1) the Commonwealth of Pennsylvania has a*
 18 *sufficient remaining lease term for such center to real-*
 19 *ize the full lifecycle benefit of such a project;*

20 *(2) the Federal contribution for such a project*
 21 *does not exceed 50 percent of the cost of the project*
 22 *(inclusive of all project costs); and*

23 *(3) the Chief of the National Guard Bureau noti-*
 24 *fies the Committees on Armed Services of the Senate*
 25 *and the House of Representatives not less than 15*

1 *days before awarding a contract for such a project,*
 2 *which shall include an explanation of the sufficiency*
 3 *of remaining lease term to justify the investment.*

4 ***TITLE XXVII—BASE REALIGN-***
 5 ***MENT AND CLOSURE ACTIVI-***
 6 ***TIES***

7 ***SEC. 2701. AUTHORIZATION OF APPROPRIATIONS FOR BASE***
 8 ***REALIGNMENT AND CLOSURE ACTIVITIES***
 9 ***FUNDED THROUGH DEPARTMENT OF DE-***
 10 ***FENSE BASE CLOSURE ACCOUNT.***

11 *Funds are hereby authorized to be appropriated for fis-*
 12 *cal years beginning after September 30, 2023, for base re-*
 13 *alignment and closure activities, including real property*
 14 *acquisition and military construction projects, as author-*
 15 *ized by the Defense Base Closure and Realignment Act of*
 16 *1990 (part A of title XXIX of Public Law 101–510; 10*
 17 *U.S.C. 2687 note) and funded through the Department of*
 18 *Defense Base Closure Account established by section 2906*
 19 *of such Act, as specified in the funding table in section*
 20 *4601.*

21 ***SEC. 2702. PROHIBITION ON CONDUCTING ADDITIONAL***
 22 ***BASE REALIGNMENT AND CLOSURE (BRAC)***
 23 ***ROUND.***

24 *Nothing in this Act shall be construed to authorize an*
 25 *additional Base Realignment and Closure (BRAC) round.*

1 **SEC. 2703. CLOSURE AND DISPOSAL OF THE PUEBLO CHEM-**
2 **ICAL DEPOT, PUEBLO COUNTY, COLORADO.**

3 (a) *IN GENERAL.*—The Secretary of the Army shall
4 close the Pueblo Chemical Depot in Pueblo County, Colo-
5 rado (in this section referred to as the “Depot”), not later
6 than one year after the completion of the chemical demili-
7 tarization mission at such location in accordance with the
8 Convention on the Prohibition of the Development, Produc-
9 tion, Stockpiling and Use of Chemical Weapons and on
10 their Destruction, done at Geneva September 3, 1992, and
11 entered into force April 29, 1997 (commonly referred to as
12 the “Chemical Weapons Convention”).

13 (b) *PROCEDURES.*—The Secretary of the Army shall
14 carry out the closure and subsequent related property man-
15 agement and disposal of the Depot, including the land,
16 buildings, structures, infrastructure, and associated equip-
17 ment, installed equipment, material, and personal property
18 that comprise the Chemical Agent–Destruction Pilot Plant,
19 in accordance with the procedures and authorities for the
20 closure, management, and disposal of property under the
21 Defense Base Closure and Realignment Act of 1990 (part
22 A of title XXIX of Public Law 101–510; 10 U.S.C. 2687
23 note).

24 (c) *OFFICE OF LOCAL DEFENSE COMMUNITY CO-*
25 *OPERATION ACTIVITIES.*—The Office of Local Defense Com-
26 munity Cooperation of the Department of Defense may

1 *make grants and supplement other Federal funds pursuant*
2 *to section 2391 of title 10, United States Code, to support*
3 *closure and reuse activities of the Depot.*

4 (d) *TREATMENT OF EXISTING PERMITS.*—*Nothing in*
5 *this section shall be construed to prevent the removal or*
6 *demolition by the Program Executive Office, Assembled*
7 *Chemical Weapons Alternatives of the Department of the*
8 *Army of existing buildings, structures, infrastructure, and*
9 *associated equipment, installed equipment, material, and*
10 *personal property of the Chemical Agent–Destruction Pilot*
11 *Plant at the Depot in accordance with Hazardous Waste*
12 *Permit Number CO–20–09–02–01 under the Solid Waste*
13 *Disposal Act (42 U.S.C. 6901 et seq.) (commonly known*
14 *as the “Resource Conservation and Recovery Act of 1976”)*
15 *issued by the State of Colorado, or any associated or follow-*
16 *on permits under such Act.*

17 (e) *HOMELESS USE.*—*Given the nature of activities*
18 *undertaken at the Chemical Agent–Destruction Pilot Plant*
19 *at the Depot, such land, buildings, structures, infrastruc-*
20 *ture, and associated equipment, installed equipment, mate-*
21 *rial, and personal property comprising the Chemical*
22 *Agent–Destruction Pilot Plant is deemed unsuitable for*
23 *homeless use and, in carrying out any closure, manage-*
24 *ment, or disposal of property under this section, need not*
25 *be screened for homeless use purposes pursuant to section*

1 2905(b)(7) of the Defense Base Closure and Realignment
 2 Act of 1990 (part A of title XXIX of Public Law 101–510;
 3 10 U.S.C. 2687 note).

4 **TITLE XXVIII—MILITARY CON-**
 5 **STRUCTION GENERAL PROVI-**
 6 **SIONS**

7 **Subtitle A—Military Construction**
 8 **Program**

9 **SEC. 2801. AUTHORITY FOR INDO-PACIFIC POSTURE MILI-**
 10 **TARY CONSTRUCTION PROJECTS.**

11 (a) *AUTHORITY.*—The Commander of the United
 12 States Indo-Pacific Command (in this section referred to
 13 as the “Commander”) may carry out an unspecified mili-
 14 tary construction project not otherwise authorized by law
 15 or may authorize the Secretary of a military department
 16 to carry out such a project.

17 (b) *SCOPE OF PROJECT AUTHORITY.*—A project car-
 18 ried out under this section may include any planning, de-
 19 signing, construction, development, conversion, extension,
 20 renovation, or repair, whether to satisfy temporary or per-
 21 manent requirements, and, to the extent necessary, any ac-
 22 quisition of land.

23 (c) *PURPOSES.*—A project carried out under this sec-
 24 tion shall be for the purpose of—

1 (1) *supporting the rotational deployments of the*
2 *Armed Forces;*

3 (2) *enhancing facility preparedness and military*
4 *installation resilience (as defined in section 101(e)(8)*
5 *of title 10, United States Code) in support of poten-*
6 *tial, planned, or anticipated national defense activi-*
7 *ties; or*

8 (3) *providing for prepositioning and storage of*
9 *equipment and supplies.*

10 (d) *LOCATION OF PROJECTS.*—A project carried out
11 *under this section—*

12 (1) *may be located—*

13 (A) *at a cooperative security location, for-*
14 *ward operating site, or contingency location for*
15 *use by the Armed Forces; or*

16 (B) *at a location used by the Armed Forces*
17 *that is owned or operated by Guam, American*
18 *Samoa, or the Commonwealth of the Northern*
19 *Mariana Islands; and*

20 (2) *may be carried out without regard to whether*
21 *the real property or facilities at the location are*
22 *under the jurisdiction of the Department of Defense if*
23 *the Commander determines that the United States has*
24 *a sufficient interest in the property or facility to sup-*
25 *port the project.*

1 (e) *MAXIMUM AMOUNT.*—*The cost of any project car-*
 2 *ried out under this section may not exceed \$15,000,000.*

3 (f) *AVAILABLE AMOUNTS.*—*In carrying out a project*
 4 *under this section, the Commander, or the Secretary of a*
 5 *military department when authorized by the Commander,*
 6 *may use amounts authorized for—*

7 (1) *the INDOPACOM Military Construction*
 8 *Pilot Program fund; and*

9 (2) *operation and maintenance that are made*
 10 *available to the Commander, not to exceed 200 per-*
 11 *cent of the amount specified in section 2805(c) of title*
 12 *10, United States Code.*

13 (g) *NOTICE TO CONGRESS.*—

14 (1) *IN GENERAL.*—*If the Commander decides to*
 15 *carry out a project under this section with a cost ex-*
 16 *ceeding \$2,000,000, the Commander shall notify the*
 17 *congressional defense committees of that determina-*
 18 *tion in an electronic medium pursuant to section 480*
 19 *of title 10, United States Code.*

20 (2) *RELEVANT DETAILS.*—*Notice under para-*
 21 *graph (1) with respect to a project shall include rel-*
 22 *evant details of the project, including the estimated*
 23 *cost, and may include a classified annex.*

24 (3) *TIMING.*—*A project under this section cov-*
 25 *ered by paragraph (1) may not be carried out until*

1 *the end of the 14-day period beginning on the date the*
 2 *notification under such paragraph is received by the*
 3 *congressional defense committees.*

4 *(h) ANNUAL REPORT.—Not later than December 31 of*
 5 *each year, the Commander shall submit to the congressional*
 6 *defense committees a report containing a list of projects*
 7 *funded, lessons learned, and, subject to the concurrence of*
 8 *the President, recommended adjustments to the authority*
 9 *under this section for the most recently ended fiscal year.*

10 *(i) PROJECT EXECUTION.—*

11 *(1) PROJECT SUPERVISION.—Subsections (a) and*
 12 *(b) of section 2851 of title 10, United States Code,*
 13 *shall not apply to projects carried out under this sec-*
 14 *tion.*

15 *(2) APPLICATION OF CHAPTER 169 OF TITLE 10,*
 16 *UNITED STATES CODE.—When exercising the author-*
 17 *ity under subsection (a), the Commander shall, for*
 18 *purposes of chapter 169 of title 10, United States*
 19 *Code, be considered the Secretary concerned.*

20 *(j) SUNSET.—The authority to carry out a project*
 21 *under this section expires on March 31, 2029.*

1 **SEC. 2802. ORDERING AUTHORITY FOR MAINTENANCE, RE-**
 2 **PAIR, AND CONSTRUCTION OF FACILITIES OF**
 3 **DEPARTMENT OF DEFENSE.**

4 (a) *IN GENERAL.*—Subchapter I of chapter 169 of title
 5 10, United States Code, is amended by adding at the end
 6 the following new section:

7 **“§ 2817. Ordering authority**

8 “(a) *IN GENERAL.*—The head of a department or orga-
 9 nization within the Department of Defense may place an
 10 order, on a reimbursable basis, with any other such depart-
 11 ment or organization for a project for the maintenance and
 12 repair of a facility of the Department of Defense or for a
 13 minor military construction project.

14 “(b) *OBLIGATIONS.*—An order placed by the head of
 15 a department or organization under subsection (a) is
 16 deemed to be an obligation of such department or organiza-
 17 tion in the same manner as a similar order or contract
 18 placed with a private contractor.

19 “(c) *CONTINGENCY EXPENSES.*—An order placed
 20 under subsection (a) for a project may include an amount
 21 for contingency expenses that shall not exceed 10 percent
 22 of the cost of the project.

23 “(d) *AVAILABILITY OF AMOUNTS.*—Amounts appro-
 24 priated or otherwise made available to a department or or-
 25 ganization of the Department of Defense shall be available
 26 to pay an obligation of such department or organization

1 *under this section in the same manner and to the same ex-*
 2 *tent as those amounts are available to pay an obligation*
 3 *to a private contractor.”.*

4 (b) *CLERICAL AMENDMENT.—The table of sections at*
 5 *the beginning of such subchapter is amended by adding at*
 6 *the end the following new item:*

“2817. Ordering authority.”.

7 **SEC. 2803. APPLICATION OF AREA CONSTRUCTION COST IN-**
 8 **DICES OUTSIDE THE UNITED STATES.**

9 *Section 2805(f) of title 10, United States Code, is*
 10 *amended—*

11 (1) *in paragraph (1), by striking “inside the*
 12 *United States”;*

13 (2) *by striking paragraph (2); and*

14 (3) *by redesignating paragraph (3) as para-*
 15 *graph (2).*

16 **SEC. 2804. AUTHORIZATION OF COST-PLUS INCENTIVE-FEE**
 17 **CONTRACTING FOR MILITARY CONSTRUC-**
 18 **TION PROJECTS TO MITIGATE RISK TO THE**
 19 **SENTINEL PROGRAM SCHEDULE AND COST.**

20 (a) *IN GENERAL.—Notwithstanding section 3323(a) of*
 21 *title 10, United States Code, the Secretary of Defense may*
 22 *authorize the use of contracts using cost-plus incentive-fee*
 23 *contracting for military construction projects associated*
 24 *with launch facilities, launch centers, and related infra-*
 25 *structure of the Sentinel Program of the Department of De-*

1 *fense for not more than one low-rate initial production lot*
 2 *at each of the following locations:*

3 (1) *F.E. Warren Air Force Base.*

4 (2) *Malmstrom Air Force Base.*

5 (3) *Minot Air Force Base.*

6 (b) *BRIEFING.*—*Not later than 90 days after the date*
 7 *of the enactment of this Act, and not less frequently than*
 8 *quarterly thereafter, the Secretary of Defense shall brief the*
 9 *congressional defense committees on the following:*

10 (1) *Uncertainties with site conditions at loca-*
 11 *tions specified under subsection (a).*

12 (2) *The plan of the Department of Defense to*
 13 *transition to firm, fixed price contracts for military*
 14 *construction following any military construction*
 15 *projects carried out under subsection (a).*

16 (3) *The acquisition process for military construc-*
 17 *tion projects carried out under subsection (a).*

18 (4) *Updates on the execution of military con-*
 19 *struction projects carried out under subsection (a).*

20 **SEC. 2805. EXTENSIONS TO THE MILITARY LANDS WITH-**
 21 **DRAWAL ACT RELATING TO BARRY M. GOLD-**
 22 **WATER RANGE.**

23 (a) *RENEWAL OF CURRENT WITHDRAWAL AND RES-*
 24 *ERVATION.*—*Section 3031(d)(1) of the Military Lands*
 25 *Withdrawal Act of 1999 (Public Law 106–65; 113 Stat.*

1 907) is amended by striking “25 years after the date of the
2 enactment of this Act” and inserting “on October 5, 2049”.

3 (b) *EXTENSION*.—Section 3031(e) of the Military
4 Lands Withdrawal Act of 1999 (Public Law 106–65; 113
5 Stat. 908) is amended—

6 (1) in the subsection heading, by striking “INI-
7 TIAL”; and

8 (2) in paragraph (1), by striking “initial”.

9 **SEC. 2806. AUTHORITY TO LEASE LAND PARCEL FOR HOS-**
10 **PITAL AND MEDICAL CAMPUS, BARRIGADA**
11 **TRANSMITTER SITE, GUAM.**

12 (a) *NO-COST LEASE AUTHORIZED*.—The Secretary of
13 the Navy (in this section referred to as the “Secretary”)
14 may lease to the Government of Guam parcels of real prop-
15 erty, including any improvements thereon, consisting of ap-
16 proximately 102 acres of undeveloped land and approxi-
17 mately 10.877 acres of utility easements in the munici-
18 pality of Barrigada and Mangilao, Guam, known as the
19 Barrigada Transmitter Site, for construction of a public
20 hospital and medical campus, without fair market consider-
21 ation.

22 (b) *DESCRIPTION OF PROPERTY*.—The exact acreage
23 and legal description of the property to be leased under sub-
24 section (a) shall be determined by a survey satisfactory to
25 the Secretary.

1 (c) *APPRAISAL NOT REQUIRED.*—*The lease under sub-*
 2 *section (a) shall not require an appraisal.*

3 (d) *CONDITIONS OF LEASE.*—

4 (1) *SUBJECT TO CERTAIN EXISTING ENCUM-*
 5 *BRANCES.*—*A lease of property under subsection (a)*
 6 *shall be subject to all existing easements, restrictions,*
 7 *and covenants of record, including restrictive cov-*
 8 *enants, that the Secretary determines are necessary to*
 9 *ensure that—*

10 (A) *the use of the property is compatible*
 11 *with continued military activities by the Armed*
 12 *Forces of the United States in Guam;*

13 (B) *the environmental condition of the*
 14 *property is compatible with the use of the prop-*
 15 *erty as a public hospital and medical campus;*

16 (C) *access is available to the United States*
 17 *to conduct environmental remediation or moni-*
 18 *toring as required under section 120(h) of the*
 19 *Comprehensive Environmental Response, Com-*
 20 *ensation, and Liability Act of 1980 (42 U.S.C.*
 21 *9620(h));*

22 (D) *the property is used only for a public*
 23 *hospital and medical campus, which may in-*
 24 *clude ancillary facilities to support the hospital*

1 *and campus, or as set forth in subsection (e);*
 2 *and*

3 *(E) the public hospital and medical campus*
 4 *to be constructed on the property shall—*

5 *(i) include—*

6 *(I) an MV-22-capable helipad;*

7 *(II) recompression chamber capa-*
 8 *bility; and*

9 *(III) perimeter fencing; and*

10 *(ii) allow for the relocation of weather*
 11 *radar equipment owned by the United*
 12 *States at the hospital or campus.*

13 *(2) FUNDING.—The Secretary is not required to*
 14 *fund the construction or operation of a hospital or*
 15 *medical campus on the property leased under sub-*
 16 *section (a).*

17 *(3) PAYMENT OF ADMINISTRATIVE COSTS.—All*
 18 *direct and indirect administrative costs, including for*
 19 *surveys, title work, document drafting, closing, and*
 20 *labor, incurred by the Secretary related to any lease*
 21 *of the property under subsection (a) shall be borne by*
 22 *the Government of Guam.*

23 *(e) ADDITIONAL TERMS.—The Secretary may require*
 24 *such additional terms and conditions in connection with*

1 *the lease under subsection (a) as the Secretary considers ap-*
 2 *propriate to protect the interests of the United States.*

3 *(f) NOT TO BE CONSIDERED EXCESS, TRANSFERRED,*
 4 *OR DISPOSED OF.—The property subject to any lease under*
 5 *subsection (a) may not be declared to be excess real property*
 6 *to the needs of the Navy or transferred or otherwise disposed*
 7 *of by the Navy or any Federal agency.*

8 **SEC. 2807. REVISION TO ACCESS AND MANAGEMENT OF AIR**
 9 **FORCE MEMORIAL.**

10 *Section 2863(e) of the Military Construction Author-*
 11 *ization Act for Fiscal Year 2002 (division B of Public Law*
 12 *107–107; 115 Stat. 1332), is amended by striking “the*
 13 *Foundation” and inserting “non-Federal Government enti-*
 14 *ties, the Secretary of the Air Force, or both”.*

15 **SEC. 2808. DEVELOPMENT AND OPERATION OF THE MARINE**
 16 **CORPS HERITAGE CENTER AND THE NA-**
 17 **TIONAL MUSEUM OF THE MARINE CORPS.**

18 *(a) IN GENERAL.—Chapter 861 of title 10, United*
 19 *States Code, is amended by inserting after section 8617 the*
 20 *following new section:*

21 **“§8618. Marine Corps Heritage Center and the Na-**
 22 **tional Museum of the Marine Corps**

23 *“(a) JOINT VENTURE FOR DEVELOPMENT AND CON-*
 24 *TINUED MAINTENANCE AND OPERATION.—The Secretary of*
 25 *the Navy (in this section referred to as the ‘Secretary’) may*

1 *enter into a joint venture with the Marine Corps Heritage*
 2 *Foundation (in this section referred to as the ‘Foundation’),*
 3 *a nonprofit entity, for the design, construction, mainte-*
 4 *nance, and operation of a multipurpose facility to be used*
 5 *for historical displays for public viewing, curation, and*
 6 *storage of artifacts, research facilities, classrooms, offices,*
 7 *and associated activities consistent with the mission of the*
 8 *Marine Corps University. The facility shall be known as*
 9 *the Marine Corps Heritage Center and the National Mu-*
 10 *seum of the Marine Corps (in this section referred to as*
 11 *the ‘Facility’).*

12 “(b) *DESIGN AND CONSTRUCTION.*—*For each phase of*
 13 *development of the Facility, the Secretary may—*

14 “(1) *permit the Foundation to contract for the*
 15 *design, construction, or both of such phase of develop-*
 16 *ment; or*

17 “(2) *accept funds from the Foundation for the*
 18 *design, construction, or both of such phase of develop-*
 19 *ment.*

20 “(c) *ACCEPTANCE AUTHORITY.*—*Upon completion of*
 21 *construction of any phase of development of the Facility*
 22 *by the Foundation to the satisfaction of the Secretary, and*
 23 *the satisfaction of any financial obligations incident thereto*
 24 *by the Foundation, the Facility shall become the real prop-*
 25 *erty of the Department of the Navy with all right, title,*

1 *and interest in and to the Facility belonging to the United*
 2 *States.*

3 “(d) *MAINTENANCE, OPERATION, AND SUPPORT.*—

4 “(1) *IN GENERAL.*—*The Secretary may, for the*
 5 *purpose of maintenance and operation of the Facil-*
 6 *ity—*

7 “(A) *enter into contracts or cooperative*
 8 *agreements, on a sole-source basis, with the*
 9 *Foundation for the procurement of property or*
 10 *services for the direct benefit or use of the Facil-*
 11 *ity; and*

12 “(B) *notwithstanding the requirements of*
 13 *subsection (h) of section 2667 of this title and*
 14 *under such terms and conditions as the Sec-*
 15 *retary considers appropriate for the joint venture*
 16 *authorized under subsection (a), lease in accord-*
 17 *ance with such section 2667 portions of the Fa-*
 18 *cility to the Foundation for use in generating*
 19 *revenue for activities of the Facility and for such*
 20 *administrative purposes as may be necessary for*
 21 *support of the Facility.*

22 “(2) *CONSIDERATION FOR LEASE.*—*In making a*
 23 *determination of fair market value under section*
 24 *2667(b)(4) of this title for payment of consideration*
 25 *pursuant to a lease described in paragraph (1)(B),*

1 *the Secretary may consider the entirety of the edu-*
2 *cational efforts of the Foundation, support by the*
3 *Foundation to the history division of the Marine*
4 *Corps Heritage Center, funding of museum programs*
5 *and exhibits by the Foundation, or other support re-*
6 *lated to the Facility, in addition to the types of in-*
7 *kind consideration provided under section 2667(c) of*
8 *this title.*

9 “(3) *USE FOR REVENUE-GENERATING ACTIVI-*
10 *TIES.—*

11 “(A) *IN GENERAL.—*Subject to subpara-
12 *graph (B), the Secretary may authorize the*
13 *Foundation to use real or personal property*
14 *within the Facility to conduct revenue-gener-*
15 *ating activities in addition to those authorized*
16 *under paragraph (1)(B), as the Secretary con-*
17 *siders appropriate considering the work of the*
18 *Foundation and the needs of the Facility.*

19 “(B) *LIMITATION.—*The Secretary may only
20 *authorize the use of the Facility for a revenue-*
21 *generating activity if the Secretary determines*
22 *the activity will not interfere with activities and*
23 *personnel of the armed forces or the activities of*
24 *the Facility.*

1 “(4) *RETENTION OF LEASE PAYMENTS.*—*The*
 2 *Secretary shall retain lease payments received under*
 3 *paragraph (1)(B), other than in-kind consideration*
 4 *authorized under paragraph (2) or section 2667(c) of*
 5 *this title, solely for use in support of the Facility, and*
 6 *funds received as lease payments shall remain avail-*
 7 *able until expended.*

8 “(e) *USE OF CERTAIN GIFTS.*—

9 “(1) *IN GENERAL.*—*Under regulations prescribed*
 10 *by the Secretary, the Commandant of the Marine*
 11 *Corps may, without regard to section 2601 of this*
 12 *title, accept, hold, administer, invest, and spend any*
 13 *gift, devise, or bequest of personal property of a value*
 14 *of \$250,000 or less made to the United States if such*
 15 *gift, devise, or bequest is for the benefit of the Facil-*
 16 *ity.*

17 “(2) *EXPENSES.*—*The Secretary may pay or au-*
 18 *thorize the payment of any reasonable and necessary*
 19 *expense in connection with the conveyance or transfer*
 20 *of a gift, devise, or bequest under paragraph (1).*

21 “(f) *ADDITIONAL TERMS AND CONDITIONS.*—*The Sec-*
 22 *retary may require such additional terms and conditions*
 23 *in connection with the joint venture authorized under sub-*
 24 *section (a) as the Secretary considers appropriate to protect*
 25 *the interests of the United States.”.*

1 (b) *CLERICAL AMENDMENT.*—*The table of sections at*
 2 *the beginning of chapter 861 of such title is amended by*
 3 *inserting after the item relating to section 8617 the fol-*
 4 *lowing new item:*

“8618. Marine Corps Heritage Center and the National Museum of the Marine Corps.”.

5 (c) *CONFORMING REPEAL.*—*Section 2884 of the Floyd*
 6 *D. Spence National Defense Authorization Act for Fiscal*
 7 *Year 2001 (Public Law 106–398; 114 Stat. 1654A–440) is*
 8 *repealed.*

9 **SEC. 2809. AUTHORITY FOR ACQUISITION OF REAL PROP-**
 10 **ERTY INTEREST IN PARK LAND OWNED BY**
 11 **THE COMMONWEALTH OF VIRGINIA.**

12 (a) *AUTHORITY.*—*The Secretary of the Navy (in this*
 13 *section referred to as the “Secretary”) may acquire by pur-*
 14 *chase or lease approximately 225 square feet of land, in-*
 15 *cluding ingress and egress, at Westmoreland State Park,*
 16 *Virginia, for the purpose of installing, operating, maintain-*
 17 *ing, and protecting equipment to support research and de-*
 18 *velopment activities by the Department of the Navy in sup-*
 19 *port of national security.*

20 (b) *TERMS AND CONDITIONS.*—*The acquisition of*
 21 *property under subsection (a) shall be subject to the fol-*
 22 *lowing terms and conditions:*

1 (1) *The Secretary shall pay the Commonwealth*
 2 *of Virginia fair market value for the property to be*
 3 *acquired, as determined by the Secretary.*

4 (2) *Such other terms and conditions as consid-*
 5 *ered appropriate by the Secretary.*

6 (c) *DESCRIPTION OF PROPERTY.—The legal descrip-*
 7 *tion of the property to be acquired under subsection (a)*
 8 *shall be determined by a survey that is satisfactory to the*
 9 *Secretary and the Commonwealth of Virginia.*

10 (d) *APPLICABILITY OF THE LAND AND WATER CON-*
 11 *SERVATION FUND ACT.—The provisions of chapter 2003 of*
 12 *title 54, United States Code, shall not apply to the acquisi-*
 13 *tion of property under subsection (a).*

14 (e) *REIMBURSEMENT.—The Secretary shall reimburse*
 15 *the Commonwealth of Virginia for the reasonable and docu-*
 16 *mented administrative costs incurred by the Commonwealth*
 17 *of Virginia to execute the acquisition by the Secretary of*
 18 *property under subsection (a).*

19 (f) *TERMINATION OF REAL PROPERTY INTEREST.—*
 20 *The real property interest acquired by the Secretary under*
 21 *subsection (a) shall terminate, and be released without cost*
 22 *to the Commonwealth of Virginia, when the Secretary deter-*
 23 *mines such real property interest is no longer required for*
 24 *national security purposes.*

1 **SEC. 2810. MOVEMENT OR CONSOLIDATION OF JOINT SPEC-**
2 **TRUM CENTER TO FORT MEADE, MARYLAND,**
3 **OR ANOTHER APPROPRIATE LOCATION.**

4 (a) *LEAVING CURRENT LOCATION.*—Not later than
5 September 30, 2026, the Secretary of Defense shall com-
6 pletely vacate the offices of the Joint Spectrum Center of
7 the Department of Defense in Annapolis, Maryland.

8 (b) *MOVEMENT OR CONSOLIDATION.*—The Secretary
9 shall take appropriate action to move, consolidate, or both,
10 the offices of the Joint Spectrum Center to the headquarters
11 building of the Defense Information Systems Agency at Fort
12 Meade, Maryland, or another appropriate location chosen
13 by the Secretary for national security purposes to ensure
14 the physical and cybersecurity protection of personnel and
15 missions of the Department of Defense.

16 (c) *STATUS UPDATE.*—Not later than January 31 and
17 July 31 of each year until the Secretary has completed the
18 requirements under subsections (a) and (b), the Commander
19 of the Defense Information Systems Agency shall provide
20 an in-person and written update on the status of the com-
21 pletion of those requirements to the Committees on Armed
22 Services of the Senate and the House of Representatives and
23 the congressional delegation of Maryland.

24 (d) *TERMINATION OF EXISTING LEASE.*—Upon
25 vacating the offices of the Joint Spectrum Center in Annap-
26 olis, Maryland, pursuant to subsection (a), all right, title,

1 *and interest of the United States in and to the existing lease*
 2 *for the Joint Spectrum Center in such location shall be ter-*
 3 *minated.*

4 *(e) REPEAL OF OBSOLETE AUTHORITY.—Section 2887*
 5 *of the Military Construction Authorization Act for Fiscal*
 6 *Year 2008 (division B of Public Law 110–181; 122 Stat.*
 7 *569) is repealed.*

8 **SEC. 2811. TEMPORARY EXPANSION OF AUTHORITY FOR**
 9 **USE OF ONE-STEP TURN-KEY SELECTION**
 10 **PROCEDURES FOR REPAIR PROJECTS.**

11 *During the five-year period beginning on the date of*
 12 *the enactment of this Act, section 2862(a)(2) of title 10,*
 13 *United States Code, shall be applied and administered by*
 14 *substituting “\$12,000,000” for “\$4,000,000”.*

15 **SEC. 2812. MODIFICATION OF TEMPORARY INCREASE OF**
 16 **AMOUNTS IN CONNECTION WITH AUTHORITY**
 17 **TO CARRY OUT UNSPECIFIED MINOR MILI-**
 18 **TARY CONSTRUCTION.**

19 *(a) IN GENERAL.—Section 2801 of the Military Con-*
 20 *struction Authorization Act for Fiscal Year 2023 (division*
 21 *B of Public Law 117–263) is amended—*

22 *(1) by redesignating paragraphs (2) through (4)*
 23 *as paragraphs (3) through (5), respectively; and*

24 *(2) by inserting after paragraph (1) the fol-*
 25 *lowing new paragraph (2):*

1 “(2) in subsection (b)(2), by substituting
2 ‘\$4,000,000’ for ‘\$2,000,000’;”.

3 (b) *EFFECTIVE DATE.*—*The amendments made by sub-*
4 *section (a) shall apply as if included in the enactment of*
5 *the Military Construction Authorization Act for Fiscal Year*
6 *2023 (division B of Public Law 117–263).*

7 **SEC. 2813. PILOT PROGRAM ON REPLACEMENT OF SUB-**
8 **STANDARD ENLISTED BARRACKS.**

9 (a) *IN GENERAL.*—*The Secretary concerned may, in*
10 *accordance with this section, carry out a pilot program*
11 *under which the Secretary concerned may replace an exist-*
12 *ing enlisted barracks with a new enlisted barracks not oth-*
13 *erwise authorized by law.*

14 (b) *FACILITY REQUIREMENTS.*—*A new facility for an*
15 *enlisted barracks replaced under subsection (a)—*

16 (1) *may not have a greater personnel capacity*
17 *than the facility being replaced but may be physically*
18 *larger than the facility being replaced;*

19 (2) *must be replacing a facility that is in a sub-*
20 *standard condition, as determined by the Secretary*
21 *concerned, and which determination may not be dele-*
22 *gated, in advance of project approval;*

23 (3) *must be designed and utilized for the same*
24 *purpose as the facility being replaced;*

1 (4) *must be located on the same installation as*
 2 *the facility being replaced; and*

3 (5) *must be designed to meet, at a minimum,*
 4 *current standards for construction, utilization, and*
 5 *force protection.*

6 (c) *SOURCE OF FUNDS.—The Secretary concerned, in*
 7 *using the authority under this section, may spend amounts*
 8 *available to the Secretary concerned for operation and*
 9 *maintenance or unspecified military construction.*

10 (d) *CONGRESSIONAL NOTIFICATION.—When a decision*
 11 *is made to carry out a replacement project under this sec-*
 12 *tion with an estimated cost in excess of \$10,000,000, the*
 13 *Secretary concerned shall submit, in an electronic medium*
 14 *pursuant to section 480 of title 10, United States Code, to*
 15 *the appropriate committees of Congress a report con-*
 16 *taining—*

17 (1) *the justification for the replacement project*
 18 *and the current estimate of the cost of the project; and*

19 (2) *a description of the elements of military con-*
 20 *struction, including the elements specified in section*
 21 *2802(b) of such title, incorporated into the project.*

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

23 (1) *APPROPRIATE COMMITTEES OF CONGRESS;*
 24 *FACILITY; SECRETARY CONCERNED.—The terms “ap-*
 25 *propriate committees of Congress”, “facility”, and*

1 *“Secretary concerned” have the meanings given those*
 2 *terms in section 2801 of title 10, United States Code.*

3 (2) *ENLISTED BARRACKS.*—*The term “enlisted*
 4 *barracks” means barracks designed and utilized for*
 5 *housing enlisted personnel of the Armed Forces.*

6 (3) *PERSONNEL CAPACITY.*—*The term “personnel*
 7 *capacity”, with respect to an enlisted barracks, means*
 8 *the design capacity for the number of enlisted per-*
 9 *sonnel housed in the enlisted barracks.*

10 (4) *SUBSTANDARD CONDITION.*—*The term “sub-*
 11 *standard condition”, with respect to a facility, means*
 12 *the facility can no longer meet the requirements of*
 13 *current standards without repair that would cost*
 14 *more than 75 percent of the replacement cost.*

15 (f) *SUNSET.*—*The authority under this section shall*
 16 *terminate on the date that is five years after the date of*
 17 *the enactment of this Act.*

18 **SEC. 2814. EXPANSION OF DEFENSE COMMUNITY INFRA-**
 19 **STRUCTURE PILOT PROGRAM TO INCLUDE IN-**
 20 **STALLATIONS OF THE COAST GUARD.**

21 *Section 2391 of title 10, United States Code, is amend-*
 22 *ed—*

23 (1) *in subsection (d)—*

24 (A) *in paragraph (1)(B), in the matter pre-*
 25 *ceding clause (i), by inserting “, in consultation*

1 *with the Commandant of the Coast Guard,” after*
 2 *“The Secretary”; and*

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

5 *“(5) In considering grants, agreements, or other*
 6 *funding under paragraph (1)(A) with respect to com-*
 7 *munity infrastructure supportive of a military instal-*
 8 *lation of the Coast Guard, the Secretary of Defense*
 9 *shall consult with the Commandant of the Coast*
 10 *Guard to assess the selection and prioritization of the*
 11 *project concerned.”; and*

12 *(2) in subsection (e)(1), by adding at the end the*
 13 *following new sentence: “For purposes of subsection*
 14 *(d), the term ‘military installation’ includes an in-*
 15 *stallation of the Coast Guard under the jurisdiction*
 16 *of the Department of Homeland Security.”.*

17 **SEC. 2815. MODIFICATION OF PILOT PROGRAM ON IN-**
 18 **CREASED USE OF SUSTAINABLE BUILDING**
 19 **MATERIALS IN MILITARY CONSTRUCTION.**

20 *Section 2861 of the National Defense Authorization*
 21 *Act for Fiscal Year 2022 (Public Law 117–81; 10 U.S.C.*
 22 *2802 note) is amended—*

23 *(1) in subsection (b)(1), by striking the period at*
 24 *the end and inserting “to include, under the pilot*
 25 *program as a whole, at a minimum—*

1 “(A) one project for mass timber; and
 2 “(B) one project for low carbon concrete.”;
 3 (2) in subsection (d), by striking “September 30,
 4 2024” and inserting “September 30, 2025”;
 5 (3) by redesignating subsections (e) and (f) as
 6 subsections (f) and (g), respectively;
 7 (4) by inserting after subsection (d) the following
 8 new subsection (e):
 9 “(e) COMMENCEMENT OF CONSTRUCTION.—Each mili-
 10 itary construction project carried out under the pilot pro-
 11 gram must commence construction by not later than Janu-
 12 ary 1, 2025.”; and
 13 (5) in subsection (f)(1), as redesignated by para-
 14 graph (3), by striking “December 31, 2024” and in-
 15 serting “December 31, 2025”.

16 ***Subtitle B—Military Housing***

17 ***PART I—MILITARY UNACCOMPANIED HOUSING***

18 ***SEC. 2821. UNIFORM CONDITION INDEX FOR MILITARY UN-*** 19 ***ACCOMPANIED HOUSING.***

20 (a) *IN GENERAL.*—Not later than 30 days after the
 21 date of the enactment of this Act, the Secretary of Defense
 22 shall prescribe regulations requiring the Assistant Secretary
 23 of Defense for Energy, Installations, and Environment to
 24 complete and issue a uniform facility condition index for
 25 military unaccompanied housing, including such housing

1 *that is existing as of the date of the enactment of this Act*
2 *and any such housing constructed or used on or after such*
3 *date of enactment.*

4 (b) *COMPLETION OF INDEX.—The uniform facility*
5 *condition index required under subsection (a) shall be com-*
6 *pleted and issued by not later than October 1, 2024.*

7 (c) *MILITARY UNACCOMPANIED HOUSING DEFINED.—*
8 *In this section, the term “military unaccompanied housing”*
9 *means the following housing owned by the United States*
10 *Government:*

11 (1) *Military housing intended to be occupied by*
12 *members of the Armed Forces serving a tour of duty*
13 *unaccompanied by dependents.*

14 (2) *Transient housing intended to be occupied by*
15 *members of the Armed Forces on temporary duty.*

16 **SEC. 2822. CERTIFICATION OF HABITABILITY OF MILITARY**
17 **UNACCOMPANIED HOUSING.**

18 (a) *IN GENERAL.—The Secretary of Defense shall in-*
19 *clude with the submission to Congress by the President of*
20 *the annual budget of the Department of Defense under sec-*
21 *tion 1105(a) of title 31, United States Code, a certification*
22 *from the Secretary of each military department to the con-*
23 *gressional defense committees that the cost for all needed*
24 *repairs and improvements for each occupied military unac-*
25 *companied housing facility under the jurisdiction of such*

1 *Secretary does not exceed 20 percent of the replacement cost*
 2 *of such facility, as mandated by Department of Defense*
 3 *Manual 4165.63, “DoD Housing Management”, or suc-*
 4 *cessor issuance.*

5 *(b) MILITARY UNACCOMPANIED HOUSING DEFINED.—*
 6 *In this section, the term “military unaccompanied housing”*
 7 *means the following housing owned by the United States*
 8 *Government:*

9 *(1) Military housing intended to be occupied by*
 10 *members of the Armed Forces serving a tour of duty*
 11 *unaccompanied by dependents.*

12 *(2) Transient housing intended to be occupied by*
 13 *members of the Armed Forces on temporary duty.*

14 **SEC. 2823. MAINTENANCE WORK ORDER MANAGEMENT**
 15 **PROCESS FOR MILITARY UNACCOMPANIED**
 16 **HOUSING.**

17 *(a) IN GENERAL.—Not later than 30 days after the*
 18 *date of the enactment of this Act, the Secretary of Defense*
 19 *shall prescribe regulations to establish for each military de-*
 20 *partment a process associated with maintenance work order*
 21 *management for military unaccompanied housing under*
 22 *the jurisdiction of such military department, including such*
 23 *housing that is existing as of the date of the enactment of*
 24 *this Act and any such housing constructed or used on or*
 25 *after such date of enactment.*

1 (b) *USE OF PROCESS.*—*The processes required under*
2 *subsection (a) shall clearly define requirements for effective*
3 *and timely maintenance work order management, includ-*
4 *ing requirements with respect to—*

5 (1) *quality assurance for maintenance completed;*

6 (2) *communication of maintenance progress and*
7 *resolution with management of military unaccom-*
8 *panied housing, barracks managers, and residents;*
9 *and*

10 (3) *standardized performance metrics, such as*
11 *the timeliness of completion of work orders.*

12 (c) *ADMINISTRATION.*—*The Secretary of each military*
13 *department shall administer the work order process re-*
14 *quired under subsection (a) for such military department*
15 *and shall issue or update relevant guidance as necessary.*

16 (d) *MILITARY UNACCOMPANIED HOUSING DEFINED.*—
17 *In this section, the term “military unaccompanied housing”*
18 *means the following housing owned by the United States*
19 *Government:*

20 (1) *Military housing intended to be occupied by*
21 *members of the Armed Forces serving a tour of duty*
22 *unaccompanied by dependents.*

23 (2) *Transient housing intended to be occupied by*
24 *members of the Armed Forces on temporary duty.*

1 **SEC. 2824. EXPANSION OF UNIFORM CODE OF BASIC STAND-**
 2 **ARDS FOR MILITARY HOUSING TO INCLUDE**
 3 **MILITARY UNACCOMPANIED HOUSING.**

4 (a) *IN GENERAL.*—Section 2818 of the William M.
 5 (Mac) Thornberry National Defense Authorization Act for
 6 Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 2871
 7 note) is amended—

8 (1) in the section heading, by striking “**FAM-**
 9 **ILY**”; and

10 (2) in subsection (a)—

11 (A) by striking “family”; and

12 (B) by inserting “, including military un-
 13 accompanied housing (as defined in section 2871
 14 of title 10, United States Code)” before the pe-
 15 riod at the end.

16 (b) *IMPLEMENTATION.*—

17 (1) *IN GENERAL.*—In implementing the amend-
 18 ments made by subsection (a), the Secretary of De-
 19 fense shall ensure that the standards required under
 20 section 2818 of the William M. (Mac) Thornberry Na-
 21 tional Defense Authorization Act for Fiscal Year 2021
 22 (Public Law 116–283; 10 U.S.C. 2871 note), as modi-
 23 fied pursuant to those amendments, apply to military
 24 unaccompanied housing that is existing as of the date
 25 of the enactment of this Act and any such housing

1 *constructed or used on or after such date of enact-*
 2 *ment.*

3 (2) *MILITARY UNACCOMPANIED HOUSING DE-*
 4 *FINED.—In this subsection, the term “military unac-*
 5 *companied housing” means the following housing*
 6 *owned by the United States Government:*

7 (A) *Military housing intended to be occu-*
 8 *pied by members of the Armed Forces serving a*
 9 *tour of duty unaccompanied by dependents.*

10 (B) *Transient housing intended to be occu-*
 11 *pied by members of the Armed Forces on tem-*
 12 *porary duty.*

13 **SEC. 2825. OVERSIGHT OF MILITARY UNACCOMPANIED**
 14 **HOUSING.**

15 (a) *CIVILIAN OVERSIGHT.—*

16 (1) *IN GENERAL.—Not later than 30 days after*
 17 *the date of the enactment of this Act, the Secretary of*
 18 *Defense shall prescribe regulations to require that the*
 19 *Secretary of each military department establish a ci-*
 20 *vilian employee of the Department of Defense, or of*
 21 *the military department concerned, at the housing of-*
 22 *fice for each installation of the Department under the*
 23 *jurisdiction of such Secretary to oversee military un-*
 24 *accompanied housing at that installation.*

1 (2) *SUPERVISORY CHAIN.*—*For any installation*
2 *of the Department for which the unaccompanied hous-*
3 *ing manager is a member of the Armed Forces, the ci-*
4 *vilian employee established under paragraph (1) at*
5 *such installation shall report to a civilian employee*
6 *at the housing office for such installation.*

7 (b) *BARRACKS OR DORMITORY MANAGER REQUIRE-*
8 *MENTS.*—

9 (1) *LIMITATION ON ROLE BY MEMBERS OF THE*
10 *ARMED FORCES.*—*No enlisted member of the Armed*
11 *Forces or commissioned officer may be designated as*
12 *a barracks manager or supervisor in charge of over-*
13 *seeing, managing, accepting, or compiling mainte-*
14 *nance records for any military unaccompanied hous-*
15 *ing as a collateral duty.*

16 (2) *POSITION DESIGNATION.*—*The function of a*
17 *barracks manager or supervisor described in para-*
18 *graph (1) for an installation of the Department shall*
19 *be completed by a civilian employee or contractor of*
20 *the Department who shall report to the government*
21 *housing office of the installation.*

22 (c) *MILITARY UNACCOMPANIED HOUSING DEFINED.*—
23 *In this section, the term “military unaccompanied housing”*
24 *means the following housing owned by the United States*
25 *Government:*

1 (1) *Military housing intended to be occupied by*
 2 *members of the Armed Forces serving a tour of duty*
 3 *unaccompanied by dependents.*

4 (2) *Transient housing intended to be occupied by*
 5 *members of the Armed Forces on temporary duty.*

6 **SEC. 2826. ELIMINATION OF FLEXIBILITIES FOR ADEQUACY**
 7 **OR CONSTRUCTION STANDARDS FOR MILI-**
 8 **TARY UNACCOMPANIED HOUSING.**

9 (a) *IN GENERAL.*—Not later than 180 days after the
 10 *date of the enactment of this Act, the Secretary of Defense*
 11 *shall modify all directives, instructions, manuals, regula-*
 12 *tions, policies, and other guidance and issuances of the De-*
 13 *partment of Defense to eliminate the grant of any flexibili-*
 14 *ties to—*

15 (1) *minimum adequacy standards for configura-*
 16 *tion, privacy, condition, health, and safety for exist-*
 17 *ing permanent party military unaccompanied hous-*
 18 *ing to be considered suitable for assignment or occu-*
 19 *pancy; and*

20 (2) *standards for the construction of new mili-*
 21 *tary unaccompanied housing.*

22 (b) *MATTERS INCLUDED.*—The requirement under sub-
 23 *section (a) shall include modifications that remove the flexi-*
 24 *bility provided to the military departments with respect to*
 25 *standards for adequacy for assignment and new construc-*

1 *tion standards for military unaccompanied housing, in-*
 2 *cluding modification of the Housing Management Manual*
 3 *of the Department of Defense and Department of Defense*
 4 *Manual 4165.63, “DoD Housing Management”.*

5 *(c) MILITARY UNACCOMPANIED HOUSING DEFINED.—*
 6 *In this section, the term “military unaccompanied housing”*
 7 *means the following housing owned by the United States*
 8 *Government:*

9 *(1) Military housing intended to be occupied by*
 10 *members of the Armed Forces serving a tour of duty*
 11 *unaccompanied by dependents.*

12 *(2) Transient housing intended to be occupied by*
 13 *members of the Armed Forces on temporary duty.*

14 **SEC. 2827. DESIGN STANDARDS FOR MILITARY UNACCOM-**
 15 **PANIED HOUSING.**

16 *(a) UNIFORM STANDARDS FOR FLOOR SPACE, NUM-*
 17 *BER OF MEMBERS ALLOWED, AND HABITABILITY.—*

18 *(1) IN GENERAL.—Section 2856 of title 10,*
 19 *United States Code, is amended—*

20 *(A) in the section heading, by striking*
 21 ***“local comparability of floor areas”***
 22 *and inserting “standards”;*

23 *(B) by striking “In” and inserting “(a)*
 24 *LOCAL COMPARABILITY IN FLOOR AREAS.—In”;*

1 (C) in subsection (a), as designated by sub-
 2 paragraph (B), by inserting “, except for pur-
 3 poses of meeting minimum area requirements
 4 under subsection (b)(1)(A),” after “exceed”; and
 5 (D) by adding at the end the following new
 6 subsection:

7 “(b) *FLOOR SPACE, NUMBER OF MEMBERS ALLOWED,*
 8 *AND HABITABILITY.*—

9 “(1) *IN GENERAL.*—In the design, assignment,
 10 and use of military unaccompanied housing, the Sec-
 11 retary of Defense shall establish uniform standards
 12 that—

13 “(A) provide a minimum area of floor
 14 space, not including bathrooms or closets, per in-
 15 dividual occupying a unit of military unaccom-
 16 panied housing;

17 “(B) ensure that not more than two indi-
 18 viduals may occupy such a unit; and

19 “(C) provide definitions and measures for
 20 habitability, specifying criteria of design and
 21 materiel quality to be applied and levels of
 22 maintenance to be required.

23 “(2) *WAIVER.*—Standards established under
 24 paragraph (1) may be waived for specific units of
 25 military unaccompanied housing by the Secretary

1 concerned (who may not delegate such waiver) for a
 2 period not longer than one year and may not be re-
 3 newed.”.

4 (2) *CLERICAL AMENDMENT.*—The table of sec-
 5 tions at the beginning of subchapter III of chapter
 6 169 of title 10, United States Code, is amended by
 7 striking the item relating to section 2856 and insert-
 8 ing the following new item:

“2856. *Military unaccompanied housing: standards.*”.

9 (b) *COMPLETION AND ISSUANCE OF UNIFORM STAND-*
 10 *ARDS.*—Not later than 180 days after the date of the enact-
 11 ment of this Act, the Secretary of Defense shall—

12 (1)(A) ensure that the uniform standards re-
 13 quired under section 2856(b)(1) of title 10, United
 14 States Code, as added by subsection (a)(1)(D), are
 15 completed and issued; and

16 (B) submit to the congressional defense commit-
 17 tees a copy of those standards; or

18 (2) submit to the congressional defense commit-
 19 tees a report, under the Secretary’s signature—

20 (A) explaining in detail why those stand-
 21 ards are not completed and issued;

22 (B) indicating when those standards are ex-
 23 pected to be completed and issued; and

1 (C) specifying the names of the personnel
 2 responsible for the failure of the Department of
 3 Defense to comply with paragraph (1).

4 (c) COMPLIANCE WITH UNIFORM STANDARDS.—

5 (1) IN GENERAL.—Not later than two years after
 6 the date of the enactment of this Act, the Secretary of
 7 each military department shall ensure that all mili-
 8 tary unaccompanied housing, including privatized
 9 military housing under subchapter IV of chapter 169
 10 of title 10, United States Code, located on an installa-
 11 tion under the jurisdiction of such Secretary complies
 12 with the uniform standards established under section
 13 2856(b)(1) of title 10, United States Code, as added
 14 by subsection (a)(1)(D).

15 (2) NO WAIVER.—The requirement under para-
 16 graph (1) may not be waived.

17 (3) MILITARY UNACCOMPANIED HOUSING DE-
 18 FINED.—In this subsection, the term “military unac-
 19 companied housing” has the meaning given that term
 20 in section 2871 of title 10, United States Code.

21 (d) CERTIFICATION OF BUDGET REQUIREMENTS.—

22 The Under Secretary of Defense (Comptroller) shall include
 23 with the submission to Congress by the President of the an-
 24 nual budget of the Department of Defense for each of fiscal
 25 years 2025 through 2029 under section 1105(a) of title 31,

1 *United States Code, a signed certification that the Depart-*
 2 *ment of Defense and each of the military departments has*
 3 *requested sufficient funds to comply with this section and*
 4 *the amendments made by this section.*

5 **SEC. 2828. TERMINATION OF HABITABILITY STANDARD**
 6 **WAIVERS AND ASSESSMENT AND PLAN WITH**
 7 **RESPECT TO MILITARY UNACCOMPANIED**
 8 **HOUSING.**

9 (a) *TERMINATION OF HABITABILITY STANDARD WAIV-*
 10 *ERS.—On and after February 1, 2025, any waiver by the*
 11 *Department of Defense of habitability standards for mili-*
 12 *tary unaccompanied housing in effect as of such date shall*
 13 *terminate.*

14 (b) *ASSESSMENT.—Not later than 60 days after the*
 15 *date of the enactment of this Act, the Secretary of Defense,*
 16 *in coordination with the Secretary of each military depart-*
 17 *ment, shall submit to the congressional defense committees*
 18 *an assessment on the following:*

19 (1) *The number of waivers currently in place for*
 20 *any standards for military unaccompanied housing*
 21 *as it relates to occupancy and habitability,*
 22 *disaggregated by Armed Force, location, and facility.*

23 (2) *A list of each such waiver, disaggregated by*
 24 *Armed Force, with a notation of which official ap-*

1 pointed by the President and confirmed by the Senate
2 approved the waiver.

3 (3) *The number of members of the Armed Forces*
4 *impacted by each such waiver, disaggregated by loca-*
5 *tion.*

6 (c) *PLAN.*—

7 (1) *IN GENERAL.*—Not later than 120 days after
8 the date of the enactment of this Act, the Secretary of
9 Defense, in coordination with the Secretary of each
10 military department, shall submit to the Committees
11 on Armed Services of the Senate and the House of
12 Representatives and the Comptroller General of the
13 United States a plan on addressing the deficiencies of
14 military unaccompanied housing, including barracks
15 and dormitories, that led to the use of waivers de-
16 scribed in subsection (b)(1).

17 (2) *ELEMENTS.*—The plan required under para-
18 graph (1) shall include—

19 (A) *a timeline for repairs, renovations, or*
20 *minor or major military construction;*

21 (B) *the cost of any such repair, renovation,*
22 *or construction; and*

23 (C) *an installation-by-installation get-well*
24 *plan.*

1 (3) *IMPLEMENTATION.*—Not later than 60 days
 2 after receiving the plan required under paragraph
 3 (1), the Comptroller General shall brief the Commit-
 4 tees on Armed Services of the Senate and the House
 5 of Representatives on—

6 (A) the ability of the Department of Defense
 7 to execute the plan; and

8 (B) any recommendations of the Comp-
 9 troller General for modifying the plan.

10 (d) *MILITARY UNACCOMPANIED HOUSING DEFINED.*—

11 In this section, the term “military unaccompanied housing”
 12 means the following housing owned by the United States
 13 Government:

14 (1) Military housing intended to be occupied by
 15 members of the Armed Forces serving a tour of duty
 16 unaccompanied by dependents.

17 (2) Transient housing intended to be occupied by
 18 members of the Armed Forces on temporary duty.

19 **SEC. 2829. REQUIREMENT FOR SECURITY CAMERAS IN COM-**
 20 **MON AREAS AND ENTRY POINTS OF MILITARY**
 21 **UNACCOMPANIED HOUSING.**

22 (a) *NEW HOUSING.*—The Secretary of Defense shall
 23 ensure that all renovations of military unaccompanied
 24 housing authorized on or after the date of the enactment
 25 of this Act that exceed 20 percent of the replacement cost

1 of such facility and all construction of new military unac-
 2 companied housing authorized on or after such date are de-
 3 signed and executed with security cameras in all common
 4 areas and entry points as part of a closed circuit television
 5 system.

6 (b) *RETROFITTING*.—Not later than three years after
 7 the date of the enactment of this Act, the Secretary shall
 8 ensure that all military unaccompanied housing facilities
 9 are retrofitted with security cameras in all common areas
 10 and entry points as part of a closed circuit television sys-
 11 tem.

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

13 (1) *COMMON AREA*.—The term “common area”
 14 has the meaning given that term by the Secretary of
 15 Defense and shall balance the need to increase secu-
 16 rity in appropriate areas with the privacy expecta-
 17 tions of members of the Armed Forces in military un-
 18 accompanied housing.

19 (2) *MILITARY UNACCOMPANIED HOUSING*.—The
 20 term “military unaccompanied housing” means the
 21 following housing owned by the United States Govern-
 22 ment:

23 (A) Military housing intended to be occu-
 24 pied by members of the Armed Forces serving a
 25 tour of duty unaccompanied by dependents.

1 (B) *Transient housing intended to be occu-*
 2 *pied by members of the Armed Forces on tem-*
 3 *porary duty.*

4 **SEC. 2830. ANNUAL REPORT ON MILITARY UNACCOM-**
 5 **PANIED HOUSING.**

6 (a) *IN GENERAL.*—Not later than one year after the
 7 date of the enactment of this Act, and annually thereafter
 8 for the following four years, the Secretary of Defense shall
 9 submit to the Committees on Armed Services of the Senate
 10 and the House of Representatives a report on military un-
 11 accompanied housing, excluding privatized military hous-
 12 ing under subchapter IV of chapter 169 of title 10, United
 13 States Code.

14 (b) *ELEMENTS.*—Each report required under sub-
 15 section (a) shall contain a section provided by each Sec-
 16 retary of a military department that—

- 17 (1) *is certified by the Secretary concerned;*
- 18 (2) *includes a list of all military unaccompanied*
 19 *housing facilities located on each installation under*
 20 *the jurisdiction of the Secretary concerned;*
- 21 (3) *identifies the replacement cost for each such*
 22 *facility;*
- 23 (4) *identifies the percentage of repair costs as it*
 24 *compares to the total replacement cost for each such*
 25 *facility; and*

1 (5) *specifies the funding required to conduct all*
 2 *needed repairs and improvements at each such facil-*
 3 *ity.*

4 (c) *MILITARY UNACCOMPANIED HOUSING DEFINED.—*
 5 *In this section, the term “military unaccompanied housing”*
 6 *has the meaning given that term in section 2871 of title*
 7 *10, United States Code.*

8 ***PART II—PRIVATIZED MILITARY HOUSING***

9 ***SEC. 2841. IMPROVEMENTS TO PRIVATIZED MILITARY***
 10 ***HOUSING.***

11 (a) *LIMITATION ON HOUSING ENHANCEMENT PAY-*
 12 *MENTS.—Section 606(a)(2) of the John S. McCain National*
 13 *Defense Authorization Act for Fiscal Year 2019 (Public*
 14 *Law 115–232; 10 U.S.C. 2871 note) is amended—*

15 (1) *in subparagraph (A)—*

16 (A) *by striking “Each month” and insert-*
 17 *ing “Except as provided in subparagraph (D),*
 18 *each month”; and*

19 (B) *by striking “one of more” and inserting*
 20 *“one or more”; and*

21 (2) *by adding at the end the following new sub-*
 22 *paragraph:*

23 “(D) *LIMITATION ON PAYMENT.—*

24 “(i) *IN GENERAL.—Subject to clause*
 25 *(ii), the Secretary of a military department*

1 *may not make a payment under subpara-*
 2 *graph (A) to a lessor unless the Assistant*
 3 *Secretary of Defense for Energy, Installa-*
 4 *tions, and Environment determines the les-*
 5 *sor is in compliance with the Military*
 6 *Housing Privatization Initiative Tenant*
 7 *Bill of Rights developed under section 2890*
 8 *of title 10, United States Code.*

9 “(ii) *APPLICATION.—The limitation*
 10 *under clause (i) shall apply to any pay-*
 11 *ment under a housing agreement entered*
 12 *into on or after the date of the enactment of*
 13 *the National Defense Authorization Act for*
 14 *Fiscal Year 2024 by the Secretary of a mili-*
 15 *tary department with a lessor.”.*

16 (b) *INCLUSION OF INFORMATION ON COMPLIANCE*
 17 *WITH TENANT BILL OF RIGHTS IN NOTICE OF LEASE EX-*
 18 *TENSION.—Section 2878(f)(2) of title 10, United States*
 19 *Code, is amended by adding at the end the following new*
 20 *subparagraph:*

21 “(E) *An assessment of compliance by the lessor*
 22 *with the Military Housing Privatization Initiative*
 23 *Tenant Bill of Rights developed under section 2890 of*
 24 *this title.”.*

1 (c) *MODIFICATION OF AUTHORITY TO INVESTIGATE*
 2 *REPRISALS*.—Subsection (e) of section 2890 of such title is
 3 amended—

4 (1) in paragraph (1)—

5 (A) by striking “Assistant Secretary of De-
 6 fense for Sustainment” and inserting “Inspector
 7 General of the Department of Defense”; and

8 (B) by striking “member of the armed
 9 forces” and inserting “tenant”;

10 (2) in paragraph (2)—

11 (A) in the matter preceding subparagraph
 12 (A)—

13 (i) by striking “Assistant Secretary of
 14 Defense for Sustainment” and inserting
 15 “Inspector General”;

16 (ii) by striking “member of the armed
 17 forces” and inserting “tenant”; and

18 (iii) by striking “Assistant Secretary”
 19 and inserting “Inspector General”; and

20 (B) in subparagraph (B), by striking “As-
 21 sistant Secretary” and inserting “Inspector Gen-
 22 eral”; and

23 (3) in paragraph (3)—

1 (A) by striking “Assistant Secretary of De-
 2 fense for Sustainment” and inserting “Inspector
 3 General of the Department of Defense”; and

4 (B) by striking “Secretary of the military
 5 department concerned” and inserting “Inspector
 6 General of the military department concerned”.

7 **SEC. 2842. IMPLEMENTATION OF COMPTROLLER GENERAL**
 8 **RECOMMENDATIONS RELATING TO**
 9 **STRENGTHENING OVERSIGHT OF PRIVATIZED**
 10 **MILITARY HOUSING.**

11 *Not later than one year after the date of the enactment*
 12 *of this Act, the Secretary of Defense shall—*

13 (1) *implement the recommendations of the*
 14 *Comptroller General of the United States contained*
 15 *in the report published by the Comptroller General on*
 16 *April 6, 2023, reissued with revisions on April 20,*
 17 *2023, and titled “DOD Can Further Strengthen Over-*
 18 *sight of Its Privatized Housing Program” (GAO–23–*
 19 *105377); or*

20 (2) *if the Secretary does not implement any such*
 21 *recommendation, submit to the Committees on Armed*
 22 *Services of the Senate and the House of Representa-*
 23 *tives a report explaining why the Secretary has not*
 24 *implemented those recommendations.*

1 **SEC. 2843. TREATMENT OF NONDISCLOSURE AGREEMENTS**
 2 **WITH RESPECT TO PRIVATIZED MILITARY**
 3 **HOUSING.**

4 *Section 2890(f)(1) of title 10, United States Code, is*
 5 *amended—*

6 *(1) by striking “A tenant or prospective tenant*
 7 *of a housing unit may not be required to sign” and*
 8 *inserting “A landlord may not request that a tenant*
 9 *or prospective tenant of a housing unit sign”; and*

10 *(2) by inserting at the end the following: “The*
 11 *military services should seek to inform members of the*
 12 *armed forces of the possible consequences of entering*
 13 *into a nondisclosure agreement and encourage mem-*
 14 *bers to seek legal counsel before entering into such an*
 15 *agreement if they have questions about specific con-*
 16 *tractual terms.”.*

17 **PART III—OTHER HOUSING MATTERS**

18 **SEC. 2851. DEPARTMENT OF DEFENSE MILITARY HOUSING**
 19 **READINESS COUNCIL.**

20 *(a) IN GENERAL.—Subchapter I of chapter 88 of title*
 21 *10, United States Code, is amended by inserting after sec-*
 22 *tion 1781c the following new section:*

1 **“§1781d. Department of Defense Military Housing**
 2 **Readiness Council**

3 “(a) *IN GENERAL.*—*There is in the Department of De-*
 4 *fense the Department of Defense Military Housing Read-*
 5 *iness Council (in this section referred to as the ‘Council’).*

6 “(b) *MEMBERS.*—

7 “(1) *IN GENERAL.*—*The Council shall be com-*
 8 *posed of the following members:*

9 “(A) *The Assistant Secretary of Defense for*
 10 *Energy, Installations, and Environment, who*
 11 *shall serve as chair of the Council and who may*
 12 *designate a representative to chair the Council in*
 13 *the absence of the Assistant Secretary.*

14 “(B) *One representative of each of the*
 15 *Army, Navy, Air Force, Marine Corps, and*
 16 *Space Force, each of whom shall be a member of*
 17 *the armed force to be represented and not fewer*
 18 *than two of which shall be from an enlisted com-*
 19 *ponent.*

20 “(C) *One spouse of a member of each of the*
 21 *Army, Navy, Air Force, Marine Corps, and*
 22 *Space Force on active duty, not fewer than two*
 23 *of which shall be the spouse of an enlisted mem-*
 24 *ber.*

25 “(D) *One professional from each of the fol-*
 26 *lowing fields, each of whom shall possess exper-*

1 *tise in State and Federal housing standards in*
2 *their respective field:*

3 “(i) *Plumbing.*

4 “(ii) *Electrical.*

5 “(iii) *Heating, ventilation, and air*
6 *conditioning (HVAC).*

7 “(iv) *Certified home inspection.*

8 “(v) *Roofing.*

9 “(vi) *Structural engineering.*

10 “(vii) *Window fall prevention and*
11 *safety.*

12 “(E) *Two representatives of organizations*
13 *that advocate on behalf of military families with*
14 *respect to military housing.*

15 “(F) *One individual appointed by the Sec-*
16 *retary of Defense among representatives of the*
17 *International Code Council.*

18 “(G) *One individual appointed by the Sec-*
19 *retary of Defense among representatives of the*
20 *Institute of Inspection Cleaning and Restoration*
21 *Certification.*

22 “(H) *One individual appointed by the Sec-*
23 *retary of Defense among representatives of a vol-*
24 *untary consensus standards body that develops*

1 *construction standards (such as building, plumb-*
 2 *ing, mechanical, or electrical).*

3 “(I) *One individual appointed by the Sec-*
 4 *retary of Defense among representatives of a vol-*
 5 *untary consensus standards body that develops*
 6 *personnel certification standards for building*
 7 *maintenance or restoration.*

8 “(2) *TERMS.—The term on the Council of the*
 9 *members specified under subparagraphs (B) through*
 10 *(M) of paragraph (1) shall be two years and may be*
 11 *renewed by the Secretary of Defense.*

12 “(3) *ATTENDANCE BY LANDLORDS.—The chair of*
 13 *the Council shall extend an invitation to each land-*
 14 *lord for one representative of each landlord to attend*
 15 *such meetings of the Council as the chair considers*
 16 *appropriate.*

17 “(4) *ADDITIONAL REQUIREMENTS FOR CERTAIN*
 18 *MEMBERS.—Each member appointed under para-*
 19 *graph (1)(D) may not be affiliated with—*

20 “(A) *any organization that provides*
 21 *privatized military housing; or*

22 “(B) *the Department of Defense.*

23 “(c) *MEETINGS.—The Council shall meet two times*
 24 *each year.*

1 “(d) *DUTIES.*—*The duties of the Council shall include*
2 *the following:*

3 “(1) *To review and make recommendations to*
4 *the Secretary of Defense regarding policies for*
5 *privatized military housing, including inspections*
6 *practices, resident surveys, landlord payment of med-*
7 *ical bills for residents of housing units that have not*
8 *maintained minimum standards of habitability, and*
9 *access to maintenance work order systems.*

10 “(2) *To monitor compliance by the Department*
11 *of Defense with and effective implementation by the*
12 *Department of statutory and regulatory improve-*
13 *ments to policies for privatized military housing, in-*
14 *cluding the Military Housing Privatization Initiative*
15 *Tenant Bill of Rights developed under section 2890 of*
16 *this title and the complaint database established*
17 *under section 2894a of this title.*

18 “(3) *To make recommendations to the Secretary*
19 *of Defense to improve collaboration, awareness, and*
20 *promotion of accurate and timely information about*
21 *privatized military housing, accommodations avail-*
22 *able through the Exceptional Family Member Pro-*
23 *gram of the Department, and other support services*
24 *among policymakers, providers of such accommoda-*
25 *tions and other support services, and targeted bene-*

1 *ficiaries of such accommodations and other support*
 2 *services.*

3 “(e) *PUBLIC REPORTING.*—

4 “(1) *AVAILABILITY OF DOCUMENTS.*—Subject to
 5 *section 552 of title 5 (commonly known as the ‘Free-*
 6 *dom of Information Act’), the records, reports, tran-*
 7 *scripts, minutes, appendices, working papers, drafts,*
 8 *studies, agenda, and other documents made available*
 9 *to or prepared for or by the Council shall be available*
 10 *for public inspection and copying at a single location*
 11 *in a publicly accessible format on a website of the De-*
 12 *partment of Defense until the Council ceases to exist.*

13 “(2) *MINUTES.*—

14 “(A) *IN GENERAL.*—Detailed minutes of
 15 *each meeting of the Council shall be kept and*
 16 *shall contain—*

17 “(i) *a record of the individuals present;*

18 “(ii) *a complete and accurate descrip-*
 19 *tion of matters discussed and conclusions*
 20 *reached; and*

21 “(iii) *copies of all reports received,*
 22 *issued, or approved by the Council.*

23 “(B) *CERTIFICATION.*—The chair of the
 24 *Council shall certify the accuracy of the minutes*
 25 *of each meeting of the Council.*

1 “(f) *ANNUAL REPORTS.*—

2 “(1) *IN GENERAL.*—Not later than March 1 each
3 year, the Council shall submit to the Secretary of De-
4 fense and the congressional defense committees a re-
5 port on privatized military housing readiness.

6 “(2) *ELEMENTS.*—Each report under this sub-
7 section shall include the following:

8 “(A) *An assessment of the adequacy and ef-*
9 *fectiveness of the provision of privatized military*
10 *housing and the activities of the Department of*
11 *Defense in meeting the needs of military families*
12 *relating to housing during the preceding fiscal*
13 *year.*

14 “(B) *A description of activities of the Coun-*
15 *cil during the preceding fiscal year, including—*

16 “(i) *analyses of complaints of tenants*
17 *of housing units;*

18 “(ii) *data received by the Council on*
19 *maintenance response time and completion*
20 *of maintenance requests relating to housing*
21 *units;*

22 “(iii) *assessments of dispute resolution*
23 *processes;*

24 “(iv) *assessments of overall customer*
25 *service for tenants;*

1 “(v) assessments of results of housing
2 inspections conducted with and without no-
3 tice; and

4 “(vi) any survey results conducted on
5 behalf of or received by the Council.

6 “(C) Recommendations on actions to be
7 taken to improve the capability of the provision
8 of privatized military housing and the activities
9 of the Department of Defense to meet the needs
10 and requirements of military families relating to
11 housing, including actions relating to the alloca-
12 tion of funding and other resources.

13 “(3) PUBLIC AVAILABILITY.—Each report under
14 this subsection shall be made available in a publicly
15 accessible format on a website of the Department of
16 Defense.

17 “(g) DEFINITIONS.—In this section:

18 “(1) LANDLORD.—The term ‘landlord’ has the
19 meaning given that term in section 2871 of this title.

20 “(2) PRIVATIZED MILITARY HOUSING.—The term
21 ‘privatized military housing’ means housing provided
22 under subchapter IV of chapter 169 of this title.”.

23 “(b) CLERICAL AMENDMENT.—The table of sections at
24 the beginning of such subchapter is amended by inserting

1 *after the item relating to section 1781c the following new*
 2 *item:*

“1781d. Department of Defense Military Housing Readiness Council.”.

3 **SEC. 2852. INCLUSION IN ANNUAL STATUS OF FORCES SUR-**
 4 **VEY OF QUESTIONS REGARDING LIVING CON-**
 5 **DITIONS OF MEMBERS OF THE ARMED**
 6 **FORCES.**

7 *The Secretary of Defense shall include in each status*
 8 *of forces survey of the Department of Defense conducted on*
 9 *or after the date of the enactment of this Act questions spe-*
 10 *cifically targeting the following areas:*

11 *(1) Overall satisfaction of members of the Armed*
 12 *Forces with their current living accommodation.*

13 *(2) Satisfaction of such members with the phys-*
 14 *ical condition of their current living accommodation.*

15 *(3) Satisfaction of such members with the afford-*
 16 *ability of their current living accommodation.*

17 *(4) Whether the current living accommodation of*
 18 *such members has impacted any decision related to*
 19 *reenlistment in the Armed Forces.*

20 ***Subtitle C—Land Conveyances***

21 **SEC. 2861. LAND CONVEYANCE, BG J SUMNER JONES ARMY**
 22 **RESERVE CENTER, WHEELING, WEST VIR-**
 23 **GINIA.**

24 *(a) CONVEYANCE AUTHORIZED.—*

1 (1) *IN GENERAL.*—*The Secretary of the Army*
2 *(in this section referred to as the “Secretary”)* *may*
3 *convey to the City of Wheeling, West Virginia (in this*
4 *section referred to as the “City”), all right, title, and*
5 *interest of the United States in and to a parcel of real*
6 *property, including any improvements thereon, con-*
7 *sisting of approximately 3.33 acres, known as the*
8 *former BG J Sumner Jones Army Reserve Center, lo-*
9 *cated within the City, for the purpose of providing*
10 *emergency management response or law enforcement*
11 *services.*

12 (2) *CONTINUATION OF EXISTING EASEMENTS, RE-*
13 *STRICTIONS, AND COVENANTS.*—*The conveyance of the*
14 *property under paragraph (1) shall be subject to any*
15 *easement, restriction, or covenant of record applicable*
16 *to the property and in existence on the date of the en-*
17 *actment of this Act.*

18 (b) *REVISIONARY INTEREST.*—

19 (1) *IN GENERAL.*—*If the Secretary determines at*
20 *any time that the property conveyed under subsection*
21 *(a) is not being used in accordance with the purpose*
22 *of the conveyance specified in such subsection, all*
23 *right, title, and interest in and to the property, in-*
24 *cluding any improvements thereto, may, at the option*
25 *of the Secretary, revert to and become the property of*

1 *the United States, and the United States may have*
2 *the right of immediate entry onto such property.*

3 (2) *DETERMINATION.*—*A determination by the*
4 *Secretary under paragraph (1) may be made on the*
5 *record after an opportunity for a hearing.*

6 (c) *PAYMENT OF COSTS OF CONVEYANCE.*—

7 (1) *PAYMENT REQUIRED.*—*The Secretary may*
8 *require the City to cover all costs (except costs for en-*
9 *vironmental remediation of the property) to be in-*
10 *curring by the Secretary, or to reimburse the Secretary*
11 *for costs incurred by the Secretary, to carry out the*
12 *conveyance under subsection (a), including costs for*
13 *environmental and real estate due diligence and any*
14 *other administrative costs related to the conveyance.*

15 (2) *REFUND OF EXCESS AMOUNTS.*—*If amounts*
16 *are collected from the City under paragraph (1) in*
17 *advance of the Secretary incurring the actual costs,*
18 *and the amount collected exceeds the costs actually in-*
19 *curring by the Secretary to carry out the conveyance*
20 *under subsection (a), the Secretary shall refund the*
21 *excess amount to the City.*

22 (d) *LIMITATION ON SOURCE OF FUNDS.*—*The City*
23 *may not use Federal funds to cover any portion of the costs*
24 *required to be paid by the City under this section.*

1 (e) *DESCRIPTION OF PROPERTY.*—*The exact acreage*
 2 *and legal description of the property to be conveyed under*
 3 *subsection (a) shall be determined by a survey satisfactory*
 4 *to the Secretary.*

5 (f) *ADDITIONAL TERMS AND CONDITIONS.*—*The Sec-*
 6 *retary may require such additional terms and conditions*
 7 *in connection with the conveyance under subsection (a) as*
 8 *the Secretary considers appropriate to protect the interests*
 9 *of the United States.*

10 **SEC. 2862. LAND CONVEYANCE, WETZEL COUNTY MEMORIAL**
 11 **ARMY RESERVE CENTER, NEW MARTINSVILLE,**
 12 **WEST VIRGINIA.**

13 (a) *CONVEYANCE AUTHORIZED.*—

14 (1) *IN GENERAL.*—*The Secretary of the Army*
 15 *(in this section referred to as the “Secretary”) may*
 16 *convey to the City of New Martinsville, West Virginia*
 17 *(in this section referred to as the “City”), all right,*
 18 *title, and interest of the United States in and to a*
 19 *parcel of real property, including any improvements*
 20 *thereon, consisting of approximately 2.96 acres,*
 21 *known as the former Wetzel County Memorial Army*
 22 *Reserve Center, located within the City, for the pur-*
 23 *pose of providing emergency management response or*
 24 *law enforcement services.*

1 (2) *CONTINUATION OF EXISTING EASEMENTS, RE-*
 2 *STRICTIONS, AND COVENANTS.*—*The conveyance of the*
 3 *property under paragraph (1) shall be subject to any*
 4 *easement, restriction, or covenant of record applicable*
 5 *to the property and in existence on the date of the en-*
 6 *actment of this Act.*

7 (b) *REVISIONARY INTEREST.*—

8 (1) *IN GENERAL.*—*If the Secretary determines at*
 9 *any time that the property conveyed under subsection*
 10 *(a) is not being used in accordance with the purpose*
 11 *of the conveyance specified in such subsection, all*
 12 *right, title, and interest in and to the property, in-*
 13 *cluding any improvements thereto, may, at the option*
 14 *of the Secretary, revert to and become the property of*
 15 *the United States, and the United States may have*
 16 *the right of immediate entry onto such property.*

17 (2) *DETERMINATION.*—*A determination by the*
 18 *Secretary under paragraph (1) may be made on the*
 19 *record after an opportunity for a hearing.*

20 (c) *PAYMENT OF COSTS OF CONVEYANCE.*—

21 (1) *PAYMENT REQUIRED.*—*The Secretary may*
 22 *require the City to cover all costs (except costs for en-*
 23 *vironmental remediation of the property) to be in-*
 24 *curring by the Secretary, or to reimburse the Secretary*
 25 *for costs incurred by the Secretary, to carry out the*

1 conveyance under subsection (a), including costs for
2 environmental and real estate due diligence and any
3 other administrative costs related to the conveyance.

4 (2) *REFUND OF EXCESS AMOUNTS.*—If amounts
5 are collected from the City under paragraph (1) in
6 advance of the Secretary incurring the actual costs,
7 and the amount collected exceeds the costs actually in-
8 curred by the Secretary to carry out the conveyance
9 under subsection (a), the Secretary shall refund the
10 excess amount to the City.

11 (d) *LIMITATION ON SOURCE OF FUNDS.*—The City
12 may not use Federal funds to cover any portion of the costs
13 required to be paid by the City under this section.

14 (e) *DESCRIPTION OF PROPERTY.*—The exact acreage
15 and legal description of the property to be conveyed under
16 subsection (a) shall be determined by a survey satisfactory
17 to the Secretary.

18 (f) *ADDITIONAL TERMS AND CONDITIONS.*—The Sec-
19 retary may require such additional terms and conditions
20 in connection with the conveyance under subsection (a) as
21 the Secretary considers appropriate to protect the interests
22 of the United States.

Subtitle D—Other Matters

***SEC. 2871. AUTHORITY TO CONDUCT ENERGY RESILIENCE
AND CONSERVATION PROJECTS AT INSTAL-
LATIONS WHERE NON-DEPARTMENT OF DE-
FENSE FUNDED ENERGY PROJECTS HAVE OC-
CURRED.***

*Subsection (k) of section 2688 of title 10, United States
Codes, is amended to read as follows:*

“(k) IMPROVEMENT OF CONVEYED UTILITY SYSTEM.—

*(1) In the case of a utility system that has been conveyed
under this section and that only provides utility services
to a military installation, the Secretary of Defense or the
Secretary of a military department may authorize a con-
tract on a sole source basis with the conveyee of the utility
system to carry out a military construction project as au-
thorized and appropriated for by law for an infrastructure
improvement that enhances the reliability, resilience, effi-
ciency, physical security, or cybersecurity of the utility sys-
tem.*

*“(2) The Secretary of Defense or the Secretary of a
military Department may convey under subsection (j) any
infrastructure constructed under paragraph (1) that is in
addition to the utility system conveyed under such para-
graph.”.*

1 **SEC. 2872. LIMITATION ON AUTHORITY TO MODIFY OR RE-**
2 **STRICT PUBLIC ACCESS TO GREENBURY**
3 **POINT CONSERVATION AREA AT NAVAL SUP-**
4 **PORT ACTIVITY ANNAPOLIS, MARYLAND.**

5 (a) *IN GENERAL.*—*Except as provided in subsection*
6 *(b), the Secretary of the Navy may not modify or restrict*
7 *public access to the Greenbury Point Conservation Area at*
8 *Naval Support Activity Annapolis, Maryland, until—*

9 (1) *the Secretary submits to Congress a report*
10 *describing the manner in which such access will be*
11 *modified or restricted; and*

12 (2) *a law is enacted permitting such modifica-*
13 *tions or restrictions.*

14 (b) *EXCEPTIONS.*—*Subsection (a) shall not apply to—*

15 (1) *temporary restrictions to protect public safe-*
16 *ty that are necessitated by emergent situations, haz-*
17 *ardous conditions, maintenance of existing facilities,*
18 *or live fire exercises; or*

19 (2) *the lease or transfer of the Greenbury Point*
20 *Conservation Area to another public entity.*

1 **SEC. 2873. AUTHORIZATION FOR THE SECRETARY OF THE**
 2 **NAVY TO RESOLVE THE ELECTRICAL UTILITY**
 3 **OPERATIONS AT FORMER NAVAL AIR STA-**
 4 **TION BARBERS POINT (CURRENTLY KNOWN**
 5 **AS “KALAELOA”), HAWAII.**

6 (a) *IN GENERAL.*—The Secretary of the Navy (in this
 7 section referred to as the “Secretary”) may enter into an
 8 agreement with the State of Hawaii for the purpose of re-
 9 solving the electrical utility operations at Former Naval Air
 10 Station Barbers Point, also known as “Kalaeloa”, Hawaii.

11 (b) *ELEMENTS OF AGREEMENT.*—An agreement en-
 12 tered into under subsection (a) shall include a requirement
 13 that the Secretary—

14 (1) assist with—

15 (A) the transfer of customers of the Navy off
 16 of the electrical utility system of the Navy in the
 17 location specified in such subsection; and

18 (B) the enhancement of the new sur-
 19 rounding electrical system to accept any addi-
 20 tional load from such transfer, with a priority
 21 in the downtown area, which is home to nine
 22 large customers, including the Hawaii Army Na-
 23 tional Guard;

24 (2) provide the instantaneous peak demand anal-
 25 ysis and design necessary to conduct such transfer;

1 (3) *provide rights of way and easements nec-*
 2 *essary to support the construction of replacement elec-*
 3 *trical infrastructure; and*

4 (4) *be responsible for all environmental assess-*
 5 *ments and remediation and costs related to the re-*
 6 *moval and disposal of the electrical utility system of*
 7 *the Navy once it is no longer in use.*

8 (c) *LIMITATION ON EXPENDITURE OF AMOUNTS.—The*
 9 *Secretary may expend not more than \$48,000,000 during*
 10 *any fiscal year to provide support for an agreement entered*
 11 *into under subsection (a).*

12 (d) *NOTIFICATION.—Not later than 180 days after the*
 13 *date of the enactment of this Act, and not less frequently*
 14 *than every 180 days thereafter, the Secretary shall submit*
 15 *to the congressional defense committees a report on progress*
 16 *made in initiating and executing an agreement under sub-*
 17 *section (a).*

18 **SEC. 2874. CLARIFICATION OF OTHER TRANSACTION AU-**
 19 **THORITY FOR INSTALLATION OR FACILITY**
 20 **PROTOTYPING.**

21 Section 4022(i) of title 10, United States Code, is
 22 amended—

23 (1) *in paragraph (2)—*

24 (A) *in subparagraph (A), by striking “;*
 25 *and” and inserting a period;*

1 (B) by striking subparagraph (B); and

2 (C) by striking “paragraph (1)” and all
3 that follows through “not more” and inserting
4 “paragraph (1), except for projects carried out
5 for the purpose of repairing a facility, not
6 more”;

7 (2) by redesignating paragraph (3) as para-
8 graph (4); and

9 (3) by inserting after paragraph (2) the fol-
10 lowing new paragraph (3):

11 “(3) *USE OF AMOUNTS.*—The Secretary of De-
12 fense or the Secretary of a military department may
13 carry out prototype projects under the pilot program
14 established under paragraph (1) using amounts avail-
15 able for military construction, notwithstanding—

16 “(A) subchapters I and III of chapter 169
17 of this title; and

18 “(B) chapters 221 and 223 of this title.”.

19 **SEC. 2875. REQUIREMENT THAT DEPARTMENT OF DEFENSE**
20 **INCLUDE MILITARY INSTALLATION RESIL-**
21 **IENCE IN REAL PROPERTY MANAGEMENT**
22 **AND INSTALLATION MASTER PLANNING OF**
23 **DEPARTMENT.**

24 Not later than one year after the date of the enactment
25 of this Act, the Secretary of Defense shall—

1 (1) *update Department of Defense Instruction*
2 *4165.70 (relating to real property management) and*
3 *Unified Facilities Criteria 2–100–01 (relating to in-*
4 *stallation master planning) to—*

5 (A) *include a requirement to incorporate*
6 *the impact of military installation resilience in*
7 *all installation master plans;*

8 (B) *include a list of all sources of informa-*
9 *tion approved by the Department of Defense;*

10 (C) *define the 17 military installation resil-*
11 *ience hazards to ensure that the impacts from*
12 *such hazards are reported consistently across the*
13 *Department;*

14 (D) *require military installations to address*
15 *the rationale for determining that any such haz-*
16 *ard is not applicable to the installation;*

17 (E) *standardize reporting formats for mili-*
18 *tary installation resilience plans;*

19 (F) *establish and define standardized risk*
20 *rating categories for the use by all military de-*
21 *partments; and*

22 (G) *define criteria for determining the level*
23 *of risk to an installation to compare hazards be-*
24 *tween military departments; and*

1 (2) *require the Secretary of each military de-*
 2 *partment to update the handbook for the military de-*
 3 *partment concerned to incorporate the requirements*
 4 *under paragraph (1).*

5 **SEC. 2876. INCREASE OF LIMITATION ON FEE FOR ARCHI-**
 6 **TECTURAL AND ENGINEERING SERVICES**
 7 **PROCURED BY MILITARY DEPARTMENTS.**

8 (a) *ARMY.*—Section 7540(b) of title 10, United States
 9 *Code, is amended by striking “6 percent” and inserting “10*
 10 *percent”.*

11 (b) *NAVY.*—Section 8612(b) of such title is amended
 12 *by striking “6 percent” and inserting “10 percent”.*

13 (c) *AIR FORCE.*—Section 9540(b) of such title is
 14 *amended by striking “6 percent” and inserting “10 per-*
 15 *cent”.*

16 **SEC. 2877. REQUIREMENT THAT ALL MATERIAL TYPES BE**
 17 **CONSIDERED FOR DESIGN-BID-BUILD MILI-**
 18 **TARY CONSTRUCTION PROJECTS.**

19 (a) *IN GENERAL.*—The Secretary concerned may not
 20 *proceed from the design phase of a design-bid-build military*
 21 *construction project or solicit bids for the construction*
 22 *phase of a design-bid-build military construction project*
 23 *until the Secretary of Defense certifies that all materials*
 24 *included in the Unified Facilities Criteria of the Depart-*

1 *ment of Defense have been equally considered for such*
 2 *project.*

3 *(b) ANNUAL REPORT.—Not later than January 1 of*
 4 *each year, the Under Secretary of Defense for Acquisition*
 5 *and Sustainment shall submit to the congressional defense*
 6 *committees a report—*

7 *(1) detailing the primary construction material*
 8 *for each design-bid-build military construction project*
 9 *for which a contract was awarded during the previous*
 10 *fiscal year in an amount that exceeds \$6,000,000; and*

11 *(2) identifying whether each such project was de-*
 12 *signed or constructed based off a shelf design used at*
 13 *another installation of the Department of Defense.*

14 *(c) SECRETARY CONCERNED DEFINED.—In this sec-*
 15 *tion, the term “Secretary concerned” has the meaning given*
 16 *that term in section 101(a)(9) of title 10, United States*
 17 *Code.*

18 **SEC. 2878. CONTINUING EDUCATION CURRICULUM FOR**
 19 **MEMBERS OF THE MILITARY CONSTRUCTION**
 20 **PLANNING AND DESIGN WORKFORCE AND AC-**
 21 **QUISITION WORKFORCE OF THE DEPART-**
 22 **MENT OF DEFENSE.**

23 *(a) IN GENERAL.—Not later than 270 days after the*
 24 *date of the enactment of this Act, the Secretary of Defense*
 25 *shall establish a continuing education curriculum for mem-*

1 *bers of the military construction planning and design work-*
 2 *force of the Department of Defense and the acquisition*
 3 *workforce of the Department responsible for military con-*
 4 *struction projects.*

5 *(b) CURRICULUM.—The continuing education cur-*
 6 *riculum required under subsection (a)—*

7 *(1) shall be focused on improving the under-*
 8 *standing, awareness, and utilization of innovative*
 9 *products for construction systems with increased bene-*
 10 *fits relating to—*

11 *(A) construction speed;*

12 *(B) anti-terrorism force protection;*

13 *(C) lateral wind, seismic activity, and fire*
 14 *performance standards;*

15 *(D) designs that factor in military installa-*
 16 *tion resilience and protection against extreme*
 17 *weather events;*

18 *(E) life-cycle cost effectiveness and sustain-*
 19 *ability;*

20 *(F) renewability; and*

21 *(G) carbon sequestration; and*

22 *(2) shall include instruction relating to—*

23 *(A) all sustainable building materials, such*
 24 *as innovative wood products and mass timber*
 25 *systems; and*

1 (B) designs to improve military installation
2 resilience using projection data against extreme
3 weather events.

4 (c) *AVAILABILITY AND UPDATE.*—The Secretary shall
5 ensure that—

6 (1) the continuing education curriculum re-
7 quired under subsection (a) is made available to each
8 element of the military construction community not
9 later than 60 days after completion of the curriculum;
10 and

11 (2) such curriculum is updated whenever a new
12 construction material is approved by the Unified Fa-
13 cilities Criteria of the Department.

14 (d) *ACADEMIA INPUT.*—In developing the continuing
15 education curriculum required under subsection (a), the
16 Secretary shall consult with academic institutions.

17 (e) *TIMING.*—Not later than January 1, 2025, the Sec-
18 retary shall ensure that—

19 (1) not less than 75 percent of the workforce de-
20 scribed in subsection (a) has completed the first
21 iteration of the continuing education curriculum re-
22 quired under such subsection; and

23 (2) such workforce receives updated information
24 on innovative construction techniques on a continuing
25 basis.

1 (f) *REPORT*.—Not later than June 1, 2024, the Sec-
 2 retary shall submit to appropriate committees of Congress
 3 a report containing an update on the status of the con-
 4 tinuing education curriculum required under subsection
 5 (a).

6 (g) *DEFINITIONS*.—In this section:

7 (1) *APPROPRIATE COMMITTEES OF CONGRESS*.—
 8 The term “appropriate committees of Congress”
 9 means—

10 (A) the Committee on Armed Services and
 11 the Subcommittee on Military Construction, Vet-
 12 erans Affairs and Related Agencies of the Com-
 13 mittee on Appropriations of the Senate; and

14 (B) the Committee on Armed Services and
 15 the Subcommittee on Military Construction, Vet-
 16 erans Affairs and Related Agencies of the Com-
 17 mittee on Appropriations of the House of Rep-
 18 resentatives.

19 (2) *MILITARY INSTALLATION RESILIENCE*.—The
 20 term “military installation resilience” has the mean-
 21 ing given that term in section 101(e)(8) of title 10,
 22 United States Code.

1 **SEC. 2879. GUIDANCE ON DEPARTMENT OF DEFENSE-WIDE**
2 **STANDARDS FOR ACCESS TO INSTALLATIONS**
3 **OF THE DEPARTMENT.**

4 (a) *INTERIM GUIDANCE.*—Not later than 30 days after
5 the date of the enactment of this Act, the Secretary of De-
6 fense shall promulgate interim guidance to the appropriate
7 official or officials within the Department of Defense for
8 purposes of establishing final standards of the Department
9 for fitness of individuals for access to installations of the
10 Department, which shall include modifying Department of
11 Defense Manual 5200.08, “Physical Security Program: Ac-
12 cess to DoD Installations”, or any comparable or successor
13 policy guidance document.

14 (b) *FINAL GUIDANCE.*—Not later than 180 days after
15 the date of the enactment of this Act, the Secretary of De-
16 fense shall promulgate final guidance described in sub-
17 section (a).

18 (c) *BRIEFING.*—Not later than 60 days after promul-
19 gating interim guidance required under subsection (a), the
20 Secretary of Defense shall brief the Committees on Armed
21 Services of the Senate the House of Representatives on such
22 guidance, which shall include a timeline for promulgation
23 of final guidance as required under subsection (b).

1 **SEC. 2880. DEPLOYMENT OF EXISTING CONSTRUCTION MA-**
2 **TERIALS.**

3 (a) *PLAN*.—Not later than 60 days after the date of
4 the enactment of this Act, the Secretary of Defense shall sub-
5 mit to Congress a plan to utilize, transfer, or donate to
6 States on the southern border of the United States all exist-
7 ing excess border wall construction materials, including
8 bollards, for constructing a permanent physical barrier to
9 stop illicit human and vehicle traffic along the border of
10 the United States with Mexico.

11 (b) *EXECUTION OF PLAN*.—Not later than 15 days
12 after submitting to Congress the plan required under sub-
13 section (a), taking into account ongoing audits being con-
14 ducted by the Defense Contract Audit Agency and ongoing
15 construction contract negotiations by the Army Corps of
16 Engineers, so long as any ongoing audits or construction
17 contract negotiations are not a cause for delay, the Sec-
18 retary shall work with the Defense Logistics Agency to exe-
19 cute that plan until the Department of Defense is no longer
20 incurring any costs to maintain, store, or protect the mate-
21 rials specified under such subsection.

22 (c) *REQUIREMENTS OF REQUESTING STATES*.—Any
23 State requesting border wall construction materials made
24 available under this section must certify, in writing, that
25 the materials it accepts will be exclusively used for the con-

1 *struction of a permanent physical barrier along the border*
2 *of the United States with Mexico.*

3 (d) *REPORT.*—*Not later than 90 days after the date*
4 *of the enactment of this Act, the Secretary of Defense shall*
5 *submit to Congress a report containing the following:*

6 (1) *A detailed description of the decision process*
7 *of the Secretary to forgo the excess property disposal*
8 *process of the Department of Defense and instead pay*
9 *to store border wall panels.*

10 (2) *A list of entities the Department is paying*
11 *for use of their privately owned land to store unused*
12 *border wall construction materials, with appropriate*
13 *action taken to protect personally identifiable infor-*
14 *mation, such as by making the list of entities avail-*
15 *able in an annex that is labeled as controlled unclas-*
16 *sified information.*

17 (3) *An explanation of the process through which*
18 *the Department contracted with private landowners*
19 *to store unused border wall construction materials,*
20 *including whether there was a competitive contracting*
21 *process and whether the landowners have instituted*
22 *an inventory review system.*

23 (4) *A description of any investigations by the*
24 *Inspector General of the Department that have been*

1 *opened related to storing border wall construction ma-*
 2 *terials.*

3 **SEC. 2881. TECHNICAL CORRECTIONS.**

4 (a) *NUMU NEWE SPECIAL MANAGEMENT AREA.*—Sec-
 5 *tion 2902(c) of the Military Construction Authorization Act*
 6 *for Fiscal Year 2023 (16 U.S.C. 460gggg(c)) is amended*
 7 *by striking “217,845” and inserting “209,181”.*

8 (b) *REDUCTION OF IMPACT OF FALLON RANGE TRAIN-*
 9 *ING COMPLEX MODERNIZATION.*—Section 2995(a)(3)(A) of
 10 *the Military Land Withdrawals Act of 2013 (title XXIX*
 11 *of Public Law 113–66), as added by section 2901 of the*
 12 *Military Construction Authorization Act for Fiscal Year*
 13 *2023 (division B of Public Law 117–263; 136 Stat. 3016)*
 14 *is amended by inserting “Gas” after “Basin”.*

1 ***DIVISION C—DEPARTMENT OF***
 2 ***ENERGY NATIONAL SECURITY***
 3 ***AUTHORIZATIONS AND***
 4 ***OTHER AUTHORIZATIONS***
 5 ***TITLE XXXI—DEPARTMENT OF***
 6 ***ENERGY NATIONAL SECURITY***
 7 ***PROGRAMS***
 8 ***Subtitle A—National Security***
 9 ***Programs and Authorizations***

10 ***SEC. 3101. NATIONAL NUCLEAR SECURITY ADMINISTRA-***
 11 ***TION.***

12 *(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are*
 13 *hereby authorized to be appropriated to the Department of*
 14 *Energy for fiscal year 2024 for the activities of the National*
 15 *Nuclear Security Administration in carrying out programs*
 16 *as specified in the funding table in section 4701.*

17 *(b) AUTHORIZATION OF NEW PLANT PROJECTS.—*
 18 *From funds referred to in subsection (a) that are available*
 19 *for carrying out plant projects, the Secretary of Energy*
 20 *may carry out new plant projects for the National Nuclear*
 21 *Security Administration as follows:*

22 *Project 24–D–513, Z-Pinch Experimental Un-*
 23 *derground System Test Bed Facilities Improvement,*
 24 *Nevada National Security Site, Nye County, Nevada,*
 25 *\$80,000,000.*

1 *Project 24–D–512, TA–46 Protective Force Fa-*
 2 *cility, Los Alamos National Laboratory, Los Alamos,*
 3 *New Mexico, \$48,500,000.*

4 *Project 24–D–511, Plutonium Production Build-*
 5 *ing, Los Alamos National Laboratory, Los Alamos,*
 6 *New Mexico, \$48,500,000.*

7 *Project 24–D–510, Analytic Gas Laboratory,*
 8 *Pantex Plant, Panhandle, Texas, \$35,000,000.*

9 *Project 24–D–530, Naval Reactors Facility Med-*
 10 *ical Science Complex, Idaho Falls, Idaho,*
 11 *\$36,584,000.*

12 **SEC. 3102. DEFENSE ENVIRONMENTAL CLEANUP.**

13 (a) *AUTHORIZATION OF APPROPRIATIONS.—Funds are*
 14 *hereby authorized to be appropriated to the Department of*
 15 *Energy for fiscal year 2024 for defense environmental*
 16 *cleanup activities in carrying out programs as specified in*
 17 *the funding table in section 4701.*

18 (b) *AUTHORIZATION OF NEW PLANT PROJECTS.—*
 19 *From funds referred to in subsection (a) that are available*
 20 *for carrying out plant projects, the Secretary of Energy*
 21 *may carry out, for defense environmental cleanup activities,*
 22 *the following new plant projects:*

23 *Project 24–D–401, Environmental Restoration*
 24 *Disposal Facility Super Cell 11 Expansion Project,*
 25 *Hanford Site, Richland, Washington, \$1,000,000.*

1 **SEC. 3103. OTHER DEFENSE ACTIVITIES.**

2 *Funds are hereby authorized to be appropriated to the*
 3 *Department of Energy for fiscal year 2024 for other defense*
 4 *activities in carrying out programs as specified in the fund-*
 5 *ing table in section 4701.*

6 **SEC. 3104. NUCLEAR ENERGY.**

7 *Funds are hereby authorized to be appropriated to the*
 8 *Department of Energy for fiscal year 2024 for nuclear en-*
 9 *ergy as specified in the funding table in section 4701.*

10 **Subtitle B— Program Authoriza-**
 11 **tions, Restrictions, and Limita-**
 12 **tions**

13 **SEC. 3111. LIMITATION ON USE OF FUNDS FOR NAVAL NU-**
 14 **CLEAR FUEL SYSTEMS BASED ON LOW-EN-**
 15 **RICED URANIUM.**

16 *None of the funds authorized to be appropriated by this*
 17 *Act for fiscal year 2024 for the National Nuclear Security*
 18 *Administration for the purpose of conducting research and*
 19 *development of an advanced naval nuclear fuel system based*
 20 *on low-enriched uranium may be obligated or expended*
 21 *until the following determinations are submitted to the con-*
 22 *gressional defense committees:*

23 *(1) A determination made jointly by the Sec-*
 24 *retary of Energy and the Secretary of Defense with*
 25 *respect to whether the determination made jointly by*
 26 *the Secretary of Energy and the Secretary of the*

1 *Navy pursuant to section 3118(c)(1) of the National*
 2 *Defense Authorization Act for Fiscal Year 2016 (Pub-*
 3 *lic Law 114–92; 129 Stat. 1196) and submitted to the*
 4 *congressional defense committees on March 25, 2018,*
 5 *that the United States should not pursue research and*
 6 *development of an advanced naval nuclear fuel system*
 7 *based on low-enriched uranium, remains valid.*

8 *(2) A determination by the Secretary of the*
 9 *Navy with respect to whether an advanced naval nu-*
 10 *clear fuel system based on low-enriched uranium can*
 11 *be produced that would not reduce vessel capability,*
 12 *increase expense, or reduce operational availability as*
 13 *a result of refueling requirements.*

14 **SEC. 3112. PROHIBITION ON ARIES EXPANSION BEFORE RE-**
 15 **ALIZATION OF 30 PIT PER YEAR BASE CAPA-**
 16 **BILITY.**

17 *Section 4219 of the Atomic Energy Defense Act (50*
 18 *U.S.C. 2538a) is amended by—*

19 *(a) redesignating subsection (f) as subsection (g); and*
 20 *(b) inserting after subsection (e) the following new sub-*
 21 *section (f):*

22 *“(f) PROHIBITION ON ARIES EXPANSION BEFORE RE-*
 23 *ALIZATION OF 30 PIT PER YEAR BASE CAPABILITY.—*

24 *“(1) IN GENERAL.—Unless the Administrator*
 25 *certifies to the congressional defense committees that*

1 *the base capability to produce 30 plutonium pits per*
 2 *year has been established at Los Alamos National*
 3 *Laboratory, the Advanced Recovery and Integrated*
 4 *Extraction System (commonly known as ‘ARIES’)*
 5 *spaces at the Plutonium Facility at Technical Area*
 6 *55 (commonly known as ‘PF-4’) may not be modi-*
 7 *fied, including by installing additional equipment.*

8 “(2) *EXCEPTIONS.*—Paragraph (1) shall not
 9 *apply with respect to—*

10 “(A) *the planning and design of an addi-*
 11 *tional ARIES capability; or*

12 “(B) *the transfer of the ARIES capability*
 13 *to a location other than PF-4.”.*

14 **SEC. 3113. PLUTONIUM MODERNIZATION PROGRAM MAN-**
 15 **AGEMENT.**

16 *Section 4219 of the Atomic Energy Defense Act (50*
 17 *U.S.C. 2538a) is amended by adding at the end the fol-*
 18 *lowing new subsection:*

19 “(h) *Not later than 570 days after the date of the en-*
 20 *actment of this Act, the Administrator for Nuclear Security*
 21 *shall ensure that the plutonium modernization program es-*
 22 *tablished by the Office of Defense Programs of the National*
 23 *Nuclear Security Administration, or any subsequently de-*
 24 *veloped program designed to meet the requirements under*
 25 *subsection (a), is managed in accordance with the require-*

1 *ments of the Enhanced Management A program manage-*
 2 *ment category described in the execution instruction of the*
 3 *Office of Defense Programs entitled ‘DP Program Execution*
 4 *Instruction: NA–10 Program Management Tools and Proc-*
 5 *esses’ and issued on January 14, 2016, or any subsequent*
 6 *directive.’’.*

7 **SEC. 3114. PANTEX EXPLOSIVES MANUFACTURING CAPA-**
 8 **BILITY.**

9 *Subtitle A of title XLII of the Atomic Energy Defense*
 10 *Act (50 U.S.C. 2521 et seq.) is amended by adding at the*
 11 *end the following new section:*

12 **“SEC. 4225. PANTEX EXPLOSIVES MANUFACTURING CAPA-**
 13 **BILITY.**

14 *“(a) IN GENERAL.—Not later than the date on which*
 15 *the W87–1 modification program enters into phase 6.5 of*
 16 *the joint nuclear weapons life cycle process (as defined in*
 17 *section 4220), the Administrator shall establish at the*
 18 *Pantex Plant a conventional high explosives production ca-*
 19 *pability with sufficient capacity to support full rate pro-*
 20 *duction of the main explosives used for the W87–1 warhead.*

21 *“(b) BRIEFING.—On the day after the date that the*
 22 *budget of the President is submitted to Congress under sec-*
 23 *tion 1105(a) of title 31, United States Code, for fiscal year*
 24 *2025 and each fiscal year thereafter, the Administrator*
 25 *shall brief the congressional defense committees on the*

1 *progress of the Administration in achieving the capability*
 2 *described in subsection (a).*

3 “(c) *TERMINATION.*—Subsection (b) shall terminate
 4 upon the date that the Administrator certifies to the con-
 5 gressional defense committees that the capability described
 6 in subsection (a) has been achieved.”.

7 **SEC. 3115. LIMITATION ON ESTABLISHING AN ENDURING**
 8 **BIOASSURANCE PROGRAM WITHIN THE NA-**
 9 **TIONAL NUCLEAR SECURITY ADMINISTRA-**
 10 **TION.**

11 (a) *IN GENERAL.*—Subtitle B of title XLVIII of the
 12 Atomic Energy Defense Act (50 U.S.C. 2791 et seq.) is
 13 amended by adding at the end the following section:

14 **“SEC. 4815. LIMITATION ON ESTABLISHING AN ENDURING**
 15 **BIOASSURANCE PROGRAM WITHIN THE AD-**
 16 **MINISTRATION.**

17 “(a) *IN GENERAL.*—The Administrator may not estab-
 18 lish a program within the Administration for the purposes
 19 of executing an enduring national security research and de-
 20 velopment effort to broaden the role of the Department of
 21 Energy in national biodefense.

22 “(b) *RULE OF CONSTRUCTION.*—The limitation de-
 23 scribed in subsection (a) shall not be interpreted—

24 “(1) to prohibit the establishment of a bioassur-
 25 ance program for the purpose of executing enduring

1 *national security research and development in any*
 2 *component of the Department of Energy other than*
 3 *the Administration or in any other Federal agency;*
 4 *or*

5 “(2) *to impede the use of resources of the Admin-*
 6 *istration, including resources provided by a national*
 7 *security laboratory or a nuclear weapons production*
 8 *facility site, to support the execution of a bioassur-*
 9 *ance program, if such support is provided—*

10 “(A) *on a cost-reimbursable basis to an en-*
 11 *tity that is not a component of the Department*
 12 *of Energy; and*

13 “(B) *in a manner that does not interfere*
 14 *with mission of such laboratory or facility.”.*

15 (b) *CLERICAL AMENDMENT.—The table of contents for*
 16 *the Atomic Energy Defense Act is amended by inserting*
 17 *after the item relating to section 4814 the following new*
 18 *item:*

 “Sec. 4815. *Limitation on establishing an enduring bioassurance program within*
 the Administration.”.

1 **SEC. 3116. EXTENSION OF AUTHORITY ON ACCEPTANCE OF**
 2 **CONTRIBUTIONS FOR ACCELERATION OR RE-**
 3 **MOVAL OR SECURITY OF FISSILE MATERIALS,**
 4 **RADIOLOGICAL MATERIALS, AND RELATED**
 5 **EQUIPMENT AT VULNERABLE SITES WORLD-**
 6 **WIDE.**

7 *Section 4306B(f)(6) of the Atomic Energy Defense Act*
 8 *(50 U.S.C. 2569(f)(6)) is amended by striking “2028” and*
 9 *inserting “2033”.*

10 **SEC. 3117. MODIFICATION OF REPORTING REQUIREMENTS**
 11 **FOR PROGRAM ON VULNERABLE SITES.**

12 *(a) IN GENERAL.—Section 4306B of the Atomic En-*
 13 *ergy Defense Act (50 U.S.C. 2569) is amended—*

14 *(1) by striking subsection (d);*

15 *(2) by redesignating subsections (e), (f), and (g)*
 16 *as subsections (d), (e), and (f), respectively; and*

17 *(3) in paragraph (6) of subsection (e), as so re-*
 18 *designated, by striking “2028” and inserting “2030”.*

19 *(b) CONFORMING AMENDMENT.—Section 4309(c)(7) of*
 20 *the Atomic Energy Defense Act (50 U.S.C. 2575(c)(7)) is*
 21 *amended by striking “section 3132(f) of the Ronald W.*
 22 *Reagan National Defense Authorization Act for Fiscal Year*
 23 *2005 (50 U.S.C. 2569(f))” and inserting “section*
 24 *4306B(e)”.*

1 **SEC. 3118. IMPLEMENTATION OF ENHANCED MISSION DE-**
 2 **LIVERY INITIATIVE.**

3 (a) *IN GENERAL.*—Concurrent with the submission of
 4 the budget of the President to Congress under section
 5 1105(a) of title 31, United States Code, for each of fiscal
 6 years 2025 through 2029, the Administrator for Nuclear Se-
 7 curity, acting through the Director for Cost Estimating and
 8 Program Evaluation, shall brief the congressional defense
 9 committees on the status of implementing the 18 principal
 10 recommendations and associated subelements of the report
 11 entitled “Evolving the Nuclear Security Enterprise: A Re-
 12 port of the Enhanced Mission Delivery Initiative”, pub-
 13 lished by the National Nuclear Security Administration in
 14 September 2022.

15 (b) *ELEMENTS OF BRIEFINGS.*—Each briefing re-
 16 quired by subsection (a) shall address—

17 (1) *the status of implementing each recommenda-*
 18 *tion described in subsection (a);*

19 (2) *with respect to each recommendation that has*
 20 *been implemented, whether the outcome of such imple-*
 21 *mentation is achieving the desired result;*

22 (3) *with respect to each recommendation that has*
 23 *not been implemented, the reason for not imple-*
 24 *menting such recommendation;*

25 (4) *whether additional legislation is required in*
 26 *order to implement a recommendation; and*

1 (5) *such other matters as the Administrator con-*
 2 *siders necessary.*

3 **SEC. 3119. LIMITATION ON USE OF FUNDS UNTIL PROVI-**
 4 **SION OF SPEND PLAN FOR W80-4 ALT WEAP-**
 5 **ON DEVELOPMENT.**

6 *Of the funds authorized to be appropriated by this Act*
 7 *for fiscal year 2024 for operations of the Office of the Ad-*
 8 *ministrator for Nuclear Security, not more than 50 percent*
 9 *may be obligated or expended until the date on which the*
 10 *Administrator for Nuclear Security submits to the congres-*
 11 *sional defense committees the spend plan for the warhead*
 12 *associated with the sea-launched cruise missile required by*
 13 *section 1642(d) of the National Defense Authorization Act*
 14 *for Fiscal Year 2023 (Public Law 117-263).*

15 **SEC. 3120. ANALYSES OF NUCLEAR PROGRAMS OF FOREIGN**
 16 **COUNTRIES.**

17 (a) *CAPABILITY TO CONDUCT ANALYSES OF NUCLEAR*
 18 *PROGRAMS.—The Secretary of Energy shall, using existing*
 19 *authorities of the Secretary, take such actions as are nec-*
 20 *essary to improve the ability of the Department of Energy*
 21 *to conduct comprehensive, integrated analyses of the nuclear*
 22 *programs of foreign countries.*

23 (b) *ADDITIONAL ANALYSES REQUIRED.—The Sec-*
 24 *retary shall conduct analyses of—*

1 (1) *countries that may pursue nuclear weapons*
 2 *programs in the future;*

3 (2) *developing technologies that make it easier*
 4 *for the governments of countries or for non-state ac-*
 5 *tors to acquire nuclear weapons; and*

6 (3) *entities that may be developing the ability to*
 7 *supply sensitive nuclear technologies but may not yet*
 8 *have effective programs in place to ensure compliance*
 9 *with export controls.*

10 **SEC. 3121. ENHANCING NATIONAL NUCLEAR SECURITY AD-**
 11 **MINISTRATION SUPPLY CHAIN RELIABILITY.**

12 (a) *IN GENERAL.*—Subtitle A of title XLVIII of the
 13 *Atomic Energy Defense Act (50 U.S.C. 2781 et seq.) is*
 14 *amended by adding at the end the following new section:*

15 **“SEC. 4808. SUPPLY CHAIN RELIABILITY ASSURANCE PRO-**
 16 **GRAM.**

17 *“The Administrator shall establish a supply chain reli-*
 18 *ability assurance program—*

19 *“(1) to facilitate collaboration with the Depart-*
 20 *ment of Defense and industrial partners to maintain*
 21 *a reliable domestic supplier base for critical materials*
 22 *to meet engineering and performance requirements of*
 23 *the Administration and the Department of Defense;*
 24 *and*

1 “(2) to improve coordination with the Infra-
 2 structure and Operations Program and the Pro-
 3 grammatic Recapitalization Working Group to im-
 4 prove planning for material requirements and poten-
 5 tial disruptions to commercial or contractor supply
 6 chains, including with respect to—

7 “(A) assisting in coordination for fore-
 8 casting future needs in both legacy inventories
 9 and new procurements;

10 “(B) establishing clear requirements for nu-
 11 clear security enterprise assurance and, when
 12 cost-effective, to use capabilities of the Adminis-
 13 tration to restore mission schedules at risk; and

14 “(C) collaborating with the Department of
 15 Defense and industrial partners to establish
 16 processes to mitigate manufacturing challenges
 17 and to develop strategies to lower long-term costs,
 18 while identifying and preserving production of
 19 materials and components by the Administra-
 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 4807 the following new
 24 item:

“Sec. 4808. Supply chain reliability assurance program.”.

1 **SEC. 3122. TRANSFER OF CYBERSECURITY RESPONSIBIL-**
 2 **ITIES TO ADMINISTRATOR FOR NUCLEAR SE-**
 3 **CURITY.**

4 *The National Nuclear Security Administration Act*
 5 *(50 U.S.C. 2401 et seq.) is amended—*

6 *(1) in section 3212(b) (50 U.S.C. 2402(b)), by*
 7 *adding at the end the following new paragraph:*

8 *“(20) Information resources management, in-*
 9 *cluding cybersecurity.”; and*

10 *(2) in section 3232(b)(3) (50 U.S.C. 2422(b)(3)),*
 11 *by striking “and cyber”.*

12 **SEC. 3123. REDESIGNATING DUTIES RELATED TO DEPART-**
 13 **MENTAL RADIOLOGICAL AND NUCLEAR INCI-**
 14 **DENT RESPONSES.**

15 *(a) DEPUTY ADMINISTRATOR FOR DEFENSE PRO-*
 16 *GRAMS.—Section 3214(b) of the National Nuclear Security*
 17 *Administration Act (50 U.S.C. 2404 (b)) is amended by*
 18 *striking paragraph (3).*

19 *(b) ADMINISTRATOR FOR NUCLEAR SECURITY.—Sec-*
 20 *tion 3212(b)(7) of the National Nuclear Security Adminis-*
 21 *tration Act (50 U.S.C. 2402(b)(7)) is amended by inserting*
 22 *“and Nuclear Emergency Support Team capabilities, in-*
 23 *cluding all field-deployed and remote technical support to*
 24 *public health and safety missions, countering weapons of*
 25 *mass destruction operations, technical and operational nu-*

1 *clear forensics, and responses to United States nuclear*
 2 *weapon accidents” after “management”.*

3 **SEC. 3124. MODIFICATION OF AUTHORITY TO ESTABLISH**
 4 **CERTAIN CONTRACTING, PROGRAM MANAGE-**
 5 **MENT, SCIENTIFIC, ENGINEERING, AND TECH-**
 6 **NICAL POSITIONS.**

7 *Section 3241 of the National Nuclear Security Admin-*
 8 *istration Act (50 U.S.C. 2441) is amended by striking*
 9 *“800” and inserting “1,200”.*

10 **SEC. 3125. TECHNICAL AMENDMENTS TO THE ATOMIC EN-**
 11 **ERGY DEFENSE ACT.**

12 *The Atomic Energy Defense Act (50 U.S.C. 2501 et*
 13 *seq.) is amended—*

14 *(1) in section 4306(d)—*

15 *(A) in paragraph (1), by striking “Not later*
 16 *than March 15, 2005, the” and inserting “The”;*
 17 *and*

18 *(B) in paragraph (2), by striking “Not*
 19 *later than January 1, 2006, the” and inserting*
 20 *“The”; and*

21 *(2) in section 4807(f)(1), by striking “2022” and*
 22 *inserting “2030”.*

1 **SEC. 3126. AMENDMENT TO PERIOD FOR BRIEFING RE-**
 2 **QUIREMENTS.**

3 *Section 4807(f)(1) of the Atomic Energy Defense Act*
 4 *(50 U.S.C. 2787(f)(1)) is amended by striking “2022” and*
 5 *inserting “2032”.*

6 **SEC. 3127. REPEAL OF REPORTING REQUIREMENTS FOR**
 7 **URANIUM CAPABILITIES REPLACEMENT**
 8 **PROJECT.**

9 *Section 3123(g) of the National Defense Authorization*
 10 *Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat.*
 11 *2178) is repealed.*

12 ***Subtitle C—Budget and Financial***
 13 ***Management Matters***

14 **SEC. 3131. UPDATED FINANCIAL INTEGRATION POLICY.**

15 *Not later than 180 days after the date of the enactment*
 16 *of this Act, the Administrator for Nuclear Security shall*
 17 *issue an updated financial integration policy, which shall*
 18 *include the following:*

19 *(1) Updated responsibilities for offices of the Na-*
 20 *tional Nuclear Security Administration and require-*
 21 *ments for management and operating contractors, in-*
 22 *cluding contractors at sites that are not sites of the*
 23 *Administration.*

24 *(2) Guidance for how offices of the Administra-*
 25 *tion should use common financial data, including*
 26 *guidance requiring that such data be used as the pri-*

1 *mary source of financial data by program offices, to*
 2 *the extent practicable.*

3 *(3) Processes recommended by the Government*
 4 *Accountability Office to improve financial integration*
 5 *efforts of the Administration, including an internal*
 6 *process to verify how management and operating con-*
 7 *tractors crosswalk data from their systems to the ap-*
 8 *propriate work breakdown structure of the Adminis-*
 9 *tration and apply common cost element definitions.*

10 *(4) Any other matters the Administrator con-*
 11 *siders appropriate.*

12 ***Subtitle D—Other Matters***

13 ***SEC. 3141. INTEGRATION OF TECHNICAL EXPERTISE OF DE-*** 14 ***PARTMENT OF ENERGY INTO POLICYMAKING.***

15 *The Secretary of Energy shall take such measures as*
 16 *are necessary to improve the integration of the scientific*
 17 *and technical expertise of the Department of Energy, espe-*
 18 *cially the expertise of the national laboratories, into policy-*
 19 *making, including by—*

20 *(1) ensuring that such expertise is involved dur-*
 21 *ing interagency discussions, regardless of the topic of*
 22 *such discussions;*

23 *(2) decreasing restrictions on personnel of lab-*
 24 *oratories and other facilities of the Department work-*

1 *ing in the Department headquarters for 2- to 3-year*
 2 *rotations;*

3 (3) *increasing collaboration among program*
 4 *managers and personnel of laboratories and other fa-*
 5 *cilities of the Department during policy deliberations;*
 6 *and*

7 (4) *creating mechanisms for providing technical*
 8 *advice to officials of the Department responsible for*
 9 *nonproliferation policy.*

10 **SEC. 3142. AMENDMENTS TO THE ENERGY EMPLOYEES OC-**
 11 **CUPATIONAL ILLNESS COMPENSATION PRO-**
 12 **GRAM ACT OF 2000.**

13 (a) *SHORT TITLE.*—*This section may be cited as the*
 14 *“Beryllium Testing Fairness Act”.*

15 (b) *MODIFICATION OF DEMONSTRATION OF BERYL-*
 16 *LIUM SENSITIVITY.*—*Section 3621(8)(A) of the Energy Em-*
 17 *ployees Occupational Illness Compensation Program Act of*
 18 *2000 (42 U.S.C. 7384l(8)(A)) is amended—*

19 (1) *by striking “established by an abnormal”*
 20 *and inserting the following: “established by—*

21 *“(i) an abnormal”;*

22 (2) *by striking the period at the end and insert-*
 23 *ing “; or”; and*

24 (3) *by adding at the end the following:*

1 “(ii) *three borderline beryllium lym-*
 2 *phocyte proliferation tests performed on*
 3 *blood cells over a period of 3 years.*”.

4 (c) *EXTENSION OF ADVISORY BOARD ON TOXIC SUB-*
 5 *STANCES AND WORKER HEALTH.*—Section 3687(j) of the
 6 *Energy Employees Occupational Illness Compensation Pro-*
 7 *gram Act of 2000 (42 U.S.C. 7385s–16(j)) is amended by*
 8 *striking “10 years” and inserting “15 years”.*

9 **SEC. 3143. PROHIBITION ON SALES OF PETROLEUM PROD-**
 10 **UCTS FROM THE STRATEGIC PETROLEUM RE-**
 11 **SERVE TO CERTAIN COUNTRIES.**

12 (a) *PROHIBITIONS.*—Notwithstanding any other pro-
 13 *vision of law, unless a waiver has been issued under sub-*
 14 *section (b), the Secretary of Energy shall not draw down*
 15 *and sell petroleum products from the Strategic Petroleum*
 16 *Reserve—*

17 (1) *to any entity that is under the ownership or*
 18 *control of the Chinese Communist Party, the People’s*
 19 *Republic of China, the Russian Federation, the Demo-*
 20 *cratic People’s Republic of Korea, or the Islamic Re-*
 21 *public of Iran; or*

22 (2) *except on the condition that such petroleum*
 23 *products will not be exported to the People’s Republic*
 24 *of China, the Russian Federation, the Democratic*

1 *People's Republic of Korea, or the Islamic Republic of*
2 *Iran.*

3 (b) *WAIVER.*—

4 (1) *IN GENERAL.*—*On application by a bidder,*
5 *the Secretary of Energy may waive, prior to the date*
6 *of the applicable auction, the prohibitions described*
7 *in subsection (a) with respect to the sale of crude oil*
8 *to that bidder at that auction.*

9 (2) *REQUIREMENT.*—*The Secretary of Energy*
10 *may issue a waiver under this subsection only if the*
11 *Secretary determines that the waiver is in the interest*
12 *of the national security of the United States.*

13 (3) *APPLICATIONS.*—*A bidder seeking a waiver*
14 *under this subsection shall submit to the Secretary of*
15 *Energy an application by such date, in such form,*
16 *and containing such information as the Secretary of*
17 *Energy may require.*

18 (4) *NOTICE TO CONGRESS.*—*Not later than 15*
19 *days after issuing a waiver under this subsection, the*
20 *Secretary of Energy shall provide a copy of the waiv-*
21 *er to the Committee on Energy and Natural Re-*
22 *sources of the Senate and the Committee on Energy*
23 *and Commerce of the House of Representatives.*

1 **SEC. 3144. U.S. NUCLEAR FUEL SECURITY INITIATIVE.**

2 (a) *SHORT TITLE.*—*This section may be cited as the*
3 *“Nuclear Fuel Security Act of 2023”.*

4 (b) *SENSE OF CONGRESS.*—*It is the sense of Congress*
5 *that—*

6 (1) *the Department should—*

7 (A) *prioritize activities to increase domestic*
8 *production of low-enriched uranium; and*

9 (B) *accelerate efforts to establish a domestic*
10 *high-assay, low-enriched uranium enrichment*
11 *capability; and*

12 (2) *if domestic enrichment of high-assay, low-en-*
13 *riched uranium will not be commercially available at*
14 *the scale needed in time to meet the needs of the ad-*
15 *vanced nuclear reactor demonstration projects of the*
16 *Department, the Secretary shall consider and imple-*
17 *ment, as necessary—*

18 (A) *all viable options to make high-assay,*
19 *low-enriched uranium produced from inventories*
20 *owned by the Department available in a manner*
21 *that is sufficient to maximize the potential for*
22 *the Department to meet the needs and schedules*
23 *of advanced nuclear reactor developers, without*
24 *impacting existing Department missions, until*
25 *such time that commercial enrichment and*
26 *deconversion capability for high-assay, low-en-*

1 *riched uranium exists at a scale sufficient to*
2 *meet future needs; and*

3 *(B) all viable options for partnering with*
4 *countries that are allies or partners of the*
5 *United States to meet those needs and schedules*
6 *until that time.*

7 *(c) OBJECTIVES.—The objectives of this section are—*

8 *(1) to expeditiously increase domestic production*
9 *of low-enriched uranium;*

10 *(2) to expeditiously increase domestic production*
11 *of high-assay, low-enriched uranium by an annual*
12 *quantity, and in such form, determined by the Sec-*
13 *retary to be sufficient to meet the needs of—*

14 *(A) advanced nuclear reactor developers;*
15 *and*

16 *(B) the consortium;*

17 *(3) to ensure the availability of domestically pro-*
18 *duced, converted, enriched, deconverted, and reduced*
19 *uranium in a quantity determined by the Secretary,*
20 *in consultation with U.S. nuclear energy companies,*
21 *to be sufficient to address a reasonably anticipated*
22 *supply disruption;*

23 *(4) to address gaps and deficiencies in the do-*
24 *mestic production, conversion, enrichment,*
25 *deconversion, and reduction of uranium by*

1 *partnering with countries that are allies or partners*
2 *of the United States if domestic options are not prac-*
3 *ticable;*

4 *(5) to ensure that, in the event of a supply dis-*
5 *ruption in the nuclear fuel market, a reserve of nu-*
6 *clear fuels is available to serve as a backup supply to*
7 *support the nuclear nonproliferation and civil nu-*
8 *clear energy objectives of the Department;*

9 *(6) to support enrichment, deconversion, and re-*
10 *duction technology deployed in the United States; and*

11 *(7) to ensure that, until such time that domestic*
12 *enrichment and deconversion of high-assay, low-en-*
13 *riched uranium is commercially available at the scale*
14 *needed to meet the needs of advanced nuclear reactor*
15 *developers, the Secretary considers and implements,*
16 *as necessary—*

17 *(A) all viable options to make high-assay,*
18 *low-enriched uranium produced from inventories*
19 *owned by the Department available in a manner*
20 *that is sufficient to maximize the potential for*
21 *the Department to meet the needs and schedules*
22 *of advanced nuclear reactor developers; and*

23 *(B) all viable options for partnering with*
24 *countries that are allies or partners of the*
25 *United States to meet those needs and schedules.*

1 (d) *DEFINITIONS.—In this section:*

2 (1) *ADVANCED NUCLEAR REACTOR.—The term*
3 *“advanced nuclear reactor” has the meaning given the*
4 *term in section 951(b) of the Energy Policy Act of*
5 *2005 (42 U.S.C. 16271(b)).*

6 (2) *ASSOCIATED ENTITY.—The term “associated*
7 *entity” means an entity that—*

8 (A) *is owned, controlled, or dominated by—*

9 (i) *the government of a country that is*
10 *an ally or partner of the United States; or*

11 (ii) *an associated individual; or*

12 (B) *is organized under the laws of, or other-*
13 *wise subject to the jurisdiction of, a country that*
14 *is an ally or partner of the United States, in-*
15 *cluding a corporation that is incorporated in*
16 *such a country.*

17 (3) *ASSOCIATED INDIVIDUAL.—The term “associ-*
18 *ated individual” means an alien who is a national*
19 *of a country that is an ally or partner of the United*
20 *States.*

21 (4) *CONSORTIUM.—The term “consortium”*
22 *means the consortium established under section*
23 *2001(a)(2)(F) of the Energy Act of 2020 (42 U.S.C.*
24 *16281(a)(2)(F)).*

1 (5) *DEPARTMENT.*—*The term “Department”*
 2 *means the Department of Energy.*

3 (6) *HIGH-ASSAY, LOW-ENRICHED URANIUM;*
 4 *HALEU.*—*The term “high-assay, low-enriched ura-*
 5 *nium” or “HALEU” means high-assay low-enriched*
 6 *uranium (as defined in section 2001(d) of the Energy*
 7 *Act of 2020 (42 U.S.C. 16281(d))).*

8 (7) *LOW-ENRICHED URANIUM; LEU.*—*The term*
 9 *“low-enriched uranium” or “LEU” means each of—*

10 (A) *low-enriched uranium (as defined in*
 11 *section 3102 of the USEC Privatization Act (42*
 12 *U.S.C. 2297h)); and*

13 (B) *low-enriched uranium (as defined in*
 14 *section 3112A(a) of that Act (42 U.S.C. 2297h–*
 15 *10a(a))).*

16 (8) *PROGRAMS.*—*The term “Programs” means—*

17 (A) *the Nuclear Fuel Security Program es-*
 18 *tablished under subsection (e)(1);*

19 (B) *the American Assured Fuel Supply Pro-*
 20 *gram of the Department; and*

21 (C) *the HALEU for Advanced Nuclear Re-*
 22 *actor Demonstration Projects Program estab-*
 23 *lished under subsection (e)(3).*

24 (9) *SECRETARY.*—*The term “Secretary” means*
 25 *the Secretary of Energy.*

1 (10) *U.S. NUCLEAR ENERGY COMPANY.*—*The*
 2 *term “U.S. nuclear energy company” means a com-*
 3 *pany that—*

4 *(A) is organized under the laws of, or other-*
 5 *wise subject to the jurisdiction of, the United*
 6 *States; and*

7 *(B) is involved in the nuclear energy indus-*
 8 *try.*

9 *(e) ESTABLISHMENT AND EXPANSION OF PRO-*
 10 *GRAMS.*—*The Secretary, consistent with the objectives de-*
 11 *scribed in subsection (c), shall—*

12 *(1) establish a program, to be known as the “Nu-*
 13 *clear Fuel Security Program”, to increase the quan-*
 14 *tity of LEU and HALEU produced by U.S. nuclear*
 15 *energy companies;*

16 *(2) expand the American Assured Fuel Supply*
 17 *Program of the Department to ensure the availability*
 18 *of domestically produced, converted, enriched,*
 19 *deconverted, and reduced uranium in the event of a*
 20 *supply disruption; and*

21 *(3) establish a program, to be known as the*
 22 *“HALEU for Advanced Nuclear Reactor Demonstra-*
 23 *tion Projects Program”—*

24 *(A) to maximize the potential for the De-*
 25 *partment to meet the needs and schedules of ad-*

1 *vanced nuclear reactor developers until such time*
2 *that commercial enrichment and deconversion*
3 *capability for HALEU exists in the United*
4 *States at a scale sufficient to meet future needs;*
5 *and*

6 *(B) where practicable, to partner with*
7 *countries that are allies or partners of the*
8 *United States to meet those needs and schedules*
9 *until that time.*

10 *(f) NUCLEAR FUEL SECURITY PROGRAM.—*

11 *(1) IN GENERAL.—In carrying out the Nuclear*
12 *Fuel Security Program, the Secretary—*

13 *(A) shall—*

14 *(i) not later than 180 days after the*
15 *date of enactment of this Act, enter into 2*
16 *or more contracts to begin acquiring not*
17 *less than 100 metric tons per year of LEU*
18 *by December 31, 2026 (or the earliest oper-*
19 *ationally feasible date thereafter), to ensure*
20 *diversity of supply in domestic uranium*
21 *mining, conversion, enrichment, and*
22 *deconversion capacity and technologies, in-*
23 *cluding new capacity, among U.S. nuclear*
24 *energy companies;*

1 (ii) not later than 180 days after the
2 date of enactment of this Act, enter into 2
3 or more contracts with members of the con-
4 sortium to begin acquiring not less than 20
5 metric tons per year of HALEU by Decem-
6 ber 31, 2027 (or the earliest operationally
7 feasible date thereafter), from U.S. nuclear
8 energy companies;

9 (iii) utilize only uranium produced,
10 converted, enriched, deconverted, and re-
11 duced in—

12 (I) the United States; or

13 (II) if domestic options are not
14 practicable, a country that is an ally
15 or partner of the United States; and

16 (iv) to the maximum extent prac-
17 ticable, ensure that the use of domestic ura-
18 nium utilized as a result of that program
19 does not negatively affect the economic oper-
20 ation of nuclear reactors in the United
21 States; and

22 (B)(i) may not make commitments under
23 this subsection (including cooperative agreements
24 (used in accordance with section 6305 of title 31,
25 United States Code), purchase agreements, guar-

1 *antees, leases, service contracts, or any other type*
 2 *of commitment) for the purchase or other acqui-*
 3 *sition of HALEU or LEU unless—*

4 *(I) funds are specifically provided for*
 5 *those purposes in advance in appropria-*
 6 *tions Acts enacted after the date of enact-*
 7 *ment of this Act; or*

8 *(II) the commitment is funded entirely*
 9 *by funds made available to the Secretary*
 10 *from the account described in subsection*
 11 *(j)(2)(B); and*

12 *(ii) may make a commitment described in*
 13 *clause (i) only—*

14 *(I) if the full extent of the anticipated*
 15 *costs stemming from the commitment is re-*
 16 *corded as an obligation at the time that the*
 17 *commitment is made; and*

18 *(II) to the extent of that up-front obli-*
 19 *gation recorded in full at that time.*

20 *(2) CONSIDERATIONS.—In carrying out para-*
 21 *graph (1)(A)(ii), the Secretary shall consider and, if*
 22 *appropriate, implement—*

23 *(A) options to ensure the quickest avail-*
 24 *ability of commercially enriched HALEU, in-*
 25 *cluding—*

1 (i) *partnerships between 2 or more*
 2 *commercial enrichers; and*

3 (ii) *utilization of up to 10-percent en-*
 4 *riched uranium as feedstock in demonstra-*
 5 *tion-scale or commercial HALEU enrich-*
 6 *ment facilities;*

7 (B) *options to partner with countries that*
 8 *are allies or partners of the United States to pro-*
 9 *vide LEU and HALEU for commercial purposes;*

10 (C) *options that provide for an array of*
 11 *HALEU—*

12 (i) *enrichment levels;*

13 (ii) *output levels to meet demand; and*

14 (iii) *fuel forms, including uranium*
 15 *metal and oxide; and*

16 (D) *options—*

17 (i) *to replenish, as necessary, Depart-*
 18 *ment stockpiles of uranium that were in-*
 19 *tended to be downblended for other purposes,*
 20 *but were instead used in carrying out ac-*
 21 *tivities under the HALEU for Advanced*
 22 *Nuclear Reactor Demonstration Projects*
 23 *Program;*

24 (ii) *to continue supplying HALEU to*
 25 *meet the needs of the recipients of an award*

1 *made pursuant to the funding opportunity*
2 *announcement of the Department numbered*
3 *DE-FOA-0002271 for Pathway 1, Ad-*
4 *vanced Reactor Demonstrations; and*

5 *(iii) to make HALEU available to*
6 *other advanced nuclear reactor developers*
7 *and other end-users.*

8 (3) *AVOIDANCE OF MARKET DISRUPTIONS.—In*
9 *carrying out the Nuclear Fuel Security Program, the*
10 *Secretary, to the extent practicable and consistent*
11 *with the purposes of that program, shall not disrupt*
12 *or replace market mechanisms by competing with*
13 *U.S. nuclear energy companies.*

14 (g) *EXPANSION OF THE AMERICAN ASSURED FUEL*
15 *SUPPLY PROGRAM.—The Secretary, in consultation with*
16 *U.S. nuclear energy companies, shall—*

17 (1) *expand the American Assured Fuel Supply*
18 *Program of the Department by merging the oper-*
19 *ations of the Uranium Reserve Program of the De-*
20 *partment with the American Assured Fuel Supply*
21 *Program; and*

22 (2) *in carrying out the American Assured Fuel*
23 *Supply Program of the Department, as expanded*
24 *under paragraph (1)—*

1 (A) maintain, replenish, diversify, or in-
2 crease the quantity of uranium made available
3 by that program in a manner determined by the
4 Secretary to be consistent with the purposes of
5 that program and the objectives described in sub-
6 section (c);

7 (B) utilize only uranium produced, con-
8 verted, enriched, deconverted, and reduced in—

9 (i) the United States; or

10 (ii) if domestic options are not prac-
11 ticable, a country that is an ally or partner
12 of the United States;

13 (C) make uranium available from the
14 American Assured Fuel Supply, subject to terms
15 and conditions determined by the Secretary to be
16 reasonable and appropriate;

17 (D) refill and expand the supply of ura-
18 nium in the American Assured Fuel Supply, in-
19 cluding by maintaining a limited reserve of ura-
20 nium to address a potential event in which a do-
21 mestic or foreign recipient of uranium experi-
22 ences a supply disruption for which uranium
23 cannot be obtained through normal market mech-
24 anisms or under normal market conditions; and

1 (E) take other actions that the Secretary de-
 2 termines to be necessary or appropriate to ad-
 3 dress the purposes of that program and the objec-
 4 tives described in subsection (c).

5 (h) *HALEU FOR ADVANCED NUCLEAR REACTOR DEM-*
 6 *ONSTRATION PROJECTS PROGRAM.*—

7 (1) *ACTIVITIES.*—On enactment of this Act, the
 8 Secretary shall immediately accelerate and, as nec-
 9 essary, initiate activities to make available from in-
 10 ventories or stockpiles owned by the Department and
 11 made available to the consortium, *HALEU* for use in
 12 advanced nuclear reactors that cannot operate on
 13 uranium with lower enrichment levels or on alternate
 14 fuels, with priority given to the awards made pursu-
 15 ant to the funding opportunity announcement of the
 16 Department numbered *DE-FOA-0002271* for *Path-*
 17 *way 1, Advanced Reactor Demonstrations*, with addi-
 18 tional *HALEU* to be made available to other ad-
 19 vanced nuclear reactor developers, as the Secretary
 20 determines to be appropriate.

21 (2) *QUANTITY.*—In carrying out activities under
 22 this subsection, the Secretary shall consider and im-
 23 plement, as necessary, all viable options to make
 24 *HALEU* available in quantities and forms sufficient
 25 to maximize the potential for the Department to meet

1 *the needs and schedules of advanced nuclear reactor*
 2 *developers, including by seeking to make available—*

3 *(A) by September 30, 2024, not less than 3*
 4 *metric tons of HALEU;*

5 *(B) by December 31, 2025, not less than an*
 6 *additional 8 metric tons of HALEU; and*

7 *(C) by June 30, 2026, not less than an ad-*
 8 *ditional 10 metric tons of HALEU.*

9 *(3) FACTORS FOR CONSIDERATION.—In carrying*
 10 *out activities under this subsection, the Secretary*
 11 *shall take into consideration—*

12 *(A) options for providing HALEU from a*
 13 *stockpile of uranium owned by the Department,*
 14 *including—*

15 *(i) uranium that has been declared ex-*
 16 *cess to national security needs during or*
 17 *prior to fiscal year 2023;*

18 *(ii) uranium that—*

19 *(I) directly meets the needs of ad-*
 20 *vanced nuclear reactor developers; but*

21 *(II) has been previously used or*
 22 *fabricated for another purpose;*

23 *(iii) uranium that can meet the needs*
 24 *of advanced nuclear reactor developers after*
 25 *removing radioactive or other contaminants*

1 *that resulted from previous use or fabrica-*
2 *tion of the fuel for research, development,*
3 *demonstration, or deployment activities of*
4 *the Department, including activities that*
5 *reduce the environmental liability of the De-*
6 *partment by accelerating the processing of*
7 *uranium from stockpiles designated as*
8 *waste;*

9 *(iv) uranium from a high-enriched*
10 *uranium stockpile (excluding stockpiles in-*
11 *tended for national security needs), which*
12 *can be blended with lower assay uranium to*
13 *become HALEU to meet the needs of ad-*
14 *vanced nuclear reactor developers; and*

15 *(v) uranium from stockpiles intended*
16 *for other purposes (excluding stockpiles in-*
17 *tended for national security needs), but for*
18 *which uranium could be swapped or re-*
19 *placed in time in such a manner that*
20 *would not negatively impact the missions of*
21 *the Department;*

22 *(B) options for expanding, or establishing*
23 *new, capabilities or infrastructure to support the*
24 *processing of uranium from Department inven-*
25 *tories;*

1 (C) options for accelerating the availability
 2 of HALEU from HALEU enrichment dem-
 3 onstration projects of the Department;

4 (D) options for providing HALEU from do-
 5 mestically enriched HALEU procured by the De-
 6 partment through a competitive process pursuant
 7 to the Nuclear Fuel Security Program established
 8 under subsection (e)(1);

9 (E) options to replenish, as needed, Depart-
 10 ment stockpiles of uranium made available pur-
 11 suant to subparagraph (A) with domestically en-
 12 riched HALEU procured by the Department
 13 through a competitive process pursuant to the
 14 Nuclear Fuel Security Program established
 15 under subsection (e)(1); and

16 (F) options that combine 1 or more of the
 17 approaches described in subparagraphs (A)
 18 through (E) to meet the deadlines described in
 19 paragraph (2).

20 (4) LIMITATIONS.—

21 (A) CERTAIN SERVICES.—The Secretary
 22 shall not barter or otherwise sell or transfer ura-
 23 nium in any form in exchange for services relat-
 24 ing to—

1 (i) *the final disposition of radioactive*
 2 *waste from uranium that is the subject of a*
 3 *contract for sale, resale, transfer, or lease*
 4 *under this subsection; or*

5 (ii) *environmental cleanup activities.*

6 (B) *CERTAIN COMMITMENTS.—In carrying*
 7 *out activities under this subsection, the Sec-*
 8 *retary—*

9 (i) *may not make commitments under*
 10 *this subsection (including cooperative agree-*
 11 *ments (used in accordance with section*
 12 *6305 of title 31, United States Code), pur-*
 13 *chase agreements, guarantees, leases, service*
 14 *contracts, or any other type of commitment)*
 15 *for the purchase or other acquisition of*
 16 *HALEU or LEU unless—*

17 (I) *funds are specifically provided*
 18 *for those purposes in advance in ap-*
 19 *propriations Acts enacted after the*
 20 *date of enactment of this Act; or*

21 (II) *the commitment is funded en-*
 22 *tirely by funds made available to the*
 23 *Secretary from the account described*
 24 *in subsection (j)(2)(B); and*

1 (ii) may make a commitment described
2 in clause (i) only—

3 (I) if the full extent of the antici-
4 pated costs stemming from the commit-
5 ment is recorded as an obligation at
6 the time that the commitment is made;
7 and

8 (II) to the extent of that up-front
9 obligation recorded in full at that time.

10 (5) *SUNSET.*—The authority of the Secretary to
11 carry out activities under this subsection shall termi-
12 nate on the date on which the Secretary notifies Con-
13 gress that the *HALEU* needs of advanced nuclear re-
14 actor developers can be fully met by commercial
15 *HALEU* suppliers in the United States, as deter-
16 mined by the Secretary, in consultation with U.S.
17 nuclear energy companies.

18 (i) *DOMESTIC SOURCING CONSIDERATIONS.*—

19 (1) *IN GENERAL.*—Except as provided in para-
20 graph (2), the Secretary may only carry out an activ-
21 ity in connection with 1 or more of the Programs if—

22 (A) the activity promotes manufacturing in
23 the United States associated with uranium sup-
24 ply chains; or

1 (B) *the activity relies on resources, mate-*
 2 *rials, or equipment developed or produced—*

3 (i) *in the United States; or*

4 (ii) *in a country that is an ally or*
 5 *partner of the United States by—*

6 (I) *the government of that coun-*
 7 *try;*

8 (II) *an associated entity; or*

9 (III) *a U.S. nuclear energy com-*
 10 *pany.*

11 (2) *WAIVER.—The Secretary may waive the re-*
 12 *quirements of paragraph (1) with respect to an activ-*
 13 *ity if the Secretary determines a waiver to be nec-*
 14 *essary to achieve 1 or more of the objectives described*
 15 *in subsection (c).*

16 (j) *REASONABLE COMPENSATION.—*

17 (1) *IN GENERAL.—In carrying out activities*
 18 *under this section, the Secretary shall ensure that any*
 19 *LEU and HALEU made available by the Secretary*
 20 *under 1 or more of the Programs is subject to reason-*
 21 *able compensation, taking into account the fair mar-*
 22 *ket value of the LEU or HALEU and the purposes of*
 23 *this section.*

24 (2) *AVAILABILITY OF CERTAIN FUNDS.—*

1 (A) *IN GENERAL.*—*Notwithstanding section*
 2 *3302(b) of title 31, United States Code, revenues*
 3 *received by the Secretary from the sale or trans-*
 4 *fer of fuel feed material acquired by the Sec-*
 5 *retary pursuant to a contract entered into under*
 6 *clause (i) or (ii) of subsection (f)(1)(A) shall—*

7 (i) *be deposited in the account de-*
 8 *scribed in subparagraph (B);*

9 (ii) *be available to the Secretary for*
 10 *carrying out the purposes of this section, to*
 11 *reduce the need for further appropriations*
 12 *for those purposes; and*

13 (iii) *remain available until expended.*

14 (B) *REVOLVING FUND.*—*There is established*
 15 *in the Treasury an account into which the reve-*
 16 *nues described in subparagraph (A) shall be—*

17 (i) *deposited in accordance with clause*

18 (i) *of that subparagraph; and*

19 (ii) *made available in accordance with*
 20 *clauses (ii) and (iii) of that subparagraph.*

21 (k) *NUCLEAR REGULATORY COMMISSION.*—*The Nu-*
 22 *clear Regulatory Commission shall prioritize and expedite*
 23 *consideration of any action related to the Programs to the*
 24 *extent permitted under the Atomic Energy Act of 1954 (42*
 25 *U.S.C. 2011 et seq.) and related statutes.*

1 (l) *USEC PRIVATIZATION ACT.*—*The requirements of*
 2 *section 3112(d)(2) of the USEC Privatization Act (42*
 3 *U.S.C. 2297h–10(d)(2)) shall not apply to activities related*
 4 *to the Programs.*

5 (m) *NATIONAL SECURITY NEEDS.*—*The Secretary*
 6 *shall only make available to a member of the consortium*
 7 *under this section for commercial use or use in a dem-*
 8 *onstration project material that the President has deter-*
 9 *mined is not necessary for national security needs during*
 10 *or prior to fiscal year 2023, subject to the condition that*
 11 *the material made available shall not include any material*
 12 *that the Secretary determines to be necessary for the Na-*
 13 *tional Nuclear Security Administration or any critical*
 14 *mission of the Department.*

15 (n) *INTERNATIONAL AGREEMENTS.*—*This section shall*
 16 *be applied in a manner consistent with the obligations of*
 17 *the United States under international agreements.*

18 (o) *REPORT ON CIVIL NUCLEAR CREDIT PROGRAM.*—
 19 *Not later than 180 days after the date of enactment of this*
 20 *Act, the Secretary shall submit to the appropriate commit-*
 21 *tees of Congress a report that identifies the anticipated*
 22 *funding requirements for the civil nuclear credit program*
 23 *described in section 40323 of the Infrastructure Investment*
 24 *and Jobs Act (42 U.S.C. 18753), taking into account—*

1 (1) *the zero-emission nuclear power production*
 2 *credit authorized by section 45U of the Internal Rev-*
 3 *enue Code of 1986; and*

4 (2) *any increased fuel costs associated with the*
 5 *use of domestic fuel that may arise from the imple-*
 6 *mentation of that program.*

7 (p) *SUPPLY CHAIN INFRASTRUCTURE AND WORK-*
 8 *FORCE CAPACITY BUILDING.—*

9 (1) *SUPPLY CHAIN INFRASTRUCTURE.—Section*
 10 *10781(b)(1) of Public Law 117–167 (commonly*
 11 *known as the “CHIPS and Science Act of 2022”) (42*
 12 *U.S.C. 19351(b)(1)) is amended by striking “and*
 13 *demonstration of advanced nuclear reactors” and in-*
 14 *serting “demonstration, and deployment of advanced*
 15 *nuclear reactors and associated supply chain infra-*
 16 *structure”.*

17 (2) *WORKFORCE CAPACITY BUILDING.—Section*
 18 *954(b) of the Energy Policy Act of 2005 (42 U.S.C.*
 19 *16274(b)) is amended—*

20 (A) *in the subsection heading, by striking*
 21 *“Graduate”;*

22 (B) *by striking “graduate” each place it ap-*
 23 *pears;*

24 (C) *in paragraph (2)(A), by inserting*
 25 *“community colleges, trade schools, registered ap-*

1 *prenticeship programs, pre-apprenticeship pro-*
2 *grams,” after “universities,”;*

3 *(D) in paragraph (3), by striking “2021*
4 *through 2025” and inserting “2023 through*
5 *2027”;*

6 *(E) by redesignating paragraph (3) as*
7 *paragraph (4); and*

8 *(F) by inserting after paragraph (2) the fol-*
9 *lowing:*

10 *“(A) FOCUS AREAS.—In carrying out the*
11 *subprogram under this subsection, the Secretary*
12 *may implement traineeships in focus areas that,*
13 *in the determination of the Secretary, are nec-*
14 *essary to support the nuclear energy sector in the*
15 *United States, including—*

16 *“(i) research and development;*

17 *“(ii) construction and operation;*

18 *“(iii) associated supply chains; and*

19 *“(iv) workforce training and retrain-*
20 *ing to support transitioning workforces.”.*

1 **TITLE XXXII—DEFENSE NU-**
 2 **CLEAR FACILITIES SAFETY**
 3 **BOARD**

4 **SEC. 3201. AUTHORIZATION.**

5 *There are authorized to be appropriated for fiscal year*
 6 *2024, \$47,230,000 for the operation of the Defense Nuclear*
 7 *Facilities Safety Board under chapter 21 of the Atomic En-*
 8 *ergy Act of 1954 (42 U.S.C. 2286 et seq.).*

9 **TITLE XXXV—MARITIME**
 10 **ADMINISTRATION**

11 **SEC. 3501. MARITIME ADMINISTRATION.**

12 *Section 109 of title 49, United States Code, is amended*
 13 *to read as follows:*

14 **“§ 109. Maritime Administration**

15 *“(a) ORGANIZATION AND MISSION.—The Maritime*
 16 *Administration is an administration in the Department of*
 17 *Transportation. The mission of the Maritime Administra-*
 18 *tion is to foster, promote, and develop the merchant mari-*
 19 *time industry of the United States.*

20 *“(b) MARITIME ADMINISTRATOR.—The head of the*
 21 *Maritime Administration is the Maritime Administrator,*
 22 *who is appointed by the President by and with the advice*
 23 *and consent of the Senate. The Administrator shall report*
 24 *directly to the Secretary of Transportation and carry out*
 25 *the duties prescribed by the Secretary.*

1 “(c) *DEPUTY MARITIME ADMINISTRATOR.*—*The Mari-*
2 *time Administration shall have a Deputy Maritime Admin-*
3 *istrator, who is appointed in the competitive service by the*
4 *Secretary, after consultation with the Administrator. The*
5 *Deputy Administrator shall carry out the duties prescribed*
6 *by the Administrator. The Deputy Administrator shall be*
7 *Acting Administrator during the absence or disability of*
8 *the Administrator and, unless the Secretary designates an-*
9 *other individual, during a vacancy in the office of Adminis-*
10 *trator.*

11 “(d) *DUTIES AND POWERS VESTED IN SECRETARY.*—
12 *All duties and powers of the Maritime Administration are*
13 *vested in the Secretary.*

14 “(e) *REGIONAL OFFICES.*—*The Maritime Administra-*
15 *tion shall have regional offices for the Atlantic, Gulf, Great*
16 *Lakes, and Pacific port ranges, and may have other re-*
17 *gional offices as necessary. The Secretary shall appoint a*
18 *qualified individual as Director of each regional office. The*
19 *Secretary shall carry out appropriate activities and pro-*
20 *grams of the Maritime Administration through the regional*
21 *offices.*

22 “(f) *INTERAGENCY AND INDUSTRY RELATIONS.*—*The*
23 *Secretary shall establish and maintain liaison with other*
24 *agencies, and with representative trade organizations*
25 *throughout the United States, concerned with the transpor-*

1 *tation of commodities by water in the export and import*
 2 *foreign commerce of the United States, for the purpose of*
 3 *securing preference to vessels of the United States for the*
 4 *transportation of those commodities.*

5 “(g) *DETAILING OFFICERS FROM ARMED FORCES.*—
 6 *To assist the Secretary in carrying out duties and powers*
 7 *relating to the Maritime Administration, not more than*
 8 *five officers of the Armed Forces may be detailed to the Sec-*
 9 *retary at any one time, in addition to details authorized*
 10 *by any other law. During the period of a detail, the Sec-*
 11 *retary shall pay the officer an amount that, when added*
 12 *to the officer’s pay and allowances as an officer in the*
 13 *Armed Forces, makes the officer’s total pay and allowances*
 14 *equal to the amount that would be paid to an individual*
 15 *performing work the Secretary considers to be of similar*
 16 *importance, difficulty, and responsibility as that performed*
 17 *by the officer during the detail.*

18 “(h) *CONTRACTS, COOPERATIVE AGREEMENTS, AND*
 19 *AUDITS.*—

20 “(1) *CONTRACTS AND COOPERATIVE AGREE-*
 21 *MENTS.*—*In the same manner that a private corpora-*
 22 *tion may make a contract within the scope of its au-*
 23 *thority under its charter, the Secretary may make*
 24 *contracts and cooperative agreements for the United*
 25 *States Government and disburse amounts to—*

1 “(A) carry out the Secretary’s duties and
 2 powers under this section, subtitle V of title 46,
 3 and all other Maritime Administration pro-
 4 grams; and

5 “(B) protect, preserve, and improve collat-
 6 eral held by the Secretary to secure indebtedness.

7 “(2) AUDITS.—The financial transactions of the
 8 Secretary under paragraph (1) shall be audited by the
 9 Comptroller General. The Comptroller General shall
 10 allow credit for an expenditure shown to be necessary
 11 because of the nature of the business activities author-
 12 ized by this section or subtitle V of title 46. At least
 13 once a year, the Comptroller General shall report to
 14 Congress any departure by the Secretary from this
 15 section or subtitle V of title 46.

16 “(i) GRANT ADMINISTRATIVE EXPENSES.—Except as
 17 otherwise provided by law, the administrative and related
 18 expenses for the administration of any grant programs by
 19 the Maritime Administrator may not exceed 3 percent.

20 “(j) AUTHORIZATION OF APPROPRIATIONS.—

21 “(1) IN GENERAL.—Except as otherwise provided
 22 in this subsection, there are authorized to be appro-
 23 priated such amounts as may be necessary to carry
 24 out the duties and powers of the Secretary relating to
 25 the Maritime Administration.

1 “(2) *LIMITATIONS.—Only those amounts specifi-*
2 *cally authorized by law may be appropriated for the*
3 *use of the Maritime Administration for—*

4 “(A) *acquisition, construction, or recon-*
5 *struction of vessels;*

6 “(B) *construction-differential subsidies inci-*
7 *dent to the construction, reconstruction, or recon-*
8 *ditioning of vessels;*

9 “(C) *costs of national defense features;*

10 “(D) *payments of obligations incurred for*
11 *operating-differential subsidies;*

12 “(E) *expenses necessary for research and de-*
13 *velopment activities, including reimbursement of*
14 *the Vessel Operations Revolving Fund for losses*
15 *resulting from expenses of experimental vessel op-*
16 *erations;*

17 “(F) *the Vessel Operations Revolving Fund;*

18 “(G) *National Defense Reserve Fleet ex-*
19 *penses;*

20 “(H) *expenses necessary to carry out part B*
21 *of subtitle V of title 46; and*

22 “(I) *other operations and training expenses*
23 *related to the development of waterborne trans-*
24 *portation systems, the use of waterborne trans-*
25 *portation systems, and general administration.”.*

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.*—A decision to commit,
 11 obligate, or expend funds with or to a specific entity on
 12 the basis of a dollar amount authorized pursuant to sub-
 13 section (a) shall—

14 (1) be based on merit-based selection procedures
 15 in accordance with the requirements of sections 3201
 16 and 4024 of title 10, United States Code, or on com-
 17 petitive procedures; and

18 (2) comply with other applicable provisions of
 19 law.

20 (c) *RELATIONSHIP TO TRANSFER AND PROGRAMMING*
 21 *AUTHORITY.*—An amount specified in the funding tables in
 22 this division may be transferred or reprogrammed under
 23 a transfer or reprogramming authority provided by another
 24 provision of this Act or by other law. The transfer or re-
 25 programming of an amount specified in such funding tables

1 *shall not count against a ceiling on such transfers or*
2 *reprogrammings under section 1001 of this Act or any other*
3 *provision of law, unless such transfer or reprogramming*
4 *would move funds between appropriation accounts.*

5 *(d) APPLICABILITY TO CLASSIFIED ANNEX.—This sec-*
6 *tion applies to any classified annex that accompanies this*
7 *Act.*

8 *(e) ORAL OR WRITTEN COMMUNICATIONS.—No oral or*
9 *written communication concerning any amount specified in*
10 *the funding tables in this division shall supersede the re-*
11 *quirements of this section.*

1 TITLE XLI—PROCUREMENT

2 SEC. 4101. PROCUREMENT.

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2024 Request	Senate Authorized
AIRCRAFT PROCUREMENT, ARMY			
FIXED WING			
3	FUTURE UAS FAMILY	53,453	53,453
5	SMALL UNMANNED AIRCRAFT SYSTEMS	20,769	20,769
ROTARY			
6	AH-64 APACHE BLOCK IIIA REMAN	718,578	718,578
7	AH-64 APACHE BLOCK IIIA REMAN	110,360	110,360
8	UH-60 BLACKHAWK M MODEL (MYP)	668,258	668,258
9	UH-60 BLACKHAWK M MODEL (MYP)	92,494	92,494
10	UH-60 BLACK HAWK L AND V MODELS	153,196	153,196
11	CH-47 HELICOPTER	202,487	202,487
12	CH-47 HELICOPTER	18,936	18,936
MODIFICATION OF AIRCRAFT			
13	MQ-1 PAYLOAD	13,650	13,650
14	GRAY EAGLE MODS2	14,959	14,959
16	AH-64 MODS	113,127	113,127
17	CH-47 CARGO HELICOPTER MODS (MYP)	20,689	20,689
22	UTILITY HELICOPTER MODS	35,879	35,879
23	NETWORK AND MISSION PLAN	32,418	32,418
24	COMMS, NAV SURVEILLANCE	74,912	74,912
25	DEGRADED VISUAL ENVIRONMENT	16,838	16,838
26	AVIATION ASSURED PNT	67,383	67,383
27	GATM ROLLUP	8,924	8,924
29	UAS MODS	2,258	2,258
GROUND SUPPORT AVIONICS			
30	AIRCRAFT SURVIVABILITY EQUIPMENT	161,731	161,731
31	SURVIVABILITY CM	6,526	6,526
32	CMWS	72,041	72,041
33	COMMON INFRARED COUNTERMEASURES (CIRCM)	261,384	261,384
OTHER SUPPORT			
34	COMMON GROUND EQUIPMENT	25,752	25,752
35	AIRCREW INTEGRATED SYSTEMS	22,097	22,097
36	AIR TRAFFIC CONTROL	21,216	21,216
37	LAUNCHER, 2.75 ROCKET	2,125	2,125
	TOTAL AIRCRAFT PROCUREMENT, ARMY	3,012,440	3,012,440
MISSILE PROCUREMENT, ARMY			
SURFACE-TO-AIR MISSILE SYSTEM			
1	LOWER TIER AIR AND MISSILE DEFENSE (AMD) SEN	6,625	6,625
3	M-SHORAD—PROCUREMENT	400,697	400,697
4	MSE MISSILE	1,212,832	1,212,832
6	PRECISION STRIKE MISSILE (PRSM)	384,071	384,071
7	INDIRECT FIRE PROTECTION CAPABILITY INC 2-I	313,189	313,189
8	MID-RANGE CAPABILITY (MRC)	169,519	169,519
AIR-TO-SURFACE MISSILE SYSTEM			
9	HELLFIRE SYS SUMMARY	21,976	21,976
10	JOINT AIR-TO-GROUND MSLS (JAGM)	303,409	303,409
12	LONG-RANGE HYPERSONIC WEAPON	156,821	156,821
ANTI-TANK/ASSAULT MISSILE SYS			
13	JAVELIN (AAWS-M) SYSTEM SUMMARY	199,509	199,509
14	TOW 2 SYSTEM SUMMARY	120,475	120,475
15	GUIDED MLRS ROCKET (GMLRS)	886,367	886,367
16	GUIDED MLRS ROCKET (GMLRS)	55,913	55,913
17	MLRS REDUCED RANGE PRACTICE ROCKETS (RRPR)	10,334	10,334
18	HIGH MOBILITY ARTILLERY ROCKET SYSTEM (HIMARS)	179,230	179,230
19	ARMY TACTICAL MSL SYS (ATACMS)—SYS SUM	7,307	7,307
MODIFICATIONS			
21	PATRIOT MODS	212,247	212,247
22	STINGER MODS	36,484	36,484
23	AVENGER MODS	22,274	22,274
25	MLRS MODS	168,198	168,198
26	HIMARS MODIFICATIONS	76,266	76,266
SPARES AND REPAIR PARTS			
27	SPARES AND REPAIR PARTS	6,573	6,573
SUPPORT EQUIPMENT & FACILITIES			
28	AIR DEFENSE TARGETS	11,701	11,701
	TOTAL MISSILE PROCUREMENT, ARMY	4,962,017	4,962,017
PROCUREMENT OF W&TCV, ARMY			
TRACKED COMBAT VEHICLES			
1	ARMORED MULTI PURPOSE VEHICLE (AMPV)	554,777	554,777
3	MOBILE PROTECTED FIREPOWER	394,635	394,635

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2024 Request	Senate Authorized
MODIFICATION OF TRACKED COMBAT VEHICLES			
4	STRYKER UPGRADE	614,282	614,282
5	BRADLEY FIRE SUPPORT TEAM (BFIST) VEHICLE	5,232	5,232
6	BRADLEY PROGRAM (MOD)	158,274	158,274
7	M109 FOV MODIFICATIONS	90,986	90,986
8	PALADIN INTEGRATED MANAGEMENT (PIM)	469,152	469,152
9	IMPROVED RECOVERY VEHICLE (M88 HERCULES)	41,058	41,058
12	JOINT ASSAULT BRIDGE	159,804	159,804
13	ABRAMS UPGRADE PROGRAM	697,883	697,883
14	ABRAMS UPGRADE PROGRAM	102,440	102,440
WEAPONS & OTHER COMBAT VEHICLES			
16	PERSONAL DEFENSE WEAPON (ROLL)	510	510
17	M240 MEDIUM MACHINE GUN (7.62MM)	425	425
19	MACHINE GUN, CAL .50 M2 ROLL	3,420	3,420
20	MORTAR SYSTEMS	8,013	8,013
21	LOCATION & AZIMUTH DETERMINATION SYSTEM (LADS)	3,174	3,174
22	XM320 GRENADE LAUNCHER MODULE (GLM)	14,143	14,143
23	PRECISION SNIPER RIFLE	5,248	5,248
24	CARBINE	571	571
25	NEXT GENERATION SQUAD WEAPON	292,850	292,850
26	HANDGUN	32	32
MOD OF WEAPONS AND OTHER COMBAT VEH			
28	M777 MODS	18,920	18,920
31	M119 MODIFICATIONS	13,097	13,097
32	MORTAR MODIFICATION	423	423
SUPPORT EQUIPMENT & FACILITIES			
33	ITEMS LESS THAN \$5.0M (WOCV-WTCV)	1,148	1,148
34	PRODUCTION BASE SUPPORT (WOCV-WTCV)	115,024	115,024
	TOTAL PROCUREMENT OF W&TCV, ARMY	3,765,521	3,765,521
PROCUREMENT OF AMMUNITION, ARMY			
SMALL/MEDIUM CAL AMMUNITION			
1	CTG, 5.56MM, ALL TYPES	90,853	90,853
2	CTG, 7.62MM, ALL TYPES	65,370	65,370
3	NEXT GENERATION SQUAD WEAPON AMMUNITION	191,244	191,244
4	CTG, HANDGUN, ALL TYPES	6,597	6,597
5	CTG, .50 CAL, ALL TYPES	41,534	41,534
6	CTG, 20MM, ALL TYPES	7,925	7,925
7	CTG, 25MM, ALL TYPES	38,760	38,760
8	CTG, 30MM, ALL TYPES	107,805	107,805
9	CTG, 40MM, ALL TYPES	148,970	148,970
10	CTG, 50MM, ALL TYPES	28,000	28,000
MORTAR AMMUNITION			
11	60MM MORTAR, ALL TYPES	35,160	35,160
12	81MM MORTAR, ALL TYPES	40,562	40,562
13	120MM MORTAR, ALL TYPES	106,784	106,784
TANK AMMUNITION			
14	CARTRIDGES, TANK, 105MM AND 120MM, ALL TYPES	300,368	300,368
ARTILLERY AMMUNITION			
15	ARTILLERY CARTRIDGES, 75MM & 105MM, ALL TYPES	21,298	21,298
16	ARTILLERY PROJECTILE, 155MM, ALL TYPES	150,839	150,839
18	PRECISION ARTILLERY MUNITIONS	96,406	96,406
19	ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL	172,947	172,947
MINES			
20	MINES & CLEARING CHARGES, ALL TYPES	71,182	71,182
21	CLOSE TERRAIN SHAPING OBSTACLE	55,374	55,374
ROCKETS			
22	SHOULDER LAUNCHED MUNITIONS, ALL TYPES	18,630	18,630
23	ROCKET, HYDRA 70, ALL TYPES	87,293	87,293
OTHER AMMUNITION			
24	CAD/PAD, ALL TYPES	6,564	6,564
25	DEMOLITION MUNITIONS, ALL TYPES	24,238	24,238
26	GRENADES, ALL TYPES	48,374	48,374
27	SIGNALS, ALL TYPES	23,252	23,252
28	SIMULATORS, ALL TYPES	11,309	11,309
MISCELLANEOUS			
30	AMMO COMPONENTS, ALL TYPES	3,976	3,976
31	NON-LETHAL AMMUNITION, ALL TYPES	3,281	3,281
32	ITEMS LESS THAN \$5 MILLION (AMMO)	17,436	17,436
33	AMMUNITION PECULIAR EQUIPMENT	13,133	13,133
34	FIRST DESTINATION TRANSPORTATION (AMMO)	18,068	18,068
35	CLOSEOUT LIABILITIES	102	102
PRODUCTION BASE SUPPORT			
36	INDUSTRIAL FACILITIES	726,135	726,135
37	CONVENTIONAL MUNITIONS DEMILITARIZATION	183,752	183,752
38	ARMS INITIATIVE	4,057	4,057
	TOTAL PROCUREMENT OF AMMUNITION, ARMY	2,967,578	2,967,578

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2024 Request	Senate Authorized
OTHER PROCUREMENT, ARMY			
TACTICAL VEHICLES			
1	SEMITRAILERS, FLATBED:	22,751	22,751
2	SEMITRAILERS, TANKERS	40,359	40,359
3	HI MOB MULTI-PURP WHLD VEH (HMMWV)	25,904	25,904
4	GROUND MOBILITY VEHICLES (GMV)	36,223	36,223
6	JOINT LIGHT TACTICAL VEHICLE FAMILY OF VEHICL	839,413	839,413
7	TRUCK, DUMP, 30T (CCE)	20,075	20,075
8	FAMILY OF MEDIUM TACTICAL VEH (FMTV)	110,734	110,734
9	FAMILY OF COLD WEATHER ALL-TERRAIN VEHICLE (C	28,745	28,745
10	FIRETRUCKS & ASSOCIATED FIREFIGHTING EQUIP	55,340	55,340
11	FAMILY OF HEAVY TACTICAL VEHICLES (FHTV)	66,428	66,428
12	PLS ESP	51,868	51,868
14	TACTICAL WHEELED VEHICLE PROTECTION KITS	3,792	3,792
15	MODIFICATION OF IN SVC EQUIP	80,326	80,326
NON-TACTICAL VEHICLES			
16	PASSENGER CARRYING VEHICLES	2,203	2,203
17	NONTACTICAL VEHICLES, OTHER	8,246	8,246
COMM—JOINT COMMUNICATIONS			
18	SIGNAL MODERNIZATION PROGRAM	161,585	161,585
19	TACTICAL NETWORK TECHNOLOGY MOD IN SVC	358,646	358,646
20	DISASTER INCIDENT RESPONSE COMMS TERMINAL (DI	254	254
21	JCSE EQUIPMENT (USRDECOM)	5,097	5,097
COMM—SATELLITE COMMUNICATIONS			
24	DEFENSE ENTERPRISE WIDEBAND SATCOM SYSTEMS	101,181	101,181
25	TRANSPORTABLE TACTICAL COMMAND COMMUNICATIONS	54,849	54,849
26	SHF TERM	41,634	41,634
27	ASSURED POSITIONING, NAVIGATION AND TIMING	202,370	202,370
28	EHF SATELLITE COMMUNICATION	19,122	19,122
30	GLOBAL BRDCST SVC—GBS	531	531
COMM—C3 SYSTEM			
31	COE TACTICAL SERVER INFRASTRUCTURE (TSI)	77,999	77,999
COMM—COMBAT COMMUNICATIONS			
32	HANDHELD MANPACK SMALL FORM FIT (HMS)	765,109	765,109
33	ARMY LINK 16 SYSTEMS	60,767	60,767
35	UNIFIED COMMAND SUITE	18,999	18,999
36	COTS COMMUNICATIONS EQUIPMENT	492,001	492,001
37	FAMILY OF MED COMM FOR COMBAT CASUALTY CARE	1,374	1,374
38	ARMY COMMUNICATIONS & ELECTRONICS	52,485	52,485
COMM—INTELLIGENCE COMM			
39	CI AUTOMATION ARCHITECTURE-INTEL	16,767	16,767
41	MULTI-DOMAIN INTELLIGENCE	119,989	119,989
INFORMATION SECURITY			
42	INFORMATION SYSTEM SECURITY PROGRAM-ISSP	701	701
43	COMMUNICATIONS SECURITY (COMSEC)	159,712	159,712
44	DEFENSIVE CYBER OPERATIONS	13,848	13,848
45	INSIDER THREAT PROGRAM—UNIT ACTIVITY MONITO	1,502	1,502
47	BIOMETRIC ENABLING CAPABILITY (BEC)	453	453
COMM—LONG HAUL COMMUNICATIONS			
49	BASE SUPPORT COMMUNICATIONS	23,278	23,278
COMM—BASE COMMUNICATIONS			
50	INFORMATION SYSTEMS	32,608	32,608
51	EMERGENCY MANAGEMENT MODERNIZATION PROGRAM	4,949	4,949
52	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM	243,011	243,011
ELECT EQUIP—TACT INT REL ACT (TIARA)			
55	JTT/CIBS-M	8,543	8,543
56	TERRESTRIAL LAYER SYSTEMS (TLS)	85,486	85,486
58	DCGS-A-INTEL	2,980	2,980
60	TROJAN	30,649	30,649
61	MOD OF IN-SVC EQUIP (INTEL SPT)	4,169	4,169
62	BIOMETRIC TACTICAL COLLECTION DEVICES	932	932
ELECT EQUIP—ELECTRONIC WARFARE (EW)			
63	EW PLANNING & MANAGEMENT TOOLS (EWPMT)	21,278	21,278
64	AIR VIGILANCE (AV)	6,641	6,641
65	MULTI-FUNCTION ELECTRONIC WARFARE (MFEW) SYST	15,941	15,941
67	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES	22,833	22,833
68	CI MODERNIZATION	434	434
ELECT EQUIP—TACTICAL SURV. (TAC SURV)			
69	SENTINEL MODS	161,886	161,886
70	NIGHT VISION DEVICES	141,143	141,143
71	SMALL TACTICAL OPTICAL RIFLE MOUNTED MLRF	15,484	15,484
73	FAMILY OF WEAPON SIGHTS (FWS)	185,634	185,634
74	ENHANCED PORTABLE INDUCTIVE ARTILLERY FUZE SE	3,652	3,652
75	FORWARD LOOKING INFRARED (IFLIR)	20,438	20,438
76	COUNTER SMALL UNMANNED AERIAL SYSTEM (C-SUAS)	365,376	365,376
77	JOINT BATTLE COMMAND—PLATFORM (JBC-P)	215,290	215,290
78	JOINT EFFECTS TARGETING SYSTEM (JETS)	8,932	8,932
79	COMPUTER BALLISTICS: LHMBX XM32	2,965	2,965

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2024 Request	Senate Authorized
80	MORTAR FIRE CONTROL SYSTEM	8,024	8,024
81	MORTAR FIRE CONTROL SYSTEMS MODIFICATIONS	7,399	7,399
82	COUNTERFIRE RADARS	99,782	99,782
	ELECT EQUIP—TACTICAL C2 SYSTEMS		
83	ARMY COMMAND POST INTEGRATED INFRASTRUCTURE (.....)	78,512	78,512
84	FIRE SUPPORT C2 FAMILY	10,052	10,052
85	AIR & MSL DEFENSE PLANNING & CONTROL SYS	68,892	68,892
86	LAMD BATTLE COMMAND SYSTEM	412,556	412,556
87	LIFE CYCLE SOFTWARE SUPPORT (LCSS)	4,270	4,270
88	NETWORK MANAGEMENT INITIALIZATION AND SERVICE	37,194	37,194
89	GLOBAL COMBAT SUPPORT SYSTEM-ARMY (GCSS-A)	1,987	1,987
90	INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY (IPP)	5,318	5,318
91	MOD OF IN-SVC EQUIPMENT (ENFIRE)	4,997	4,997
	ELECT EQUIP—AUTOMATION		
92	ARMY TRAINING MODERNIZATION	10,130	10,130
93	AUTOMATED DATA PROCESSING EQUIP	61,489	61,489
94	ACCESSIONS INFORMATION ENVIRONMENT (AIE)	4,198	4,198
96	HIGH PERF COMPUTING MOD PGM (HPCMP)	76,053	76,053
97	CONTRACT WRITING SYSTEM	6,061	6,061
98	CSS COMMUNICATIONS	56,804	56,804
	CLASSIFIED PROGRAMS		
9999	CLASSIFIED PROGRAMS	1,781	1,781
	CHEMICAL DEFENSIVE EQUIPMENT		
102	BASE DEFENSE SYSTEMS (BDS)	70,781	70,781
103	CBRN DEFENSE	63,198	63,198
	BRIDGING EQUIPMENT		
104	TACTICAL BRIDGING	1,157	1,157
105	TACTICAL BRIDGE, FLOAT-RIBBON	82,228	82,228
106	BRIDGE SUPPLEMENTAL SET	4,414	4,414
	ENGINEER (NON-CONSTRUCTION) EQUIPMENT		
110	ROBOTICS AND APPLIQUE SYSTEMS	68,893	68,893
112	FAMILY OF BOATS AND MOTORS	4,785	4,785
	COMBAT SERVICE SUPPORT EQUIPMENT		
113	HEATERS AND ECU'S	7,617	7,617
115	PERSONNEL RECOVERY SUPPORT SYSTEM (PRSS)	5,356	5,356
116	GROUND SOLDIER SYSTEM	167,129	167,129
117	MOBILE SOLDIER POWER	15,967	15,967
118	FORCE PROVIDER	34,200	34,200
120	CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM	45,792	45,792
121	FAMILY OF ENGR COMBAT AND CONSTRUCTION SETS	12,118	12,118
	PETROLEUM EQUIPMENT		
123	QUALITY SURVEILLANCE EQUIPMENT	2,507	2,507
124	DISTRIBUTION SYSTEMS, PETROLEUM & WATER	40,989	40,989
	MEDICAL EQUIPMENT		
125	COMBAT SUPPORT MEDICAL	86,829	86,829
	MAINTENANCE EQUIPMENT		
126	MOBILE MAINTENANCE EQUIPMENT SYSTEMS	17,287	17,287
	CONSTRUCTION EQUIPMENT		
128	TRACTOR, FULL TRACKED	29,878	29,878
129	ALL TERRAIN CRANES	27,725	27,725
131	FAMILY OF DIVER SUPPORT EQUIPMENT	1,811	1,811
132	CONST EQUIP ESP	8,898	8,898
	RAIL FLOAT CONTAINERIZATION EQUIPMENT		
133	ARMY WATERCRAFT ESP	30,592	30,592
134	MANEUVER SUPPORT VESSEL (MSV)	149,449	149,449
	GENERATORS		
136	GENERATORS AND ASSOCIATED EQUIP	78,364	78,364
137	TACTICAL ELECTRIC POWER RECAPITALIZATION	11,088	11,088
	MATERIAL HANDLING EQUIPMENT		
138	FAMILY OF FORKLIFTS	12,982	12,982
	TRAINING EQUIPMENT		
139	COMBAT TRAINING CENTERS SUPPORT	56,619	56,619
140	TRAINING DEVICES, NONSYSTEM	226,379	226,379
141	SYNTHETIC TRAINING ENVIRONMENT (STE)	234,965	234,965
142	GAMING TECHNOLOGY IN SUPPORT OF ARMY TRAINING	9,698	9,698
	TEST MEASURE AND DIG EQUIPMENT (TMD)		
143	INTEGRATED FAMILY OF TEST EQUIPMENT (IFTE)	36,149	36,149
144	TEST EQUIPMENT MODERNIZATION (TEMOD)	32,623	32,623
	OTHER SUPPORT EQUIPMENT		
145	PHYSICAL SECURITY SYSTEMS (OPA3)	132,739	132,739
146	BASE LEVEL COMMON EQUIPMENT	34,460	34,460
147	MODIFICATION OF IN-SVC EQUIPMENT (OPA-3)	35,239	35,239
148	BUILDING, PRE-FAB, RELOCATABLE	31,011	31,011
149	SPECIAL EQUIPMENT FOR TEST AND EVALUATION	52,481	52,481
	OPA2		
151	INITIAL SPARES—C&E	9,169	9,169
	TOTAL OTHER PROCUREMENT, ARMY	8,672,979	8,672,979

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2024 Request	Senate Authorized
AIRCRAFT PROCUREMENT, NAVY			
COMBAT AIRCRAFT			
1	F/A-18E/F (FIGHTER) HORNET	41,329	41,329
2	JOINT STRIKE FIGHTER CV	2,410,569	2,410,569
3	JOINT STRIKE FIGHTER CV	189,425	189,425
4	JSF STOVL	2,126,317	2,126,317
5	JSF STOVL	193,125	193,125
6	CH-53K (HEAVY LIFT)	1,698,050	1,698,050
7	CH-53K (HEAVY LIFT)	456,567	456,567
8	V-22 (MEDIUM LIFT)	27,216	27,216
9	H-1 UPGRADES (UH-1Y/AH-1Z)	4,292	4,292
10	P-8A POSEIDON	31,257	31,257
11	E-2D ADV HAWKEYE	182,817	182,817
TRAINER AIRCRAFT			
13	MULTI-ENGINE TRAINING SYSTEM (METS)	289,141	289,141
OTHER AIRCRAFT			
15	KC-130J	241,291	241,291
17	MQ-4 TRITON	416,010	416,010
19	MQ-8 UAV	1,546	1,546
21	MQ-25	545,697	545,697
22	MQ-25	50,576	50,576
23	MARINE GROUP 5 UAS	89,563	89,563
MODIFICATION OF AIRCRAFT			
24	F-18 A-D UNIQUE	116,551	116,551
25	F-18E/F AND EA-18G MODERNIZATION AND SUSTAINM	605,416	605,416
26	MARINE GROUP 5 UAS SERIES	98,063	98,063
27	AEA SYSTEMS	24,110	24,110
28	AV-8 SERIES	22,829	22,829
29	INFRARED SEARCH AND TRACK (IRST)	179,193	179,193
30	ADVERSARY	69,336	69,336
31	F-18 SERIES	640,236	640,236
32	H-53 SERIES	41,414	41,414
33	MH-60 SERIES	106,495	106,495
34	H-1 SERIES	114,284	114,284
35	EP-3 SERIES	8,548	8,548
36	E-2 SERIES	183,246	183,246
37	TRAINER A/C SERIES	16,376	16,376
39	C-130 SERIES	198,220	198,220
40	FEWSG	651	651
41	CARGO/TRANSPORT A/C SERIES	13,930	13,930
42	E-6 SERIES	164,571	164,571
43	EXECUTIVE HELICOPTERS SERIES	60,498	60,498
44	T-45 SERIES	170,357	170,357
45	POWER PLANT CHANGES	21,079	21,079
46	JPATS SERIES	28,005	28,005
48	COMMON ECM EQUIPMENT	53,614	53,614
49	COMMON AVIONICS CHANGES	136,199	136,199
50	COMMON DEFENSIVE WEAPON SYSTEM	6,585	6,585
51	ID SYSTEMS	13,085	13,085
52	P-8 SERIES	316,168	316,168
53	MAGTF EW FOR AVIATION	24,901	24,901
54	MQ-8 SERIES	14,700	14,700
55	V-22 (TILT/ROTOR ACFT) OSPREY	215,997	215,997
56	NEXT GENERATION JAMMER (NGJ)	426,396	426,396
57	F-35 STOVL SERIES	311,921	311,921
58	F-35 CV SERIES	166,909	166,909
59	QRC	28,206	28,206
60	MQ-4 SERIES	93,951	93,951
AIRCRAFT SPARES AND REPAIR PARTS			
62	SPARES AND REPAIR PARTS	2,451,244	2,451,244
AIRCRAFT SUPPORT EQUIP & FACILITIES			
63	COMMON GROUND EQUIPMENT	566,156	566,156
64	AIRCRAFT INDUSTRIAL FACILITIES	133,815	133,815
65	WAR CONSUMABLES	44,632	44,632
66	OTHER PRODUCTION CHARGES	49,907	49,907
67	SPECIAL SUPPORT EQUIPMENT	404,178	404,178
TOTAL AIRCRAFT PROCUREMENT, NAVY		17,336,760	17,336,760
WEAPONS PROCUREMENT, NAVY			
MODIFICATION OF MISSILES			
1	CONVENTIONAL PROMPT STRIKE	341,434	341,434
2	TRIDENT II MODS	1,284,705	1,284,705
SUPPORT EQUIPMENT & FACILITIES			
3	MISSILE INDUSTRIAL FACILITIES	7,954	7,954
STRATEGIC MISSILES			
4	TOMAHAWK	72,908	72,908
TACTICAL MISSILES			
5	AMRAAM	439,153	439,153

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2024 Request	Senate Authorized
6	SIDEWINDER	78,165	78,165
7	STANDARD MISSILE	969,525	969,525
8	STANDARD MISSILE	227,320	227,320
9	SMALL DIAMETER BOMB II	65,863	65,863
10	RAM	114,896	114,896
11	JOINT AIR GROUND MISSILE (JAGM)	79,292	79,292
12	HELLFIRE	6,923	6,923
13	AERIAL TARGETS	176,588	176,588
14	OTHER MISSILE SUPPORT	3,687	3,687
15	LRASM	639,636	639,636
16	NAVAL STRIKE MISSILE (NSM)	29,925	29,925
17	NAVAL STRIKE MISSILE (NSM)	5,755	5,755
	MODIFICATION OF MISSILES		
18	TOMAHAWK MODS	540,944	540,944
19	ESSM	290,129	290,129
20	AARGM-ER	162,429	162,429
21	AARGM-ER	33,273	33,273
22	STANDARD MISSILES MODS	89,255	89,255
	SUPPORT EQUIPMENT & FACILITIES		
23	WEAPONS INDUSTRIAL FACILITIES	2,037	2,037
	ORDNANCE SUPPORT EQUIPMENT		
25	ORDNANCE SUPPORT EQUIPMENT	208,154	208,154
	TORPEDOES AND RELATED EQUIP		
26	SSTD	4,830	4,830
27	MK-48 TORPEDO	308,497	308,497
28	ASW TARGETS	14,817	14,817
	MOD OF TORPEDOES AND RELATED EQUIP		
29	MK-54 TORPEDO MODS	104,086	104,086
30	MK-48 TORPEDO ADCAP MODS	20,714	20,714
31	MARITIME MINES	58,800	58,800
	SUPPORT EQUIPMENT		
32	TORPEDO SUPPORT EQUIPMENT	133,187	133,187
33	ASW RANGE SUPPORT	4,146	4,146
	DESTINATION TRANSPORTATION		
34	FIRST DESTINATION TRANSPORTATION	5,811	5,811
	GUNS AND GUN MOUNTS		
35	SMALL ARMS AND WEAPONS	14,165	14,165
	MODIFICATION OF GUNS AND GUN MOUNTS		
36	CIWS MODS	4,088	4,088
37	COAST GUARD WEAPONS	55,172	55,172
38	GUN MOUNT MODS	82,682	82,682
39	LCS MODULE WEAPONS	3,264	3,264
40	AIRBORNE MINE NEUTRALIZATION SYSTEMS	14,357	14,357
	SPARES AND REPAIR PARTS		
42	SPARES AND REPAIR PARTS	177,819	177,819
	TOTAL WEAPONS PROCUREMENT, NAVY	6,876,385	6,876,385
	PROCUREMENT OF AMMO, NAVY & MC		
	NAVY AMMUNITION		
1	GENERAL PURPOSE BOMBS	43,519	43,519
2	JDAM	73,689	73,689
3	AIRBORNE ROCKETS, ALL TYPES	67,423	67,423
4	MACHINE GUN AMMUNITION	11,862	11,862
5	PRACTICE BOMBS	52,481	52,481
6	CARTRIDGES & CART ACTUATED DEVICES	72,426	72,426
7	AIR EXPENDABLE COUNTERMEASURES	104,529	104,529
8	JATOS	7,433	7,433
9	5 INCH/54 GUN AMMUNITION	30,871	30,871
10	INTERMEDIATE CALIBER GUN AMMUNITION	41,261	41,261
11	OTHER SHIP GUN AMMUNITION	44,044	44,044
12	SMALL ARMS & LANDING PARTY AMMO	48,478	48,478
13	PYROTECHNIC AND DEMOLITION	9,521	9,521
14	AMMUNITION LESS THAN \$5 MILLION	1,679	1,679
15	EXPEDITIONARY LOITERING MUNITIONS	249,575	249,575
	MARINE CORPS AMMUNITION		
16	MORTARS	61,274	61,274
17	DIRECT SUPPORT MUNITIONS	73,338	73,338
18	INFANTRY WEAPONS AMMUNITION	178,240	178,240
19	COMBAT SUPPORT MUNITIONS	15,897	15,897
20	AMMO MODERNIZATION	17,941	17,941
21	ARTILLERY MUNITIONS	82,452	82,452
22	ITEMS LESS THAN \$5 MILLION	5,340	5,340
	TOTAL PROCUREMENT OF AMMO, NAVY & MC	1,293,273	1,293,273
	SHIPBUILDING AND CONVERSION, NAVY		
	FLEET BALLISTIC MISSILE SHIPS		
1	OHIO REPLACEMENT SUBMARINE	2,443,598	2,443,598
2	OHIO REPLACEMENT SUBMARINE	3,390,734	3,390,734

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2024 Request	Senate Authorized
OTHER WARSHIPS			
3	CARRIER REPLACEMENT PROGRAM	1,115,296	1,115,296
4	CVN-81	800,492	800,492
5	VIRGINIA CLASS SUBMARINE	7,129,965	7,129,965
6	VIRGINIA CLASS SUBMARINE	3,215,539	3,215,539
8	CVN REFUELING OVERHAULS	817,646	817,646
9	DDG 1000	410,400	410,400
10	DDG-51	4,199,179	4,199,179
11	DDG-51	284,035	284,035
13	FFG-FRIGATE	2,173,698	2,173,698
AMPHIBIOUS SHIPS			
14	LPD FLIGHT II	0	1,863,000
	Program increase for LPD-33—USMC UFR		[1,863,000]
18	LHA REPLACEMENT	1,830,149	1,830,149
AUXILIARIES, CRAFT AND PRIOR YR PROGRAM COST			
21	AS SUBMARINE TENDER	1,733,234	1,733,234
22	TAO FLEET OILER	815,420	815,420
25	LCU 1700	62,532	62,532
26	OUTFITTING	557,365	557,365
28	SERVICE CRAFT	63,815	63,815
29	AUXILIARY PERSONNEL LIGHTER	0	72,000
	Additional APL-67 class berthing barge		[72,000]
30	LCAC SLEP	15,286	15,286
31	AUXILIARY VESSELS (USED SEALIFT)	142,008	142,008
32	COMPLETION OF PY SHIPBUILDING PROGRAMS	1,648,559	1,648,559
	TOTAL SHIPBUILDING AND CONVERSION, NAVY	32,848,950	34,783,950
OTHER PROCUREMENT, NAVY			
SHIP PROPULSION EQUIPMENT			
1	SURFACE POWER EQUIPMENT	14,003	14,003
GENERATORS			
2	SURFACE COMBATANT HM&E	105,441	105,441
NAVIGATION EQUIPMENT			
3	OTHER NAVIGATION EQUIPMENT	110,286	110,286
OTHER SHIPBOARD EQUIPMENT			
4	SUB PERISCOPE, IMAGING AND SUPT EQUIP PROG	262,951	262,951
5	DDG MOD	628,532	628,532
6	FIREFIGHTING EQUIPMENT	34,782	34,782
7	COMMAND AND CONTROL SWITCHBOARD	2,458	2,458
8	LHA/LHD MIDLIFE	104,369	104,369
9	LCC 19/20 EXTENDED SERVICE LIFE PROGRAM	10,529	10,529
10	POLLUTION CONTROL EQUIPMENT	23,272	23,272
11	SUBMARINE SUPPORT EQUIPMENT	112,526	112,526
12	VIRGINIA CLASS SUPPORT EQUIPMENT	32,076	32,076
13	LCS CLASS SUPPORT EQUIPMENT	18,832	18,832
14	SUBMARINE BATTERIES	28,221	28,221
15	LPD CLASS SUPPORT EQUIPMENT	91,890	91,890
16	DDG 1000 CLASS SUPPORT EQUIPMENT	232,124	232,124
17	STRATEGIC PLATFORM SUPPORT EQUIP	25,058	25,058
18	DSSP EQUIPMENT	4,623	4,623
20	LCAC	10,794	10,794
21	UNDERWATER EOD EQUIPMENT	19,549	19,549
22	ITEMS LESS THAN \$5 MILLION	86,001	86,001
23	CHEMICAL WARFARE DETECTORS	3,288	3,288
REACTOR PLANT EQUIPMENT			
24	SHIP MAINTENANCE, REPAIR AND MODERNIZATION	2,746,313	2,746,313
25	REACTOR POWER UNITS	2,016	2,016
26	REACTOR COMPONENTS	390,148	390,148
OCEAN ENGINEERING			
27	DIVING AND SALVAGE EQUIPMENT	18,086	18,086
SMALL BOATS			
28	STANDARD BOATS	74,963	74,963
PRODUCTION FACILITIES EQUIPMENT			
29	OPERATING FORCES IPE	187,495	187,495
OTHER SHIP SUPPORT			
30	LCS COMMON MISSION MODULES EQUIPMENT	49,060	49,060
31	LCS MCM MISSION MODULES	93,961	93,961
33	LCS SUW MISSION MODULES	12,102	12,102
34	LCS IN-SERVICE MODERNIZATION	171,704	171,704
35	SMALL & MEDIUM UUV	61,951	61,951
LOGISTIC SUPPORT			
36	LSD MIDLIFE & MODERNIZATION	7,594	7,594
SHIP SONARS			
37	SPQ-9B RADAR	7,267	7,267
38	AN/SQQ-89 SURF ASW COMBAT SYSTEM	138,065	138,065
39	SSN ACOUSTIC EQUIPMENT	463,577	463,577
40	UNDERSEA WARFARE SUPPORT EQUIPMENT	23,452	23,452
ASW ELECTRONIC EQUIPMENT			

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2024 Request	Senate Authorized
41	SUBMARINE ACOUSTIC WARFARE SYSTEM	46,726	46,726
42	SSTD	14,560	14,560
43	FIXED SURVEILLANCE SYSTEM	420,069	420,069
44	SURTASS	33,910	33,910
	ELECTRONIC WARFARE EQUIPMENT		
45	AN/SLQ-32	329,513	329,513
	RECONNAISSANCE EQUIPMENT		
46	SHIPBOARD IW EXPLOIT	379,230	379,230
47	AUTOMATED IDENTIFICATION SYSTEM (AIS)	4,082	4,082
	OTHER SHIP ELECTRONIC EQUIPMENT		
48	COOPERATIVE ENGAGEMENT CAPABILITY	37,677	37,677
49	NAVAL TACTICAL COMMAND SUPPORT SYSTEM (NTCSS)	15,374	15,374
50	ATDLS	50,148	50,148
51	NAVY COMMAND AND CONTROL SYSTEM (NCCS)	3,918	3,918
52	MINESWEEPING SYSTEM REPLACEMENT	16,814	16,814
54	NAVSTAR GPS RECEIVERS (SPACE)	37,319	37,319
55	AMERICAN FORCES RADIO AND TV SERVICE	2,750	2,750
56	STRATEGIC PLATFORM SUPPORT EQUIP	6,437	6,437
	AVIATION ELECTRONIC EQUIPMENT		
57	ASHORE ATC EQUIPMENT	89,237	89,237
58	AFLOAT ATC EQUIPMENT	90,487	90,487
59	ID SYSTEMS	59,234	59,234
60	JOINT PRECISION APPROACH AND LANDING SYSTEM (.....	3,343	3,343
61	NAVAL MISSION PLANNING SYSTEMS	39,180	39,180
	OTHER SHORE ELECTRONIC EQUIPMENT		
62	MARITIME INTEGRATED BROADCAST SYSTEM	6,994	6,994
63	TACTICAL/MOBILE CAI SYSTEMS	52,026	52,026
64	DCGS-N	16,579	16,579
65	CANES	467,587	467,587
66	RADLAC	16,475	16,475
67	CANES-INTELL	48,207	48,207
68	GPETE	25,761	25,761
69	MASF	16,475	16,475
70	INTEG COMBAT SYSTEM TEST FACILITY	6,345	6,345
71	EMI CONTROL INSTRUMENTATION	4,282	4,282
73	IN-SERVICE RADARS AND SENSORS	255,256	255,256
	SHIPBOARD COMMUNICATIONS		
74	BATTLE FORCE TACTICAL NETWORK	74,180	74,180
75	SHIPBOARD TACTICAL COMMUNICATIONS	29,776	29,776
76	SHIP COMMUNICATIONS AUTOMATION	96,916	96,916
77	COMMUNICATIONS ITEMS UNDER \$5M	14,107	14,107
	SUBMARINE COMMUNICATIONS		
78	SUBMARINE BROADCAST SUPPORT	73,791	73,791
79	SUBMARINE COMMUNICATION EQUIPMENT	83,178	83,178
	SATELLITE COMMUNICATIONS		
80	SATELLITE COMMUNICATIONS SYSTEMS	72,871	72,871
81	NAVY MULTIBAND TERMINAL (NMT)	37,921	37,921
	SHORE COMMUNICATIONS		
82	JOINT COMMUNICATIONS SUPPORT ELEMENT (JCSE)	5,065	5,065
	CRYPTOGRAPHIC EQUIPMENT		
83	INFO SYSTEMS SECURITY PROGRAM (ISSP)	154,890	154,890
84	MIO INTEL EXPLOITATION TEAM	1,079	1,079
	CRYPTOLOGIC EQUIPMENT		
85	CRYPTOLOGIC COMMUNICATIONS EQUIP	17,483	17,483
	OTHER ELECTRONIC SUPPORT		
86	COAST GUARD EQUIPMENT	77,458	77,458
	SONOBUOYS		
88	SONOBUOYS—ALL TYPES	311,177	311,177
	AIRCRAFT SUPPORT EQUIPMENT		
89	MINOTAUR	5,396	5,396
90	WEAPONS RANGE SUPPORT EQUIPMENT	147,556	147,556
91	AIRCRAFT SUPPORT EQUIPMENT	162,273	162,273
92	ADVANCED ARRESTING GEAR (AAG)	11,930	11,930
93	ELECTROMAGNETIC AIRCRAFT LAUNCH SYSTEM (EMALS)	17,836	17,836
94	METEOROLOGICAL EQUIPMENT	19,703	19,703
95	LEGACY AIRBORNE MCM	12,202	12,202
97	AVIATION SUPPORT EQUIPMENT	82,115	82,115
98	UMCS-UNMAN CARRIER AVIATION(UCA)MISSION CNTRL	152,687	152,687
99	ARCHITECT & CAP FOR AUTONOMY IN NAV ENTER (AR	1,612	1,612
	SHIP GUN SYSTEM EQUIPMENT		
100	SHIP GUN SYSTEMS EQUIPMENT	6,404	6,404
	SHIP MISSILE SYSTEMS EQUIPMENT		
101	HARPOON SUPPORT EQUIPMENT	227	227
102	SHIP MISSILE SUPPORT EQUIPMENT	294,511	294,511
103	TOMAHAWK SUPPORT EQUIPMENT	92,432	92,432
	FBM SUPPORT EQUIPMENT		
104	STRATEGIC MISSILE SYSTEMS EQUIP	325,318	325,318
	ASW SUPPORT EQUIPMENT		

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2024 Request	Senate Authorized
105	SSN COMBAT CONTROL SYSTEMS	133,063	133,063
106	ASW SUPPORT EQUIPMENT	27,469	27,469
	OTHER ORDNANCE SUPPORT EQUIPMENT		
107	EXPLOSIVE ORDNANCE DISPOSAL EQUIP	27,864	27,864
108	ITEMS LESS THAN \$5 MILLION	6,171	6,171
	OTHER EXPENDABLE ORDNANCE		
109	ANTI-SHIP MISSILE DECOY SYSTEM	56,630	56,630
110	SUBMARINE TRAINING DEVICE MODS	76,954	76,954
111	SURFACE TRAINING EQUIPMENT	209,487	209,487
	CIVIL ENGINEERING SUPPORT EQUIPMENT		
112	PASSENGER CARRYING VEHICLES	3,827	3,827
113	GENERAL PURPOSE TRUCKS	4,570	4,570
114	CONSTRUCTION & MAINTENANCE EQUIP	56,829	56,829
115	FIRE FIGHTING EQUIPMENT	16,583	16,583
116	TACTICAL VEHICLES	24,236	24,236
117	AMPHIBIOUS EQUIPMENT	4,504	4,504
118	POLLUTION CONTROL EQUIPMENT	3,898	3,898
119	ITEMS LESS THAN \$5 MILLION	67,286	67,286
120	PHYSICAL SECURITY VEHICLES	1,286	1,286
	SUPPLY SUPPORT EQUIPMENT		
121	SUPPLY EQUIPMENT	33,258	33,258
122	FIRST DESTINATION TRANSPORTATION	6,977	6,977
123	SPECIAL PURPOSE SUPPLY SYSTEMS	659,529	659,529
	TRAINING DEVICES		
124	TRAINING SUPPORT EQUIPMENT	2,083	2,083
125	TRAINING AND EDUCATION EQUIPMENT	106,542	106,542
	COMMAND SUPPORT EQUIPMENT		
126	COMMAND SUPPORT EQUIPMENT	44,448	44,448
127	MEDICAL SUPPORT EQUIPMENT	12,529	12,529
129	NAVAL MIP SUPPORT EQUIPMENT	5,408	5,408
130	OPERATING FORCES SUPPORT EQUIPMENT	12,105	12,105
131	CAISR EQUIPMENT	7,670	7,670
132	ENVIRONMENTAL SUPPORT EQUIPMENT	52,597	52,597
133	PHYSICAL SECURITY EQUIPMENT	108,901	108,901
134	ENTERPRISE INFORMATION TECHNOLOGY	42,154	42,154
	OTHER		
139	NEXT GENERATION ENTERPRISE SERVICE	177,585	177,585
140	CYBERSPACE ACTIVITIES	23,176	23,176
	CLASSIFIED PROGRAMS		
9999	CLASSIFIED PROGRAMS	16,290	16,290
	SPARES AND REPAIR PARTS		
142	SPARES AND REPAIR PARTS	645,900	645,900
143	VIRGINIA CLASS (VACL) SPARES AND REPAIR PARTS	470,000	470,000
	TOTAL OTHER PROCUREMENT, NAVY	14,535,257	14,535,257
	PROCUREMENT, MARINE CORPS		
	TRACKED COMBAT VEHICLES		
1	AAV7A1 PIP	3,353	3,353
2	AMPHIBIOUS COMBAT VEHICLE FAMILY OF VEHICLES	557,564	557,564
3	LAV PIP	42,052	42,052
	ARTILLERY AND OTHER WEAPONS		
4	155MM LIGHTWEIGHT TOWED HOWITZER	489	489
5	ARTILLERY WEAPONS SYSTEM	165,268	165,268
6	WEAPONS AND COMBAT VEHICLES UNDER \$5 MILLION	14,004	14,004
	GUIDED MISSILES		
7	TOMAHAWK	105,192	105,192
8	NAVAL STRIKE MISSILE (NSM)	169,726	169,726
9	NAVAL STRIKE MISSILE (NSM)	39,244	39,244
10	GROUND BASED AIR DEFENSE	249,103	253,603
	Program increase		[4,500]
11	ANTI-ARMOR MISSILE-JAVELIN	54,883	54,883
12	FAMILY ANTI-ARMOR WEAPON SYSTEMS (FOAAWS)	23,627	23,627
13	ANTI-ARMOR MISSILE-TOW	2,007	2,007
14	GUIDED MLRS ROCKET (GMLRS)	8,867	8,867
	COMMAND AND CONTROL SYSTEMS		
15	COMMON AVIATION COMMAND AND CONTROL SYSTEM (C	75,382	75,382
	REPAIR AND TEST EQUIPMENT		
16	REPAIR AND TEST EQUIPMENT	53,590	53,590
	OTHER SUPPORT (TEL)		
17	MODIFICATION KITS	1,782	1,782
	COMMAND AND CONTROL SYSTEM (NON-TEL)		
18	ITEMS UNDER \$5 MILLION (COMM & ELEC)	122,917	122,917
19	AIR OPERATIONS C2 SYSTEMS	23,744	23,744
	RADAR + EQUIPMENT (NON-TEL)		
20	GROUND/AIR TASK ORIENTED RADAR (GLATOR)	66,291	66,291
	INTELL/COMM EQUIPMENT (NON-TEL)		
21	ELECTRO MAGNETIC SPECTRUM OPERATIONS (EMSO)	177,270	177,270
22	GCSS-MC	4,144	4,144

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2024 Request	Senate Authorized
23	FIRE SUPPORT SYSTEM	58,483	58,483
24	INTELLIGENCE SUPPORT EQUIPMENT	148,062	148,062
26	UNMANNED AIR SYSTEMS (INTEL)	52,273	52,273
27	DCGS-MC	68,289	68,289
28	UAS PAYLOADS	19,088	19,088
	OTHER SUPPORT (NON-TEL)		
31	EXPEDITIONARY SUPPORT EQUIPMENT	2,010	2,010
32	MARINE CORPS ENTERPRISE NETWORK (MCEN)	259,044	259,044
33	COMMON COMPUTER RESOURCES	27,966	27,966
34	COMMAND POST SYSTEMS	71,109	71,109
35	RADIO SYSTEMS	544,059	544,059
36	COMM SWITCHING & CONTROL SYSTEMS	46,276	46,276
37	COMM & ELEC INFRASTRUCTURE SUPPORT	27,111	27,111
38	CYBERSPACE ACTIVITIES	27,583	27,583
40	UNMANNED EXPEDITIONARY SYSTEMS	13,564	13,564
	CLASSIFIED PROGRAMS		
9999	CLASSIFIED PROGRAMS	2,799	2,799
	ADMINISTRATIVE VEHICLES		
43	COMMERCIAL CARGO VEHICLES	34,169	34,169
	TACTICAL VEHICLES		
44	MOTOR TRANSPORT MODIFICATIONS	17,299	17,299
45	JOINT LIGHT TACTICAL VEHICLE	232,501	232,501
46	TRAILERS	2,034	2,034
	ENGINEER AND OTHER EQUIPMENT		
47	TACTICAL FUEL SYSTEMS	12,956	12,956
48	POWER EQUIPMENT ASSORTED	28,899	28,899
49	AMPHIBIOUS SUPPORT EQUIPMENT	15,691	15,691
50	EOD SYSTEMS	41,200	41,200
	MATERIALS HANDLING EQUIPMENT		
51	PHYSICAL SECURITY EQUIPMENT	53,949	53,949
	GENERAL PROPERTY		
52	FIELD MEDICAL EQUIPMENT	5,457	5,457
53	TRAINING DEVICES	96,577	96,577
54	FAMILY OF CONSTRUCTION EQUIPMENT	29,883	29,883
55	ULTRA-LIGHT TACTICAL VEHICLE (ULTV)	17,034	17,034
	OTHER SUPPORT		
56	ITEMS LESS THAN \$5 MILLION	27,691	27,691
	SPARES AND REPAIR PARTS		
57	SPARES AND REPAIR PARTS	35,657	35,657
	TOTAL PROCUREMENT, MARINE CORPS	3,979,212	3,983,712
	AIRCRAFT PROCUREMENT, AIR FORCE		
	STRATEGIC OFFENSIVE		
1	B-21 RAIDER	1,617,093	1,617,093
2	B-21 RAIDER	708,000	708,000
	TACTICAL FORCES		
3	F-35	4,877,121	4,877,121
4	F-35	402,000	402,000
5	F-15EX	2,670,039	2,469,591
	DAF requested realignment of funds		[-200,448]
6	F-15EX	228,000	228,000
	TACTICAL AIRLIFT		
7	KC-46A MDAP	2,882,590	2,882,590
	OTHER AIRLIFT		
8	C-130J	34,921	34,921
	HELICOPTERS		
11	MH-139A	228,807	228,807
12	COMBAT RESCUE HELICOPTER	282,533	282,533
	MISSION SUPPORT AIRCRAFT		
13	CIVIL AIR PATROL A/C	3,013	3,013
	OTHER AIRCRAFT		
15	TARGET DRONES	42,226	42,226
17	E-11 BACN/HAG	67,367	67,367
	STRATEGIC AIRCRAFT		
19	B-2A	107,980	107,980
20	B-1B	12,757	9,782
	DAF requested realignment of funds		[-2,975]
21	B-52	65,815	51,798
	DAF requested realignment of funds		[-14,017]
22	LARGE AIRCRAFT INFRARED COUNTERMEASURES	21,723	21,723
	TACTICAL AIRCRAFT		
24	E-11 BACN/HAG	58,923	58,923
25	F-15	34,830	155,278
	DAF requested realignment of funds		[120,448]
26	F-16	297,342	297,342
27	F-22A	794,676	794,676
28	F-35 MODIFICATIONS	451,798	451,798
29	F-15 EPAW	280,658	280,658

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2024 Request	Senate Authorized
AIRLIFT AIRCRAFT			
31	C-5	24,377	24,377
32	C-17A	140,560	140,560
33	C-32A	19,060	19,060
34	C-37A	13,454	13,454
TRAINER AIRCRAFT			
35	GLIDER MODS	5,270	5,270
36	T-6	2,942	2,942
37	T-1	10,950	10,950
38	T-38	125,340	125,340
OTHER AIRCRAFT			
40	U-2 MODS	54,727	54,727
42	C-12	446	446
44	VC-25A MOD	29,707	29,707
45	C-40	8,921	8,921
46	C-130	71,177	71,177
47	C-130J MODS	121,258	121,258
48	C-135	153,595	153,595
49	COMPASS CALL	144,686	144,686
50	COMBAT FLIGHT INSPECTION—CFIN	446	446
51	RC-135	220,138	240,138
	RC-135 alternate PNT upgrades		[20,000]
52	E-3	1,350	1,350
53	E-4	13,055	13,055
56	H-1	816	816
57	H-60	4,207	4,207
60	HC/MC-130 MODIFICATIONS	101,055	101,055
61	OTHER AIRCRAFT	54,134	73,403
	DAF requested realignment of funds		[11,619]
	DAF requested realignment of funds for SLPA-A		[7,650]
62	MQ-9 MODS	98,063	98,063
64	SENIOR LEADER C3 SYSTEM—AIRCRAFT	24,847	24,847
65	CV-22 MODS	153,006	153,006
AIRCRAFT SPARES AND REPAIR PARTS			
66	INITIAL SPARES/REPAIR PARTS	781,521	772,877
	DAF requested realignment of funds		[-8,644]
COMMON SUPPORT EQUIPMENT			
67	AIRCRAFT REPLACEMENT SUPPORT EQUIP	157,664	157,664
POST PRODUCTION SUPPORT			
68	B-2A	1,838	1,838
69	B-2B	15,207	15,207
72	MC-130J	10,117	10,117
74	F-16	1,075	1,075
75	F-22A	38,418	38,418
INDUSTRIAL PREPAREDNESS			
79	INDUSTRIAL RESPONSIVENESS	18,874	18,874
WAR CONSUMABLES			
80	WAR CONSUMABLES	27,482	27,482
OTHER PRODUCTION CHARGES			
81	OTHER PRODUCTION CHARGES	1,478,044	1,558,044
	DAF requested realignment of funds		[80,000]
CLASSIFIED PROGRAMS			
9999	CLASSIFIED PROGRAMS	17,165	17,165
	TOTAL AIRCRAFT PROCUREMENT, AIR FORCE	20,315,204	20,328,837
MISSILE PROCUREMENT, AIR FORCE			
MISSILE REPLACEMENT EQUIPMENT—BALLISTIC			
1	MISSILE REPLACEMENT EQ-BALLISTIC	69,319	69,319
BALLISTIC MISSILES			
3	GROUND BASED STRATEGIC DETERRENT	539,300	539,300
STRATEGIC TACTICAL			
4	LONG RANGE STAND-OFF WEAPON	66,816	66,816
5	REPLAC EQUIP & WAR CONSUMABLES	37,318	37,318
6	JOINT AIR-SURFACE STANDOFF MISSILE	915,996	915,996
7	JOINT AIR-SURFACE STANDOFF MISSILE	769,672	769,672
8	JOINT STRIKE MISSILE	161,011	161,011
9	LRASMO	87,796	87,796
10	LRASMO	99,871	99,871
11	SIDEWINDER (AIM-9X)	95,643	95,643
12	AMRAAM	489,049	489,049
13	AMRAAM	212,410	212,410
14	PREDATOR HELLFIRE MISSILE	1,049	1,049
15	SMALL DIAMETER BOMB	48,734	48,734
16	SMALL DIAMETER BOMB II	291,553	291,553
17	STAND-IN ATTACK WEAPON (SIAW)	41,947	41,947
INDUSTRIAL FACILITIES			
18	INDUSTRIAL PREPAREDNESS/POL PREVENTION	793	793

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2024 Request	Senate Authorized
CLASS IV			
19	ICBM FUZE MOD	115,745	115,745
20	ICBM FUZE MOD	43,044	43,044
21	MM III MODIFICATIONS	48,639	48,639
22	AIR LAUNCH CRUISE MISSILE (ALCM)	41,494	41,494
MISSILE SPARES AND REPAIR PARTS			
23	MSL SPRS/REPAIR PARTS (INITIAL)	6,840	6,840
24	MSL SPRS/REPAIR PARTS (REPLEN)	75,191	75,191
SPECIAL PROGRAMS			
29	SPECIAL UPDATE PROGRAMS	419,498	419,498
CLASSIFIED PROGRAMS			
9999	CLASSIFIED PROGRAMS	851,718	851,718
	TOTAL MISSILE PROCUREMENT, AIR FORCE	5,530,446	5,530,446
PROCUREMENT OF AMMUNITION, AIR FORCE			
ROCKETS			
1	ROCKETS	18,483	18,483
CARTRIDGES			
2	CARTRIDGES	101,104	101,104
BOMBS			
4	GENERAL PURPOSE BOMBS	142,118	142,118
5	MASSIVE ORDNANCE PENETRATOR (MOP)	14,074	14,074
6	JOINT DIRECT ATTACK MUNITION	132,364	132,364
7	B-61	68	68
8	B61-12 TRAINER	10,100	10,100
OTHER ITEMS			
9	CAD/PAD	51,487	51,487
10	EXPLOSIVE ORDNANCE DISPOSAL (EOD)	6,707	6,707
11	SPARES AND REPAIR PARTS	585	585
13	FIRST DESTINATION TRANSPORTATION	2,299	2,299
14	ITEMS LESS THAN \$5,000,000	5,115	5,115
FLARES			
15	EXPENDABLE COUNTERMEASURES	79,786	79,786
FUZES			
16	FUZES	109,562	109,562
SMALL ARMS			
17	SMALL ARMS	29,306	29,306
	TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE	703,158	703,158
PROCUREMENT, SPACE FORCE			
SPACE PROCUREMENT, SF			
1	AF SATELLITE COMM SYSTEM	64,345	64,345
3	COUNTERSPACE SYSTEMS	52,665	52,665
4	FAMILY OF BEYOND LINE-OF-SIGHT TERMINALS	25,057	25,057
5	FABT FORCE ELEMENT TERMINAL	121,634	121,634
7	GENERAL INFORMATION TECH—SPACE	3,451	3,451
8	GPSIII FOLLOW ON	119,700	119,700
9	GPS III SPACE SEGMENT	121,770	121,770
10	GLOBAL POSITIONING (SPACE)	893	893
11	HERITAGE TRANSITION	6,110	6,110
12	JOINT TACTICAL GROUND STATIONS	580	580
13	SPACEBORNE EQUIP (COMSEC)	83,168	83,168
14	MLSATCOM	44,672	44,672
15	SBIR HIGH (SPACE)	39,438	39,438
16	SPECIAL SPACE ACTIVITIES	840,913	380,213
	Space Force realignment of funds		[−497,000]
	Space Force Unfunded Priorities List Classified Program A		[36,300]
17	MOBILE USER OBJECTIVE SYSTEM	101,147	101,147
18	NATIONAL SECURITY SPACE LAUNCH	2,142,846	2,142,846
20	PTES HUB	56,482	56,482
21	ROCKET SYSTEMS LAUNCH PROGRAM	74,848	74,848
22	SPACE DEVELOPMENT AGENCY LAUNCH	529,468	529,468
23	SPACE MODS	166,596	166,596
24	SPACELIFT RANGE SYSTEM SPACE	114,505	114,505
SPARES			
25	SPARES AND REPAIR PARTS	906	906
SUPPORT EQUIPMENT			
26	POWER CONDITIONING EQUIPMENT	3,100	3,100
	TOTAL PROCUREMENT, SPACE FORCE	4,714,294	4,253,594
OTHER PROCUREMENT, AIR FORCE			
PASSENGER CARRYING VEHICLES			
1	PASSENGER CARRYING VEHICLES	6,123	6,123
CARGO AND UTILITY VEHICLES			
2	MEDIUM TACTICAL VEHICLE	3,961	3,961
3	CAP VEHICLES	1,027	1,027
4	CARGO AND UTILITY VEHICLES	45,036	47,338
	DAF requested realignment of funds		[328]

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2024 Request	Senate Authorized
	DAF requested realignment of funds from OMAF SAG 11R		[1,974]
	SPECIAL PURPOSE VEHICLES		
5	JOINT LIGHT TACTICAL VEHICLE	57,780	57,780
6	SECURITY AND TACTICAL VEHICLES	390	390
7	SPECIAL PURPOSE VEHICLES	79,023	82,803
	DAF requested realignment of funds		[340]
	DAF requested realignment of funds from OMAF SAG 11R		[3,440]
	FIRE FIGHTING EQUIPMENT		
8	FIRE FIGHTING/CRASH RESCUE VEHICLES	70,252	70,252
	MATERIALS HANDLING EQUIPMENT		
9	MATERIALS HANDLING VEHICLES	73,805	73,895
	DAF requested realignment of funds from OMAF SAG 11R		[1,805]
	DAF requested realignment of funds from OPAF line 11		[285]
	BASE MAINTENANCE SUPPORT		
10	RUNWAY SNOW REMOV AND CLEANING EQU	22,030	22,030
11	BASE MAINTENANCE SUPPORT VEHICLES	223,354	240,634
	DAF requested realignment of funds		[-953]
	DAF requested realignment of funds from OMAF SAG 11R		[18,233]
	COMM SECURITY EQUIPMENT(COMSEC)		
13	COMSEC EQUIPMENT	98,600	98,600
	INTELLIGENCE PROGRAMS		
15	INTERNATIONAL INTEL TFECH & ARCHITECTURES	5,393	5,393
16	INTELLIGENCE TRAINING EQUIPMENT	5,012	5,012
17	INTELLIGENCE COMM EQUIPMENT	40,042	40,042
	ELECTRONICS PROGRAMS		
18	AIR TRAFFIC CONTROL & LANDING SYS	67,581	67,581
19	NATIONAL AIRSPACE SYSTEM	3,841	3,841
20	BATTLE CONTROL SYSTEM—FIXED	1,867	1,867
22	3D EXPEDITIONARY LONG-RANGE RADAR	83,735	83,735
23	WEATHER OBSERVATION FORECAST	28,530	28,530
24	STRATEGIC COMMAND AND CONTROL	73,593	73,593
25	CHEYENNE MOUNTAIN COMPLEX	8,221	8,221
26	MISSION PLANNING SYSTEMS	17,078	17,078
29	STRATEGIC MISSION PLANNING & EXECUTION SYSTEM	3,861	3,861
	SPCL COMM-ELECTRONICS PROJECTS		
30	GENERAL INFORMATION TECHNOLOGY	206,142	237,093
	DAF requested realignment of funds		[30,951]
31	AF GLOBAL COMMAND & CONTROL SYS	2,582	2,582
32	BATTLEFIELD AIRBORNE CONTROL NODE (BACN)	30	30
33	MOBILITY COMMAND AND CONTROL	3,768	3,768
34	AIR FORCE PHYSICAL SECURITY SYSTEM	208,704	208,704
35	COMBAT TRAINING RANGES	346,340	346,340
36	MINIMUM ESSENTIAL EMERGENCY COMM N	84,102	84,102
37	WIDE AREA SURVEILLANCE (WAS)	11,594	11,594
38	C3 COUNTERMEASURES	148,818	148,818
44	AIR & SPACE OPERATIONS CENTER (AOC)	5,032	5,032
	AIR FORCE COMMUNICATIONS		
46	BASE INFORMATION TRANSPT INFRAST (BITI) WIRED	108,532	322,704
	DAF requested realignment of funds		[214,172]
47	AFNET	154,911	154,911
48	JOINT COMMUNICATIONS SUPPORT ELEMENT (JCSE)	5,381	5,381
49	USCENTCOM	18,025	18,025
50	USSTRATCOM	4,436	4,436
51	USSPACECOM	27,073	27,073
	ORGANIZATION AND BASE		
52	TACTICAL C-E EQUIPMENT	226,819	226,819
53	RADIO EQUIPMENT	30,407	30,407
54	BASE COMM INFRASTRUCTURE	113,563	113,563
	MODIFICATIONS		
55	COMM ELECT MODS	98,224	98,224
	PERSONAL SAFETY & RESCUE EQUIP		
56	PERSONAL SAFETY AND RESCUE EQUIPMENT	60,473	60,473
	DEPOT PLANT+MTRLS HANDLING EQ		
57	POWER CONDITIONING EQUIPMENT	9,235	9,235
58	MECHANIZED MATERIAL HANDLING EQUIP	15,662	15,662
	BASE SUPPORT EQUIPMENT		
59	BASE PROCURED EQUIPMENT	77,875	77,875
60	ENGINEERING AND EOD EQUIPMENT	280,734	288,968
	DAF requested realignment of funds		[2,284]
	DAF requested realignment of funds from OMAF SAG 11R		[5,950]
61	MOBILITY EQUIPMENT	207,071	232,271
	DAF requested realignment of funds from OMAF SAG 11R		[25,200]
62	FUELS SUPPORT EQUIPMENT (FSE)	218,790	218,790
63	BASE MAINTENANCE AND SUPPORT EQUIPMENT	51,914	51,914
	SPECIAL SUPPORT PROJECTS		
65	DARP RC135	28,882	28,882
66	DCGS-AF	129,655	129,655
70	SPECIAL UPDATE PROGRAM	1,042,833	1,042,833

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2024 Request	Senate Authorized
	CLASSIFIED PROGRAMS		
9999	CLASSIFIED PROGRAMS	25,456,490	25,456,490
	SPARES AND REPAIR PARTS		
71	SPARES AND REPAIR PARTS (CYBER)	1,032	1,032
72	SPARES AND REPAIR PARTS	12,628	12,628
	TOTAL OTHER PROCUREMENT, AIR FORCE	30,417,892	30,721,901
	PROCUREMENT, DEFENSE-WIDE		
	MAJOR EQUIPMENT, DCSA		
29	MAJOR EQUIPMENT	2,135	2,135
	MAJOR EQUIPMENT, DHRA		
43	PERSONNEL ADMINISTRATION	3,704	3,704
	MAJOR EQUIPMENT, DISA		
11	INFORMATION SYSTEMS SECURITY	12,275	12,275
12	TELEPORT PROGRAM	42,399	42,399
14	ITEMS LESS THAN \$5 MILLION	47,538	47,538
15	DEFENSE INFORMATION SYSTEM NETWORK	39,472	39,472
16	WHITE HOUSE COMMUNICATION AGENCY	118,523	118,523
17	SENIOR LEADERSHIP ENTERPRISE	94,591	94,591
18	JOINT REGIONAL SECURITY STACKS (JRSS)	22,714	15,714
	Program reduction		[-7,000]
19	JOINT SERVICE PROVIDER	107,637	107,637
20	FOURTH ESTATE NETWORK OPTIMIZATION (4ENO)	33,047	33,047
	MAJOR EQUIPMENT, DLA		
28	MAJOR EQUIPMENT	30,355	30,355
	MAJOR EQUIPMENT, DMACT		
50	MAJOR EQUIPMENT	13,012	13,012
	MAJOR EQUIPMENT, DODEA		
49	AUTOMATION/EDUCATIONAL SUPPORT & LOGISTICS	1,358	1,358
	MAJOR EQUIPMENT, DPAA		
1	MAJOR EQUIPMENT, DPAA	516	516
	MAJOR EQUIPMENT, DEFENSE THREAT REDUCTION AGENCY		
46	VEHICLES	366	366
47	OTHER MAJOR EQUIPMENT	12,787	12,787
48	DTRA CYBER ACTIVITIES	21,413	21,413
	MAJOR EQUIPMENT, MISSILE DEFENSE AGENCY		
31	THAAD	216,782	216,782
33	AEGIS BMD	374,756	374,756
35	BMDS AN/TPY-2 RADARS	29,108	29,108
36	SM-3 ILAS	432,824	432,824
37	ARROW 3 UPPER TIER SYSTEMS	80,000	80,000
38	SHORT RANGE BALLISTIC MISSILE DEFENSE (SRBMD)	40,000	40,000
39	DEFENSE OF GUAM PROCUREMENT	169,627	169,627
40	AEGIS ASHORE PHASE III	2,390	2,390
41	IRON DOME	80,000	80,000
42	AEGIS BMD HARDWARE AND SOFTWARE	27,825	27,825
	MAJOR EQUIPMENT, OSD		
2	MAJOR EQUIPMENT, OSD	186,006	186,006
	MAJOR EQUIPMENT, TJS		
30	MAJOR EQUIPMENT, TJS	3,747	3,747
	MAJOR EQUIPMENT, USCYBERCOM		
51	CYBERSPACE OPERATIONS	129,082	160,082
	Modernization of Department of Defense Internet Gateway Cyber Defense		[31,000]
	CLASSIFIED PROGRAMS		
9999	CLASSIFIED PROGRAMS	658,529	658,529
	AVIATION PROGRAMS		
53	ARMED OVERWATCH/TARGETING	266,846	266,846
54	MANNED ISR	7,000	7,000
55	MC-12	600	600
57	ROTARY WING UPGRADES AND SUSTAINMENT	261,012	261,012
58	UNMANNED ISR	26,997	26,997
59	NON-STANDARD AVIATION	25,782	25,782
60	U-28	7,198	7,198
61	MH-47 CHINOOK	149,883	149,883
62	CV-22 MODIFICATION	75,981	75,981
63	MQ-9 UNMANNED AERIAL VEHICLE	17,684	17,684
64	PRECISION STRIKE PACKAGE	108,497	108,497
65	AC/MC-130J	319,754	319,754
66	C-130 MODIFICATIONS	18,796	18,796
	SHIPBUILDING		
67	UNDERWATER SYSTEMS	66,111	78,171
	Seal Delivery Vehicle (SDV) Sonar Payload for Subsea Seabed Acceleration		[12,060]
	AMMUNITION PROGRAMS		
68	ORDNANCE ITEMS <\$5M	147,831	147,831
	OTHER PROCUREMENT PROGRAMS		
69	INTELLIGENCE SYSTEMS	203,400	203,400
70	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	5,718	5,718
71	OTHER ITEMS <\$5M	108,816	108,816

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2024 Request	Senate Authorized
72	COMBATANT CRAFT SYSTEMS	55,064	55,064
73	SPECIAL PROGRAMS	20,412	20,412
74	TACTICAL VEHICLES	56,561	56,561
75	WARRIOR SYSTEMS <\$5M	329,837	344,637
	Counter Uncrewed Aerial Systems (CUAS) Group 3 Defeat Acceleration		[14,800]
76	COMBAT MISSION REQUIREMENTS	4,987	4,987
77	OPERATIONAL ENHANCEMENTS INTELLIGENCE	23,639	23,639
78	OPERATIONAL ENHANCEMENTS	322,341	322,341
	CBDP		
79	CHEMICAL BIOLOGICAL SITUATIONAL AWARENESS	159,884	159,884
80	CB PROTECTION & HAZARD MITIGATION	231,826	236,826
	Chemical nerve agent countermeasures		[5,000]
	TOTAL PROCUREMENT, DEFENSE-WIDE	6,056,975	6,112,835
	TOTAL PROCUREMENT	167,988,341	169,840,643

1 **TITLE XLII—RESEARCH, DEVEL-**
2 **OPMENT, TEST, AND EVALUA-**
3 **TION**
4 **SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUA-**
5 **TION.**

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION (In Thousands of Dollars)				
Line	Program Element	Item	FY 2024 Request	Senate Authorized
		RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY		
		BASIC RESEARCH		
1	0601102A	DEFENSE RESEARCH SCIENCES	296,670	296,670
2	0601103A	UNIVERSITY RESEARCH INITIATIVES	75,672	75,672
3	0601104A	UNIVERSITY AND INDUSTRY RESEARCH CENTERS	108,946	108,946
4	0601121A	CYBER COLLABORATIVE RESEARCH ALLIANCE	5,459	5,459
5	0601601A	ARTIFICIAL INTELLIGENCE AND MACHINE LEARNING BASIC RESEARCH.	10,708	10,708
		SUBTOTAL BASIC RESEARCH	497,455	497,455
		APPLIED RESEARCH		
6	0602002A	ARMY AGILE INNOVATION AND DEVELOPMENT-APPLIED RE- SEARCH.	5,613	5,613
8	0602134A	COUNTER IMPROVISED-THREAT ADVANCED STUDIES	6,242	6,242
9	0602141A	LETHALITY TECHNOLOGY	85,578	85,578
10	0602142A	ARMY APPLIED RESEARCH	34,572	34,572
11	0602143A	SOLDIER LETHALITY TECHNOLOGY	104,470	114,470
		Airborne Pathfinder		[10,000]
12	0602144A	GROUND TECHNOLOGY	60,005	80,005
		Critical hybrid advanced materials processing		[7,000]
		Engineered repair materials for roadways		[3,000]
		Polar proving ground and training program		[5,000]
		Titanium metal powder production technology		[5,000]
13	0602145A	NEXT GENERATION COMBAT VEHICLE TECHNOLOGY	166,500	181,500
		Fuel cells for next generation combat vehicles		[5,000]
		Hydrogen fuel source research and development		[10,000]
14	0602146A	NETWORK C3I TECHNOLOGY	81,618	81,618
15	0602147A	LONG RANGE PRECISION FIRES TECHNOLOGY	34,683	34,683
16	0602148A	FUTURE VERTICLE LIFT TECHNOLOGY	73,844	73,844
17	0602150A	AIR AND MISSILE DEFENSE TECHNOLOGY	33,301	38,301
		Counter-Unmanned Aircraft Systems technology		[5,000]
18	0602180A	ARTIFICIAL INTELLIGENCE AND MACHINE LEARNING TECH- NOLOGIES.	24,142	24,142
19	0602181A	ALL DOMAIN CONVERGENCE APPLIED RESEARCH	14,297	14,297
20	0602182A	C3I APPLIED RESEARCH	30,659	30,659
21	0602183A	AIR PLATFORM APPLIED RESEARCH	48,163	48,163
22	0602184A	SOLDIER APPLIED RESEARCH	18,986	18,986
23	0602213A	C3I APPLIED CYBER	22,714	22,714
24	0602386A	BIOTECHNOLOGY FOR MATERIALS—APPLIED RESEARCH	16,736	16,736
25	0602785A	MANPOWER/PERSONNEL/TRAINING TECHNOLOGY	19,969	19,969

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2024 Request	Senate Authorized
26	0602787A	MEDICAL TECHNOLOGY	66,266	71,266
		Preventing trauma-related stress disorder		[5,000]
		SUBTOTAL APPLIED RESEARCH	948,358	1,003,358
		ADVANCED TECHNOLOGY DEVELOPMENT		
27	0603002A	MEDICAL ADVANCED TECHNOLOGY	4,147	4,147
28	0603007A	MANPOWER, PERSONNEL AND TRAINING ADVANCED TECHNOLOGY.	16,316	16,316
29	0603025A	ARMY AGILE INNOVATION AND DEMONSTRATION	23,156	23,156
30	0603040A	ARTIFICIAL INTELLIGENCE AND MACHINE LEARNING ADVANCED TECHNOLOGIES.	13,187	18,187
		Tactical artificial intelligence and machine learning		[5,000]
31	0603041A	ALL DOMAIN CONVERGENCE ADVANCED TECHNOLOGY	33,332	33,332
32	0603042A	C3I ADVANCED TECHNOLOGY	19,225	19,225
33	0603043A	AIR PLATFORM ADVANCED TECHNOLOGY	14,165	14,165
34	0603044A	SOLDIER ADVANCED TECHNOLOGY	1,214	1,214
36	0603116A	LETHALITY ADVANCED TECHNOLOGY	20,582	20,582
37	0603117A	ARMY ADVANCED TECHNOLOGY DEVELOPMENT	136,280	136,280
38	0603118A	SOLDIER LETHALITY ADVANCED TECHNOLOGY	102,778	102,778
39	0603119A	GROUND ADVANCED TECHNOLOGY	40,597	45,597
		Advanced composites and multi-material protective systems		[5,000]
40	0603134A	COUNTER IMPROVISED-THREAT SIMULATION	21,672	21,672
41	0603386A	BIOTECHNOLOGY FOR MATERIALS—ADVANCED RESEARCH	59,871	59,871
42	0603457A	C3I CYBER ADVANCED DEVELOPMENT	28,847	28,847
43	0603461A	HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM	255,772	265,772
		High Performance Computing Modernization Program increase		[10,000]
44	0603462A	NEXT GENERATION COMBAT VEHICLE ADVANCED TECHNOLOGY.	217,394	224,394
		Advanced Manufacturing Center of Excellence		[7,000]
45	0603463A	NETWORK C3I ADVANCED TECHNOLOGY	105,549	105,549
46	0603464A	LONG RANGE PRECISION FIRES ADVANCED TECHNOLOGY	153,024	158,024
		Aluminum-Lithium Alloy Solid Rocket Motor		[5,000]
47	0603465A	FUTURE VERTICAL LIFT ADVANCED TECHNOLOGY	158,795	158,795
48	0603466A	AIR AND MISSILE DEFENSE ADVANCED TECHNOLOGY	21,015	26,015
		Rapid Assurance Modernization Program-Test		[5,000]
49	0603920A	HUMANITARIAN DEMINING	9,068	9,068
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	1,455,986	1,492,986
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
51	0603305A	ARMY MISSILE DEFENSE SYSTEMS INTEGRATION	12,904	12,904
52	0603308A	ARMY SPACE SYSTEMS INTEGRATION	19,120	19,120
54	0603619A	LANDMINE WARFARE AND BARRIER—ADV DEV	47,537	47,537
55	0603639A	TANK AND MEDIUM CALIBER AMMUNITION	91,323	91,323
56	0603645A	ARMORED SYSTEM MODERNIZATION—ADV DEV	43,026	43,026
57	0603747A	SOLDIER SUPPORT AND SURVIVABILITY	3,550	3,550
58	0603766A	TACTICAL ELECTRONIC SURVEILLANCE SYSTEM—ADV DEV	65,567	65,567
59	0603774A	NIGHT VISION SYSTEMS ADVANCED DEVELOPMENT	73,675	73,675
60	0603779A	ENVIRONMENTAL QUALITY TECHNOLOGY—DEM/VAL	31,720	31,720
61	0603790A	NATO RESEARCH AND DEVELOPMENT	4,143	4,143
62	0603801A	AVIATION—ADV DEV	1,502,160	1,502,160
63	0603804A	LOGISTICS AND ENGINEER EQUIPMENT—ADV DEV	7,604	7,604
64	0603807A	MEDICAL SYSTEMS—ADV DEV	1,602	1,602
65	0603827A	SOLDIER SYSTEMS—ADVANCED DEVELOPMENT	27,681	27,681
66	0604017A	ROBOTICS DEVELOPMENT	3,024	3,024
67	0604019A	EXPANDED MISSION AREA MISSILE (EMAM)	97,018	97,018
68	0604020A	CROSS FUNCTIONAL TEAM (CPT) ADVANCED DEVELOPMENT & PROTOTYPING.	117,557	117,557
69	0604035A	LOW EARTH ORBIT (LEO) SATELLITE CAPABILITY	38,851	38,851
70	0604036A	MULTI-DOMAIN SENSING SYSTEM (MDSS) ADV DEV	191,394	191,394
71	0604037A	TACTICAL INTEL TARGETING ACCESS NODE (TITAN) ADV DEV	10,626	10,626
72	0604100A	ANALYSIS OF ALTERNATIVES	11,095	11,095
73	0604101A	SMALL UNMANNED AERIAL VEHICLE (SUAV) (6.4)	5,144	5,144
74	0604103A	ELECTRONIC WARFARE PLANNING AND MANAGEMENT TOOL (EWPM).)	2,260	2,260
75	0604113A	FUTURE TACTICAL UNMANNED AIRCRAFT SYSTEM (FTUAS)	53,143	53,143
76	0604114A	LOWER TIER AIR MISSILE DEFENSE (LTAMD) SENSOR	816,663	816,663
77	0604115A	TECHNOLOGY MATURATION INITIATIVES	281,314	281,314
78	0604117A	MANEUVER—SHORT RANGE AIR DEFENSE (M-SHORAD)	281,239	281,239
79	0604119A	ARMY ADVANCED COMPONENT DEVELOPMENT & PROTOTYPING.	204,914	204,914
80	0604120A	ASSURED POSITIONING, NAVIGATION AND TIMING (PNT)	40,930	40,930
81	0604121A	SYNTHETIC TRAINING ENVIRONMENT REFINEMENT & PROTOTYPING.	109,714	109,714
82	0604134A	COUNTER IMPROVISED-THREAT DEMONSTRATION, PROTOTYPE DEVELOPMENT, AND TESTING.	16,426	16,426
83	0604135A	STRATEGIC MID-RANGE FIRES	31,559	31,559
84	0604182A	HYPERSONICS	43,435	43,435

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2024 Request	Senate Authorized
85	0604403A	FUTURE INTERCEPTOR	8,040	8,040
86	0604531A	COUNTER—SMALL UNMANNED AIRCRAFT SYSTEMS ADVANCED DEVELOPMENT.	64,242	64,242
87	0604541A	UNIFIED NETWORK TRANSPORT	40,915	40,915
9999	9999999999	CLASSIFIED PROGRAMS	19,200	19,200
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	4,420,315	4,420,315
SYSTEM DEVELOPMENT & DEMONSTRATION				
91	0604201A	AIRCRAFT AVIONICS	13,673	13,673
92	0604270A	ELECTRONIC WARFARE DEVELOPMENT	12,789	12,789
93	0604601A	INFANTRY SUPPORT WEAPONS	64,076	64,076
94	0604604A	MEDIUM TACTICAL VEHICLES	28,226	28,226
95	0604611A	JAVELIN	7,827	7,827
96	0604622A	FAMILY OF HEAVY TACTICAL VEHICLES	44,197	44,197
97	0604633A	AIR TRAFFIC CONTROL	1,134	1,134
98	0604641A	TACTICAL UNMANNED GROUND VEHICLE (TUGV)	142,125	142,125
99	0604642A	LIGHT TACTICAL WHEELED VEHICLES	53,564	53,564
100	0604645A	ARMORED SYSTEMS MODERNIZATION (ASM)—ENG DEV	102,201	102,201
101	0604710A	NIGHT VISION SYSTEMS—ENG DEV	48,720	56,220
		Enhanced Night Vision Goggle—Binocular capability enhancements		[7,500]
102	0604713A	COMBAT FEEDING, CLOTHING, AND EQUIPMENT	2,223	2,223
103	0604715A	NON-SYSTEM TRAINING DEVICES—ENG DEV	21,441	21,441
104	0604741A	AIR DEFENSE COMMAND, CONTROL AND INTELLIGENCE—ENG DEV.	74,738	74,738
105	0604742A	CONSTRUCTIVE SIMULATION SYSTEMS DEVELOPMENT	30,985	30,985
106	0604746A	AUTOMATIC TEST EQUIPMENT DEVELOPMENT	13,626	13,626
107	0604760A	DISTRIBUTIVE INTERACTIVE SIMULATIONS (DIS)—ENG DEV	8,802	8,802
108	0604798A	BRIGADE ANALYSIS, INTEGRATION AND EVALUATION	20,828	20,828
109	0604802A	WEAPONS AND MUNITIONS—ENG DEV	243,851	243,851
110	0604804A	LOGISTICS AND ENGINEER EQUIPMENT—ENG DEV	37,420	42,420
		Ultra-Lightweight Camouflage Net System		[5,000]
111	0604805A	COMMAND, CONTROL, COMMUNICATIONS SYSTEMS—ENG DEV ..	34,214	34,214
112	0604807A	MEDICAL MATERIEL/MEDICAL BIOLOGICAL DEFENSE EQUIPMENT—ENG DEV.	6,496	6,496
113	0604808A	LANDMINE WARFARE/BARRIER—ENG DEV	13,581	13,581
114	0604818A	ARMY TACTICAL COMMAND & CONTROL HARDWARE & SOFTWARE.	168,574	168,574
115	0604820A	RADAR DEVELOPMENT	94,944	94,944
116	0604822A	GENERAL FUND ENTERPRISE BUSINESS SYSTEM (GFEBS)	2,965	2,965
117	0604827A	SOLDIER SYSTEMS—WARRIOR DEM/VAL	11,333	11,333
118	0604852A	SUITE OF SURVIVABILITY ENHANCEMENT SYSTEMS—EMD	79,250	79,250
119	0604854A	ARTILLERY SYSTEMS—EMD	42,490	42,490
120	0605013A	INFORMATION TECHNOLOGY DEVELOPMENT	104,024	104,024
121	0605018A	INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY (IPPS-A)	102,084	102,084
123	0605030A	JOINT TACTICAL NETWORK CENTER (JTNC)	18,662	18,662
124	0605031A	JOINT TACTICAL NETWORK (JTN)	30,328	30,328
125	0605035A	COMMON INFRARED COUNTERMEASURES (CIRCM)	11,509	11,509
126	0605036A	COMBATING WEAPONS OF MASS DESTRUCTION (CWMD)	1,050	1,050
128	0605041A	DEFENSIVE CYBER TOOL DEVELOPMENT	27,714	27,714
129	0605042A	TACTICAL NETWORK RADIO SYSTEMS (LOW-TIER)	4,318	4,318
130	0605047A	CONTRACT WRITING SYSTEM	16,355	16,355
131	0605049A	MISSILE WARNING SYSTEM MODERNIZATION (MWSM)	27,571	27,571
132	0605051A	AIRCRAFT SURVIVABILITY DEVELOPMENT	24,900	24,900
133	0605052A	INDIRECT FIRE PROTECTION CAPABILITY INC 2—BLOCK 1	196,248	196,248
134	0605053A	GROUND ROBOTICS	35,319	35,319
135	0605054A	EMERGING TECHNOLOGY INITIATIVES	201,274	201,274
137	0605144A	NEXT GENERATION LOAD DEVICE—MEDIUM	36,970	36,970
139	0605148A	TACTICAL INTEL TARGETING ACCESS NODE (TITAN) EMD	132,136	132,136
140	0605203A	ARMY SYSTEM DEVELOPMENT & DEMONSTRATION	81,657	81,657
141	0605205A	SMALL UNMANNED AERIAL VEHICLE (SUAV) (6.5)	31,284	31,284
142	0605206A	CI AND HUMINT EQUIPMENT PROGRAM-ARMY (CHPE-A)	2,170	2,170
143	0605216A	JOINT TARGETING INTEGRATED COMMAND AND COORDINATION SUITE (JTIC2S).	9,290	9,290
144	0605224A	MULTI-DOMAIN INTELLIGENCE	41,003	41,003
146	0605231A	PRECISION STRIKE MISSILE (PRSM)	272,786	272,786
147	0605232A	HYPERSONICS EMD	900,920	900,920
148	0605233A	ACCESSIONS INFORMATION ENVIRONMENT (AIE)	27,361	27,361
149	0605235A	STRATEGIC MID-RANGE CAPABILITY	348,855	348,855
150	0605236A	INTEGRATED TACTICAL COMMUNICATIONS	22,901	22,901
151	0605450A	JOINT AIR-TO-GROUND MISSILE (JAGM)	3,014	3,014
152	0605457A	ARMY INTEGRATED AIR AND MISSILE DEFENSE (AIAMD)	284,095	284,095
153	0605531A	COUNTER—SMALL UNMANNED AIRCRAFT SYSTEMS SYS DEV & DEMONSTRATION.	36,016	36,016
154	0605625A	MANNED GROUND VEHICLE	996,653	996,653
155	0605766A	NATIONAL CAPABILITIES INTEGRATION (MIP)	15,129	15,129
156	0605812A	JOINT LIGHT TACTICAL VEHICLE (JLTV) ENGINEERING AND MANUFACTURING DEVELOPMENT PH.	27,243	27,243

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Line	Program Element	Item	FY 2024 Request	Senate Authorized
157	0605830A	AVIATION GROUND SUPPORT EQUIPMENT	1,167	1,167
158	0303032A	TROJAN—RH12	3,879	3,879
159	0304270A	ELECTRONIC WARFARE DEVELOPMENT	137,186	137,186
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION.	5,639,364	5,651,864
		MANAGEMENT SUPPORT		
160	0604256A	THREAT SIMULATOR DEVELOPMENT	38,492	38,492
161	0604258A	TARGET SYSTEMS DEVELOPMENT	11,873	11,873
162	0604759A	MAJOR T&E INVESTMENT	76,167	76,167
163	0605103A	RAND ARROYO CENTER	37,078	37,078
164	0605301A	ARMY KWAJALEIN ATOLL	314,872	314,872
165	0605326A	CONCEPTS EXPERIMENTATION PROGRAM	95,551	95,551
167	0605601A	ARMY TEST RANGES AND FACILITIES	439,118	449,118
		Radar Range Replacement Program		[10,000]
168	0605602A	ARMY TECHNICAL TEST INSTRUMENTATION AND TARGETS	42,220	42,220
169	0605604A	SURVIVABILITY/LETHALITY ANALYSIS	37,518	37,518
170	0605606A	AIRCRAFT CERTIFICATION	2,718	2,718
172	0605706A	MATERIEL SYSTEMS ANALYSIS	26,902	26,902
173	0605709A	EXPLOITATION OF FOREIGN ITEMS	7,805	7,805
174	0605712A	SUPPORT OF OPERATIONAL TESTING	75,133	75,133
175	0605716A	ARMY EVALUATION CENTER	71,118	71,118
176	0605718A	ARMY MODELING & SIM X-CMD COLLABORATION & INTEG	11,204	11,204
177	0605801A	PROGRAMWIDE ACTIVITIES	93,895	93,895
178	0605803A	TECHNICAL INFORMATION ACTIVITIES	31,327	31,327
179	0605805A	MUNITIONS STANDARDIZATION, EFFECTIVENESS AND SAFETY	50,409	50,409
180	0605857A	ENVIRONMENTAL QUALITY TECHNOLOGY MGMT SUPPORT	1,629	1,629
181	0605898A	ARMY DIRECT REPORT HEADQUARTERS—R&D - MHA	55,843	55,843
182	0606002A	RONALD REAGAN BALLISTIC MISSILE DEFENSE TEST SITE	91,340	91,340
183	0606003A	COUNTERINTEL AND HUMAN INTEL MODERNIZATION	6,348	6,348
185	0606942A	ASSESSMENTS AND EVALUATIONS CYBER VULNERABILITIES	6,025	6,025
		SUBTOTAL MANAGEMENT SUPPORT	1,624,585	1,634,585
		OPERATIONAL SYSTEMS DEVELOPMENT		
187	0603778A	MLRS PRODUCT IMPROVEMENT PROGRAM	14,465	14,465
188	0605024A	ANTI-TAMPER TECHNOLOGY SUPPORT	7,472	7,472
189	0607131A	WEAPONS AND MUNITIONS PRODUCT IMPROVEMENT PROGRAMS.	8,425	8,425
190	0607136A	BLACKHAWK PRODUCT IMPROVEMENT PROGRAM	1,507	11,507
		Program increase		[10,000]
191	0607137A	CHINOOK PRODUCT IMPROVEMENT PROGRAM	9,265	19,265
		Program increase		[10,000]
192	0607139A	IMPROVED TURBINE ENGINE PROGRAM	201,247	201,247
193	0607142A	AVIATION ROCKET SYSTEM PRODUCT IMPROVEMENT AND DEVELOPMENT.	3,014	3,014
194	0607143A	UNMANNED AIRCRAFT SYSTEM UNIVERSAL PRODUCTS	25,393	25,393
195	0607145A	APACHE FUTURE DEVELOPMENT	10,547	20,547
		Apache future development program increase		[10,000]
196	0607148A	AN/TPQ-53 COUNTERFIRE TARGET ACQUISITION RADAR SYSTEM.	54,167	54,167
197	0607150A	INTEL CYBER DEVELOPMENT	4,345	4,345
198	0607312A	ARMY OPERATIONAL SYSTEMS DEVELOPMENT	19,000	19,000
199	0607313A	ELECTRONIC WARFARE DEVELOPMENT	6,389	6,389
200	0607315A	ENDURING TURBINE ENGINES AND POWER SYSTEMS	2,411	2,411
201	0607665A	FAMILY OF BIOMETRICS	797	797
202	0607865A	PATRIOT PRODUCT IMPROVEMENT	177,197	177,197
203	0203728A	JOINT AUTOMATED DEEP OPERATION COORDINATION SYSTEM (JADOCs).	42,177	42,177
204	0203735A	COMBAT VEHICLE IMPROVEMENT PROGRAMS	146,635	146,635
205	0203743A	155MM SELF-PROPELLED HOWITZER IMPROVEMENTS	122,902	122,902
207	0203752A	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	146	146
208	0203758A	DIGITIZATION	1,515	1,515
209	0203801A	MISSILE/AIR DEFENSE PRODUCT IMPROVEMENT PROGRAM	4,520	4,520
210	0203802A	OTHER MISSILE PRODUCT IMPROVEMENT PROGRAMS	10,044	10,044
211	0205412A	ENVIRONMENTAL QUALITY TECHNOLOGY—OPERATIONAL SYSTEM DEV.	281	281
212	0205778A	GUIDED MULTIPLE-LAUNCH ROCKET SYSTEM (GMLRS)	75,952	75,952
213	0208053A	JOINT TACTICAL GROUND SYSTEM	203	203
216	0303028A	SECURITY AND INTELLIGENCE ACTIVITIES	301	301
217	0303140A	INFORMATION SYSTEMS SECURITY PROGRAM	15,323	15,323
218	0303141A	GLOBAL COMBAT SUPPORT SYSTEM	13,082	13,082
219	0303142A	SATCOM GROUND ENVIRONMENT (SPACE)	26,838	26,838
222	0305179A	INTEGRATED BROADCAST SERVICE (IBS)	9,456	9,456
225	0305219A	MQ-1C GRAY EAGLE UAS	6,629	6,629
227	0708045A	END ITEM INDUSTRIAL PREPAREDNESS ACTIVITIES	75,317	75,317
9999	9999999999	CLASSIFIED PROGRAMS	8,786	8,786
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	1,105,748	1,135,748

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Line	Program Element	Item	FY 2024 Request	Senate Authorized
SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS				
228	0608041A	DEFENSIVE CYBER—SOFTWARE PROTOTYPE DEVELOPMENT ...	83,570	83,570
		SUBTOTAL SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS.	83,570	83,570
TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY.			15,775,381	15,919,881
RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY				
BASIC RESEARCH				
1	0601103N	UNIVERSITY RESEARCH INITIATIVES	96,355	96,355
2	0601153N	DEFENSE RESEARCH SCIENCES	540,908	540,908
		SUBTOTAL BASIC RESEARCH	637,263	637,263
APPLIED RESEARCH				
3	0602114N	POWER PROJECTION APPLIED RESEARCH	23,982	23,982
4	0602123N	FORCE PROTECTION APPLIED RESEARCH	142,148	142,148
5	0602131M	MARINE CORPS LANDING FORCE TECHNOLOGY	59,208	59,208
6	0602235N	COMMON PICTURE APPLIED RESEARCH	52,090	52,090
7	0602236N	WARFIGHTER SUSTAINMENT APPLIED RESEARCH	74,722	82,722
		Research on foreign malign influence operations		[8,000]
8	0602271N	ELECTROMAGNETIC SYSTEMS APPLIED RESEARCH	92,473	92,473
9	0602435N	OCEAN WARFIGHTING ENVIRONMENT APPLIED RESEARCH	80,806	87,806
		Intelligent Autonomous Systems for Seabed Warfare		[7,000]
10	0602651M	JOINT NON-LETHAL WEAPONS APPLIED RESEARCH	7,419	7,419
11	0602747N	UNDERSEA WARFARE APPLIED RESEARCH	61,503	61,503
12	0602750N	FUTURE NAVAL CAPABILITIES APPLIED RESEARCH	182,662	182,662
13	0602782N	MINE AND EXPEDITIONARY WARFARE APPLIED RESEARCH	30,435	30,435
14	0602792N	INNOVATIVE NAVAL PROTOTYPES (INP) APPLIED RESEARCH	133,828	133,828
15	0602861N	SCIENCE AND TECHNOLOGY MANAGEMENT—ONR FIELD ACTIVITIES.	85,063	85,063
		SUBTOTAL APPLIED RESEARCH	1,026,339	1,041,339
ADVANCED TECHNOLOGY DEVELOPMENT				
16	0603123N	FORCE PROTECTION ADVANCED TECHNOLOGY	29,512	29,512
17	0603271N	ELECTROMAGNETIC SYSTEMS ADVANCED TECHNOLOGY	8,418	8,418
18	0603273N	SCIENCE & TECHNOLOGY FOR NUCLEAR RE-ENTRY SYSTEMS ..	112,329	112,329
19	0603640M	USMC ADVANCED TECHNOLOGY DEMONSTRATION (ATD)	308,217	323,217
		Adaptive Future Force		[5,000]
		Hardware In the Loop capabilities		[5,000]
		Next generation unmanned aerial system distribution platform		[5,000]
20	0603651M	JOINT NON-LETHAL WEAPONS TECHNOLOGY DEVELOPMENT	15,556	15,556
21	0603673N	FUTURE NAVAL CAPABILITIES ADVANCED TECHNOLOGY DEVELOPMENT.	264,700	264,700
22	0603680N	MANUFACTURING TECHNOLOGY PROGRAM	61,843	61,843
23	0603729N	WARFIGHTER PROTECTION ADVANCED TECHNOLOGY	5,100	9,100
		Balloon catheter hemorrhage control device		[4,000]
24	0603758N	NAVY WARFIGHTING EXPERIMENTS AND DEMONSTRATIONS	75,898	75,898
25	0603782N	MINE AND EXPEDITIONARY WARFARE ADVANCED TECHNOLOGY.	2,048	2,048
26	0603801N	INNOVATIVE NAVAL PROTOTYPES (INP) ADVANCED TECHNOLOGY DEVELOPMENT.	132,931	132,931
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	1,016,552	1,035,552
ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES				
27	0603128N	UNMANNED AERIAL SYSTEM	108,225	108,225
28	0603178N	LARGE UNMANNED SURFACE VEHICLES (LUSV)	117,400	117,400
29	0603207N	AIR/OCEAN TACTICAL APPLICATIONS	40,653	40,653
30	0603216N	AVIATION SURVIVABILITY	20,874	20,874
31	0603239N	NAVAL CONSTRUCTION FORCES	7,821	7,821
32	0603254N	ASW SYSTEMS DEVELOPMENT	17,090	17,090
33	0603261N	TACTICAL AIRBORNE RECONNAISSANCE	3,721	3,721
34	0603382N	ADVANCED COMBAT SYSTEMS TECHNOLOGY	6,216	6,216
35	0603502N	SURFACE AND SHALLOW WATER MINE COUNTERMEASURES	34,690	34,690
36	0603506N	SURFACE SHIP TORPEDO DEFENSE	730	730
37	0603512N	CARRIER SYSTEMS DEVELOPMENT	6,095	6,095
38	0603525N	PILOT FISH	916,208	916,208
39	0603527N	RETRACT LARCH	7,545	7,545
40	0603536N	RETRACT JUNIPER	271,109	271,109
41	0603542N	RADIOLOGICAL CONTROL	811	811
42	0603553N	SURFACE ASW	1,189	1,189
43	0603561N	ADVANCED SUBMARINE SYSTEM DEVELOPMENT	88,415	88,415
44	0603562N	SUBMARINE TACTICAL WARFARE SYSTEMS	15,119	15,119
45	0603563N	SHIP CONCEPT ADVANCED DESIGN	89,939	89,939
46	0603564N	SHIP PRELIMINARY DESIGN & FEASIBILITY STUDIES	121,402	121,402
47	0603570N	ADVANCED NUCLEAR POWER SYSTEMS	319,656	319,656

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48	0603573N	ADVANCED SURFACE MACHINERY SYSTEMS	133,911	133,911
49	0603576N	CHALK EAGLE	116,078	116,078
50	0603581N	LITTORAL COMBAT SHIP (LCS)	32,615	32,615
51	0603582N	COMBAT SYSTEM INTEGRATION	18,610	18,610
52	0603595N	OHIO REPLACEMENT	257,076	262,076
		Advanced composites for wet submarine applications		[5,000]
53	0603596N	LCS MISSION MODULES	31,464	31,464
54	0603597N	AUTOMATED TEST AND RE-TEST (ATRT)	10,809	10,809
55	0603599N	FRIGATE DEVELOPMENT	112,972	112,972
56	0603609N	CONVENTIONAL MUNITIONS	9,030	9,030
57	0603635M	MARINE CORPS GROUND COMBAT/SUPPORT SYSTEM	128,782	128,782
58	0603654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	44,766	44,766
59	0603713N	OCEAN ENGINEERING TECHNOLOGY DEVELOPMENT	10,751	10,751
60	0603721N	ENVIRONMENTAL PROTECTION	24,457	24,457
61	0603724N	NAVY ENERGY PROGRAM	72,214	72,214
62	0603725N	FACILITIES IMPROVEMENT	10,149	10,149
63	0603734N	CHALK CORAL	687,841	687,841
64	0603739N	NAVY LOGISTIC PRODUCTIVITY	4,712	4,712
65	0603746N	RETRACT MAPLE	420,455	420,455
66	0603748N	LINK PLUMERIA	2,100,474	2,100,474
67	0603751N	RETRACT ELM	88,036	88,036
68	0603764M	LINK EVERGREEN	547,005	547,005
69	0603790N	NATO RESEARCH AND DEVELOPMENT	6,265	6,265
70	0603795N	LAND ATTACK TECHNOLOGY	1,624	1,624
71	0603851M	JOINT NON-LETHAL WEAPONS TESTING	31,058	31,058
72	0603860N	JOINT PRECISION APPROACH AND LANDING SYSTEMS—DEM/ VAL	22,590	22,590
73	0603925N	DIRECTED ENERGY AND ELECTRIC WEAPON SYSTEMS	52,129	52,129
74	0604014N	F/A -18 INFRARED SEARCH AND TRACK (IRST)	32,127	32,127
75	0604027N	DIGITAL WARFARE OFFICE	181,001	181,001
76	0604028N	SMALL AND MEDIUM UNMANNED UNDERSEA VEHICLES	110,506	110,506
77	0604029N	UNMANNED UNDERSEA VEHICLE CORE TECHNOLOGIES	71,156	71,156
78	0604030N	RAPID PROTOTYPING, EXPERIMENTATION AND DEMONSTRATION.	214,100	214,100
79	0604031N	LARGE UNMANNED UNDERSEA VEHICLES	6,900	6,900
80	0604112N	GERALD R. FORD CLASS NUCLEAR AIRCRAFT CARRIER (CVN 78—80).	118,182	118,182
82	0604127N	SURFACE MINE COUNTERMEASURES	16,127	16,127
83	0604272N	TACTICAL AIR DIRECTIONAL INFRARED COUNTERMEASURES (TADIRCM).	34,684	34,684
84	0604289M	NEXT GENERATION LOGISTICS	5,991	5,991
85	0604292N	FUTURE VERTICAL LIFT (MARITIME STRIKE)	2,100	2,100
86	0604320M	RAPID TECHNOLOGY CAPABILITY PROTOTYPE	131,763	131,763
87	0604454N	LX (R)	21,319	21,319
88	0604536N	ADVANCED UNDERSEA PROTOTYPING	104,328	104,328
89	0604636N	COUNTER UNMANNED AIRCRAFT SYSTEMS (C-UAS)	11,567	11,567
90	0604659N	PRECISION STRIKE WEAPONS DEVELOPMENT PROGRAM	5,976	195,976
		Nuclear-armed sea-launched cruise missile		[190,000]
91	0604707N	SPACE AND ELECTRONIC WARFARE (SEW) ARCHITECTURE/ENGINEERING SUPPORT.	9,993	9,993
92	0604786N	OFFENSIVE ANTI-SURFACE WARFARE WEAPON DEVELOPMENT	237,655	237,655
93	0605512N	MEDIUM UNMANNED SURFACE VEHICLES (MUSVs)	85,800	85,800
94	0605513N	UNMANNED SURFACE VEHICLE ENABLING CAPABILITIES	176,261	176,261
95	0605514M	GROUND BASED ANTI-SHIP MISSILE	36,383	36,383
96	0605516M	LONG RANGE FIRES	36,763	36,763
97	0605518N	CONVENTIONAL PROMPT STRIKE (CPS)	901,064	901,064
98	0303354N	ASW SYSTEMS DEVELOPMENT—MIP	10,167	10,167
99	0304240M	ADVANCED TACTICAL UNMANNED AIRCRAFT SYSTEM	539	539
100	0304270N	ELECTRONIC WARFARE DEVELOPMENT—MIP	1,250	1,250
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES.	9,734,483	9,929,483
SYSTEM DEVELOPMENT & DEMONSTRATION				
101	0603208N	TRAINING SYSTEM AIRCRAFT	44,120	44,120
102	0604038N	MARITIME TARGETING CELL	30,922	30,922
103	0604212M	OTHER HELO DEVELOPMENT	101,209	101,209
104	0604212N	OTHER HELO DEVELOPMENT	2,604	2,604
105	0604214M	AV-8B AIRCRAFT—ENG DEV	8,263	8,263
106	0604215N	STANDARDS DEVELOPMENT	4,039	4,039
107	0604216N	MULTI-MISSION HELICOPTER UPGRADE DEVELOPMENT	62,350	62,350
108	0604221N	P-3 MODERNIZATION PROGRAM	771	771
109	0604230N	WARFARE SUPPORT SYSTEM	109,485	109,485
110	0604231N	COMMAND AND CONTROL SYSTEMS	87,457	87,457
111	0604234N	ADVANCED HAWKEYE	399,919	399,919
112	0604245M	H-1 UPGRADES	29,766	29,766
113	0604261N	ACOUSTIC SEARCH SENSORS	51,531	51,531
114	0604262N	V-22A	137,597	137,597
115	0604264N	AIR CREW SYSTEMS DEVELOPMENT	42,155	42,155

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116	0604269N	EA-18	172,507	172,507
117	0604270N	ELECTRONIC WARFARE DEVELOPMENT	171,384	171,384
118	0604273M	EXECUTIVE HELO DEVELOPMENT	35,376	35,376
119	0604274N	NEXT GENERATION JAMMER (NGJ)	40,477	40,477
120	0604280N	JOINT TACTICAL RADIO SYSTEM—NAVY (JTRS-NAVY)	451,397	451,397
121	0604282N	NEXT GENERATION JAMMER (NGJ) INCREMENT II	250,577	250,577
122	0604307N	SURFACE COMBATANT COMBAT SYSTEM ENGINEERING	453,311	453,311
124	0604329N	SMALL DIAMETER BOMB (SDB)	52,211	52,211
125	0604366N	STANDARD MISSILE IMPROVEMENTS	418,187	418,187
126	0604373N	AIRBORNE MCM	11,368	11,368
127	0604378N	NAVAL INTEGRATED FIRE CONTROL—COUNTER AIR SYSTEMS ENGINEERING.	66,445	66,445
128	0604419N	ADVANCED SENSORS APPLICATION PROGRAM (ASAP)	0	13,000
		Program increase		[13,000]
129	0604501N	ADVANCED ABOVE WATER SENSORS	115,396	115,396
130	0604503N	SSN-688 AND TRIDENT MODERNIZATION	93,435	93,435
131	0604504N	AIR CONTROL	42,656	42,656
132	0604512N	SHIPBOARD AVIATION SYSTEMS	10,442	10,442
133	0604518N	COMBAT INFORMATION CENTER CONVERSION	11,359	11,359
134	0604522N	AIR AND MISSILE DEFENSE RADAR (AMDR) SYSTEM	90,307	90,307
135	0604530N	ADVANCED ARRESTING GEAR (AAG)	10,658	10,658
136	0604558N	NEW DESIGN SSN	234,356	234,356
137	0604562N	SUBMARINE TACTICAL WARFARE SYSTEM	71,516	71,516
138	0604567N	SHIP CONTRACT DESIGN/ LIVE FIRE T&E	22,462	22,462
139	0604574N	NAVY TACTICAL COMPUTER RESOURCES	4,279	4,279
140	0604601N	MINE DEVELOPMENT	104,731	104,731
141	0604610N	LIGHTWEIGHT TORPEDO DEVELOPMENT	229,668	229,668
142	0604634N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	9,064	9,064
143	0604657M	USMC GROUND COMBAT/SUPPORTING ARMS SYSTEMS—ENG DEV.	62,329	62,329
144	0604703N	PERSONNEL, TRAINING, SIMULATION, AND HUMAN FACTORS ...	9,319	9,319
145	0604727N	JOINT STANDOFF WEAPON SYSTEMS	1,964	1,964
146	0604755N	SHIP SELF DEFENSE (DETECT & CONTROL)	158,426	158,426
147	0604756N	SHIP SELF DEFENSE (ENGAGE: HARD KILL)	47,492	47,492
148	0604757N	SHIP SELF DEFENSE (ENGAGE: SOFT KILL/EW)	125,206	125,206
149	0604761N	INTELLIGENCE ENGINEERING	19,969	19,969
150	0604771N	MEDICAL DEVELOPMENT	6,061	6,061
151	0604777N	NAVIGATION/ID SYSTEM	45,262	45,262
154	0604850N	SSN(X)	361,582	361,582
155	0605013M	INFORMATION TECHNOLOGY DEVELOPMENT	22,663	22,663
156	0605013N	INFORMATION TECHNOLOGY DEVELOPMENT	282,138	282,138
157	0605024N	ANTI-TAMPER TECHNOLOGY SUPPORT	8,340	8,340
158	0605180N	TACAMO MODERNIZATION	213,743	213,743
159	0605212M	CH-53K RDTE	222,288	222,288
160	0605215N	MISSION PLANNING	86,448	86,448
161	0605217N	COMMON AVIONICS	81,076	81,076
162	0605220N	SHIP TO SHORE CONNECTOR (SSC)	1,343	1,343
163	0605327N	T-AO 205 CLASS	71	71
164	0605414N	UNMANNED CARRIER AVIATION (UCA)	220,404	220,404
165	0605450M	JOINT AIR-TO-GROUND MISSILE (JAGM)	384	384
166	0605500N	MULTI-MISSION MARITIME AIRCRAFT (MMA)	36,027	36,027
167	0605504N	MULTI-MISSION MARITIME (MMA) INCREMENT III	132,449	132,449
168	0605611M	MARINE CORPS ASSAULT VEHICLES SYSTEM DEVELOPMENT & DEMONSTRATION.	103,236	103,236
169	0605813M	JOINT LIGHT TACTICAL VEHICLE (JLTV) SYSTEM DEVELOPMENT & DEMONSTRATION.	2,609	2,609
170	0204202N	DDG-1000	231,778	231,778
171	0301377N	COUNTERING ADVANCED CONVENTIONAL WEAPONS (CACW)	17,531	17,531
172	0304785N	ISR & INFO OPERATIONS	174,271	174,271
173	0306250M	CYBER OPERATIONS TECHNOLOGY DEVELOPMENT	2,068	2,068
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION.	6,962,234	6,975,234
		MANAGEMENT SUPPORT		
174	0604256N	THREAT SIMULATOR DEVELOPMENT	22,918	22,918
175	0604258N	TARGET SYSTEMS DEVELOPMENT	18,623	18,623
176	0604759N	MAJOR T&E INVESTMENT	74,221	74,221
177	0605152N	STUDIES AND ANALYSIS SUPPORT—NAVY	3,229	3,229
178	0605154N	CENTER FOR NAVAL ANALYSES	45,672	45,672
180	0605804N	TECHNICAL INFORMATION SERVICES	1,000	1,000
181	0605853N	MANAGEMENT, TECHNICAL & INTERNATIONAL SUPPORT	124,328	124,328
182	0605856N	STRATEGIC TECHNICAL SUPPORT	4,053	4,053
183	0605863N	RDT&E SHIP AND AIRCRAFT SUPPORT	203,447	203,447
184	0605864N	TEST AND EVALUATION SUPPORT	481,975	484,975
		Atlantic Undersea Test and Evaluation Center improvements		[3,000]
185	0605865N	OPERATIONAL TEST AND EVALUATION CAPABILITY	29,399	29,399
186	0605866N	NAVY SPACE AND ELECTRONIC WARFARE (SEW) SUPPORT	27,504	27,504
187	0605867N	SEW SURVEILLANCE/RECONNAISSANCE SUPPORT	9,183	9,183

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188	0605873M	MARINE CORPS PROGRAM WIDE SUPPORT	34,976	34,976
189	0605898N	MANAGEMENT HQ—R&D	41,331	41,331
190	0606335N	WARFARE INNOVATION MANAGEMENT	37,340	37,340
191	0305327N	INSIDER THREAT	2,246	2,246
192	0902498N	MANAGEMENT HEADQUARTERS (DEPARTMENTAL SUPPORT ACTIVITIES).	2,168	2,168
		SUBTOTAL MANAGEMENT SUPPORT	1,163,613	1,166,613
		OPERATIONAL SYSTEMS DEVELOPMENT		
196	0604840M	F-35 C2D2	544,625	544,625
197	0604840N	F-35 C2D2	543,834	543,834
198	0605520M	MARINE CORPS AIR DEFENSE WEAPONS SYSTEMS	99,860	99,860
199	0607658N	COOPERATIVE ENGAGEMENT CAPABILITY (CEC)	153,440	153,440
200	0101221N	STRATEGIC SUB & WEAPONS SYSTEM SUPPORT	321,648	331,648
		<i>Fleet Ballistic Missile Strategic Weapon System</i>		<i>[10,000]</i>
201	0101224N	SSBN SECURITY TECHNOLOGY PROGRAM	62,694	62,694
202	0101226N	SUBMARINE ACOUSTIC WARFARE DEVELOPMENT	92,869	92,869
203	0101402N	NAVY STRATEGIC COMMUNICATIONS	51,919	51,919
204	0204136N	F/A-18 SQUADRONS	333,783	333,783
205	0204228N	SURFACE SUPPORT	8,619	8,619
206	0204229N	TOMAHAWK AND TOMAHAWK MISSION PLANNING CENTER (TMPC).	122,834	122,834
207	0204311N	INTEGRATED SURVEILLANCE SYSTEM	76,279	76,279
208	0204313N	SHIP-TOWED ARRAY SURVEILLANCE SYSTEMS	1,103	1,103
209	0204413N	AMPHIBIOUS TACTICAL SUPPORT UNITS (DISPLACEMENT CRAFT).	1,991	1,991
210	0204460M	GROUND/AIR TASK ORIENTED RADAR (GLATOR)	92,674	92,674
211	0204571N	CONSOLIDATED TRAINING SYSTEMS DEVELOPMENT	115,894	115,894
212	0204575N	ELECTRONIC WARFARE (EW) READINESS SUPPORT	61,677	61,677
213	0205601N	ANTI-RADIATION MISSILE IMPROVEMENT	59,555	59,555
214	0205620N	SURFACE ASW COMBAT SYSTEM INTEGRATION	29,973	29,973
215	0205632N	MK-48 ADCAP	213,165	213,165
216	0205633N	AVIATION IMPROVEMENTS	143,277	143,277
217	0205675N	OPERATIONAL NUCLEAR POWER SYSTEMS	152,546	152,546
218	0206313M	MARINE CORPS COMMUNICATIONS SYSTEMS	192,625	192,625
219	0206335M	COMMON AVIATION COMMAND AND CONTROL SYSTEM (CAC3S)	12,565	12,565
220	0206623M	MARINE CORPS GROUND COMBAT/SUPPORTING ARMS SYSTEMS.	83,900	83,900
221	0206624M	MARINE CORPS COMBAT SERVICES SUPPORT	27,794	27,794
222	0206625M	USMC INTELLIGENCE/ELECTRONIC WARFARE SYSTEMS (MIP) ..	47,762	47,762
223	0206629M	AMPHIBIOUS ASSAULT VEHICLE	373	373
224	0207161N	TACTICAL AIM MISSILES	36,439	36,439
225	0207163N	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	29,198	29,198
226	0208043N	PLANNING AND DECISION AID SYSTEM (PDAS)	3,565	3,565
230	0303138N	AFLOAT NETWORKS	49,995	49,995
231	0303140N	INFORMATION SYSTEMS SECURITY PROGRAM	33,390	33,390
232	0305192N	MILITARY INTELLIGENCE PROGRAM (MIP) ACTIVITIES	7,304	7,304
233	0305204N	TACTICAL UNMANNED AERIAL VEHICLES	11,235	11,235
234	0305205N	UAS INTEGRATION AND INTEROPERABILITY	16,409	16,409
235	0305208M	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	51,192	51,192
236	0305220N	MQ-4C TRITON	12,094	12,094
237	0305231N	MQ-8 UAV	29,700	29,700
238	0305232M	RQ-11 UAV	2,107	2,107
239	0305234N	SMALL (LEVEL 0) TACTICAL UAS (STUASLO)	2,999	2,999
240	0305241N	MULTI-INTELLIGENCE SENSOR DEVELOPMENT	49,460	49,460
241	0305242M	UNMANNED AERIAL SYSTEMS (UAS) PAYLOADS (MIP)	13,005	13,005
242	0305251N	CYBERSPACE OPERATIONS FORCES AND FORCE SUPPORT	2,000	2,000
243	0305421N	RQ-4 MODERNIZATION	300,378	300,378
244	0307577N	INTELLIGENCE MISSION DATA (IMD)	788	788
245	0308601N	MODELING AND SIMULATION SUPPORT	10,994	10,994
246	0702207N	DEPOT MAINTENANCE (NON-IF)	23,248	23,248
247	0708730N	MARITIME TECHNOLOGY (MARITECH)	3,284	3,284
9999	9999999999	CLASSIFIED PROGRAMS	2,021,376	2,021,376
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	6,359,438	6,369,438
		SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS		
249	0608013N	RISK MANAGEMENT INFORMATION—SOFTWARE PILOT PROGRAM.	11,748	11,748
250	0608231N	MARITIME TACTICAL COMMAND AND CONTROL (MTC2)—SOFTWARE PILOT PROGRAM.	10,555	10,555
		SUBTOTAL SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS.	22,303	22,303
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY.	26,922,225	27,177,225
		RESEARCH, DEVELOPMENT, TEST & EVAL, AF		

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BASIC RESEARCH				
1	0601102F	DEFENSE RESEARCH SCIENCES	401,486	401,486
2	0601103F	UNIVERSITY RESEARCH INITIATIVES	182,372	182,372
		SUBTOTAL BASIC RESEARCH	583,858	583,858
APPLIED RESEARCH				
3	0602020F	FUTURE AF CAPABILITIES APPLIED RESEARCH	90,713	90,713
4	0602022F	UNIVERSITY AFFILIATED RESEARCH CENTER (UARC)—TAC- TICAL AUTONOMY.	8,018	8,018
5	0602102F	MATERIALS	142,325	151,325
		Advanced materials science for manufacturing research		[9,000]
6	0602201F	AEROSPACE VEHICLE TECHNOLOGIES	161,268	161,268
7	0602202F	HUMAN EFFECTIVENESS APPLIED RESEARCH	146,921	146,921
8	0602203F	AEROSPACE PROPULSION	184,867	184,867
9	0602204F	AEROSPACE SENSORS	216,269	216,269
11	0602298F	SCIENCE AND TECHNOLOGY MANAGEMENT— MAJOR HEAD- QUARTERS ACTIVITIES.	10,303	10,303
12	0602602F	CONVENTIONAL MUNITIONS	160,599	160,599
13	0602605F	DIRECTED ENERGY TECHNOLOGY	129,961	118,452
		DAF requested realignment of funds to 66018F		[−11,509]
14	0602788F	DOMINANT INFORMATION SCIENCES AND METHODS	182,076	220,076
		Distributed quantum information sciences networking testbed		[5,000]
		Future Flag experimentation testbed		[15,000]
		Ion trapped quantum information sciences computer		[8,000]
		Multi-domain radio frequency spectrum testing environment		[5,000]
		Secure interference-avoiding connectivity of autonomous artificially intel- ligent machines.		[5,000]
		SUBTOTAL APPLIED RESEARCH	1,433,320	1,468,811
ADVANCED TECHNOLOGY DEVELOPMENT				
15	0603032F	FUTURE AF INTEGRATED TECHNOLOGY DEMOS	255,855	213,655
		Program reduction		[−42,200]
16	0603112F	ADVANCED MATERIALS FOR WEAPON SYSTEMS	30,372	30,372
17	0603199F	SUSTAINMENT SCIENCE AND TECHNOLOGY (S&T)	10,478	10,478
18	0603203F	ADVANCED AEROSPACE SENSORS	48,046	48,046
19	0603211F	AEROSPACE TECHNOLOGY DEV/DEMO	51,896	61,896
		Semiautonomous adversary air platform		[10,000]
20	0603216F	AEROSPACE PROPULSION AND POWER TECHNOLOGY	56,789	56,789
21	0603270F	ELECTRONIC COMBAT TECHNOLOGY	32,510	32,510
22	0603273F	SCIENCE & TECHNOLOGY FOR NUCLEAR RE-ENTRY SYSTEMS ..	70,321	70,321
23	0603444F	MAUI SPACE SURVEILLANCE SYSTEM (MSSS)	2	2
24	0603456F	HUMAN EFFECTIVENESS ADVANCED TECHNOLOGY DEVELOP- MENT.	15,593	15,593
25	0603601F	CONVENTIONAL WEAPONS TECHNOLOGY	132,311	132,311
26	0603605F	ADVANCED WEAPONS TECHNOLOGY	102,997	102,997
27	0603680F	MANUFACTURING TECHNOLOGY PROGRAM	44,422	49,422
		Additive manufacturing for aerospace parts		[5,000]
28	0603788F	BATTLESPACE KNOWLEDGE DEVELOPMENT AND DEMONSTRA- TION.	37,779	37,779
29	0207412F	CONTROL AND REPORTING CENTER (CRC)	2,005	2,005
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	891,376	864,176
ADVANCED COMPONENT DEVELOPMENT & PROTO- TYPES				
30	0603036F	MODULAR ADVANCED MISSILE	105,238	105,238
31	0603260F	INTELLIGENCE ADVANCED DEVELOPMENT	6,237	6,237
32	0603742F	COMBAT IDENTIFICATION TECHNOLOGY	21,298	21,298
33	0603790F	NATO RESEARCH AND DEVELOPMENT	2,208	2,208
34	0603851F	INTERCONTINENTAL BALLISTIC MISSILE—DEM/VAL	45,319	73,319
		Enhanced ICBM guidance capability and testing		[30,000]
35	0604001F	NC3 ADVANCED CONCEPTS	10,011	10,011
37	0604003F	ADVANCED BATTLE MANAGEMENT SYSTEM (ABMS)	500,575	500,575
38	0604004F	ADVANCED ENGINE DEVELOPMENT	595,352	595,352
39	0604005F	NC3 COMMERCIAL DEVELOPMENT & PROTOTYPING	78,799	78,799
40	0604006F	DEPT OF THE AIR FORCE TECH ARCHITECTURE	2,620	0
		DAF requested realignment of funds to 64858F		[−2,620]
41	0604007F	E−7	681,039	681,039
42	0604009F	AFWERX PRIME	83,336	83,336
43	0604015F	LONG RANGE STRIKE—BOMBER	2,984,143	2,984,143
44	0604025F	RAPID DEFENSE EXPERIMENTATION RESERVE (RDER)	154,300	154,300
45	0604032F	DIRECTED ENERGY PROTOTYPING	1,246	1,246
46	0604033F	HYPERSONICS PROTOTYPING	150,340	0
		Air-Launched Rapid Response Weapon reduction		[−150,340]
47	0604183F	HYPERSONICS PROTOTYPING—HYPERSONIC ATTACK CRUISE MISSILE (HACM).	381,528	381,528
48	0604201F	PNT RESILIENCY, MODS, AND IMPROVEMENTS	18,041	18,041
49	0604257F	ADVANCED TECHNOLOGY AND SENSORS	27,650	27,650
50	0604288F	SURVIVABLE AIRBORNE OPERATIONS CENTER (SAOC)	888,829	888,829

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51	0604317F	TECHNOLOGY TRANSFER	26,638	26,638
52	0604327F	HARD AND DEEPLY BURIED TARGET DEFEAT SYSTEM (HDBTDS) PROGRAM	19,266	19,266
53	0604414F	CYBER RESILIENCY OF WEAPON SYSTEMS-ACS	37,121	37,121
55	0604668F	JOINT TRANSPORTATION MANAGEMENT SYSTEM (JTMS)	37,026	37,026
56	0604776F	DEPLOYMENT & DISTRIBUTION ENTERPRISE R&D	31,833	31,833
57	0604858F	TECH TRANSITION PROGRAM	210,806	235,476
		DAF requested realignment of funds from OMAF SAG 11R		[17,550]
		DAF requested realignment of funds from OMAF SAG 11Z		[4,500]
		DAF requested realignment of funds from RDAF 64006F		[2,620]
58	0604860F	OPERATIONAL ENERGY AND INSTALLATION RESILIENCE	46,305	46,305
59	0605164F	AIR REFUELING CAPABILITY MODERNIZATION	19,400	19,400
61	0207110F	NEXT GENERATION AIR DOMINANCE	2,326,128	2,326,128
62	0207179F	AUTONOMOUS COLLABORATIVE PLATFORMS	118,826	101,013
		DAF requested realignment of funds		[-17,813]
63	0207420F	COMBAT IDENTIFICATION	1,902	1,902
64	0207455F	THREE DIMENSIONAL LONG-RANGE RADAR (3DELRR)	19,763	19,763
65	0207522F	AIRBASE AIR DEFENSE SYSTEMS (ABADS)	78,867	78,867
66	0208030F	WAR RESERVE MATERIEL—AMMUNITION	8,175	8,175
68	0305236F	COMMON DATA LINK EXECUTIVE AGENT (CDL EA)	25,157	25,157
69	0305601F	MISSION PARTNER ENVIRONMENTS	17,727	17,727
72	0708051F	RAPID SUSTAINMENT MODERNIZATION (RSM)	43,431	43,431
73	0808737F	INTEGRATED PRIMARY PREVENTION	9,364	9,364
74	0901410F	CONTRACTING INFORMATION TECHNOLOGY SYSTEM	28,294	28,294
75	1206415F	U.S. SPACE COMMAND RESEARCH AND DEVELOPMENT SUPPORT	14,892	14,892
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	9,859,030	9,742,927
		SYSTEM DEVELOPMENT & DEMONSTRATION		
76	0604200F	FUTURE ADVANCED WEAPON ANALYSIS & PROGRAMS	9,757	9,757
77	0604201F	PNT RESILIENCY, MODS, AND IMPROVEMENTS	163,156	163,156
78	0604222F	NUCLEAR WEAPONS SUPPORT	45,884	45,884
79	0604270F	ELECTRONIC WARFARE DEVELOPMENT	13,804	13,804
80	0604281F	TACTICAL DATA NETWORKS ENTERPRISE	74,023	79,023
		DAF requested realignment of funds		[5,000]
81	0604287F	PHYSICAL SECURITY EQUIPMENT	10,605	10,605
82	0604602F	ARMAMENT/ORDNANCE DEVELOPMENT	5,918	5,918
83	0604604F	SUBMUNITIONS	3,345	3,345
84	0604617F	AGILE COMBAT SUPPORT	21,967	21,967
85	0604706F	LIFE SUPPORT SYSTEMS	39,301	39,301
86	0604735F	COMBAT TRAINING RANGES	152,569	152,569
87	0604932F	LONG RANGE STANDOFF WEAPON	911,406	891,406
		DAF realignment of funds		[-20,000]
88	0604933F	ICBM FUZE MODERNIZATION	71,732	71,732
89	0605030F	JOINT TACTICAL NETWORK CENTER (JTNC)	2,256	2,256
90	0605031F	JOINT TACTICAL NETWORK (JTN)	452	452
91	0605056F	OPEN ARCHITECTURE MANAGEMENT	36,582	36,582
92	0605057F	NEXT GENERATION AIR-REFUELING SYSTEM	7,928	7,928
93	0605223F	ADVANCED PILOT TRAINING	77,252	77,252
94	0605229F	HH-60W	48,268	48,268
95	0605238F	GROUND BASED STRATEGIC DETERRENT EMD	3,746,935	3,739,285
		DAF requested realignment of funds		[-7,650]
96	0207171F	F-15 EPAWSS	13,982	13,982
97	0207279F	ISOLATED PERSONNEL SURVIVABILITY AND RECOVERY	56,225	56,225
98	0207328F	STAND IN ATTACK WEAPON	298,585	298,585
99	0207701F	FULL COMBAT MISSION TRAINING	7,597	7,597
100	0208036F	MEDICAL C-CBRNE PROGRAMS	2,006	2,006
102	0305205F	ENDURANCE UNMANNED AERIAL VEHICLES	30,000	30,000
103	0401221F	KC-46A TANKER SQUADRONS	124,662	124,662
104	0401319F	VC-25B	490,701	470,701
		5G interference mitigation for critical aircraft navigation and sensor systems on the Presidential Aircraft Fleet		[30,000]
		Program reduction		[-50,000]
105	0701212F	AUTOMATED TEST SYSTEMS	12,911	12,911
106	0804772F	TRAINING DEVELOPMENTS	1,922	1,922
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	6,481,731	6,439,081
		MANAGEMENT SUPPORT		
107	0604256F	THREAT SIMULATOR DEVELOPMENT	16,626	16,626
108	0604759F	MAJOR T&E INVESTMENT	31,143	31,143
109	0605101F	RAND PROJECT AIR FORCE	38,398	38,398
110	0605502F	SMALL BUSINESS INNOVATION RESEARCH	1,466	1,466
111	0605712F	INITIAL OPERATIONAL TEST & EVALUATION	13,736	13,736
112	0605807F	TEST AND EVALUATION SUPPORT	913,213	946,026
		DAF requested realignment of funds		[32,813]
113	0605827F	ACQ WORKFORCE- GLOBAL VIG & COMBAT SYS	317,901	317,901

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114	0605828F	ACQ WORKFORCE- GLOBAL REACH	541,677	541,677
115	0605829F	ACQ WORKFORCE- CYBER, NETWORK, & BUS SYS	551,213	536,513
		DAF requested realignment of funds		[-14,700]
117	0605831F	ACQ WORKFORCE- CAPABILITY INTEGRATION	243,780	273,780
		DAF requested realignment of funds		[30,000]
118	0605832F	ACQ WORKFORCE- ADVANCED PRGM TECHNOLOGY	109,030	77,030
		DAF requested realignment of funds		[-32,000]
119	0605833F	ACQ WORKFORCE- NUCLEAR SYSTEMS	336,788	336,788
120	0605898F	MANAGEMENT HQ—R&D	5,005	6,705
		DAF requested realignment of funds		[1,700]
121	0605976F	FACILITIES RESTORATION AND MODERNIZATION—TEST AND EVALUATION SUPPORT	87,889	87,889
122	0605978F	FACILITIES SUSTAINMENT—TEST AND EVALUATION SUPPORT	35,065	35,065
123	0606017F	REQUIREMENTS ANALYSIS AND MATURATION	89,956	89,956
124	0606398F	MANAGEMENT HQ—T&E	7,453	7,453
126	0303255F	COMMAND, CONTROL, COMMUNICATION, AND COMPUTERS (C4)—STRATCOM	20,871	40,871
		NC3 network sensor demonstration		[10,000]
		NC3 Rapid Engineering Architecture Collaboration Hub (REACH)		[10,000]
127	0308602F	ENTEPRISE INFORMATION SERVICES (EIS)	100,357	100,357
128	0702806F	ACQUISITION AND MANAGEMENT SUPPORT	20,478	20,478
129	0804731F	GENERAL SKILL TRAINING	796	6,796
		Security Work Readiness for Duty		[6,000]
132	1001004F	INTERNATIONAL ACTIVITIES	3,917	3,917
		SUBTOTAL MANAGEMENT SUPPORT	3,486,758	3,530,571
OPERATIONAL SYSTEMS DEVELOPMENT				
134	0604233F	SPECIALIZED UNDERGRADUATE FLIGHT TRAINING	41,464	41,464
135	0604283F	BATTLE MGMT COM & CTRL SENSOR DEVELOPMENT	40,000	40,000
136	0604445F	WIDE AREA SURVEILLANCE	8,018	8,018
137	0604617F	AGILE COMBAT SUPPORT	5,645	5,645
139	0604840F	F-35 C2D2	1,275,268	1,270,268
		DAF requested realignment of funds		[-5,000]
140	0605018F	AF INTEGRATED PERSONNEL AND PAY SYSTEM (AF-IPPS)	40,203	40,203
141	0605024F	ANTI-TAMPER TECHNOLOGY EXECUTIVE AGENCY	49,613	49,613
142	0605117F	FOREIGN MATERIEL ACQUISITION AND EXPLOITATION	93,881	93,881
143	0605278F	HC/MC-130 RECAP RDT&E	36,536	36,536
144	0606018F	NC3 INTEGRATION	22,910	22,910
145	0101113F	B-52 SQUADRONS	950,815	964,832
		DAF requested realignment of funds		[14,017]
146	0101122F	AIR-LAUNCHED CRUISE MISSILE (ALCM)	290	290
147	0101126F	B-1B SQUADRONS	12,619	12,619
148	0101127F	B-2 SQUADRONS	87,623	87,623
149	0101213F	MINUTEMAN SQUADRONS	33,237	33,237
150	0101316F	WORLDWIDE JOINT STRATEGIC COMMUNICATIONS	24,653	24,653
151	0101318F	SERVICE SUPPORT TO STRATCOM—GLOBAL STRIKE	7,562	7,562
153	0101328F	ICBM REENTRY VEHICLES	475,415	475,415
155	0102110F	MH-139A	25,737	25,737
156	0102326F	REGION/SECTOR OPERATION CONTROL CENTER MODERNIZATION PROGRAM	831	831
157	0102412F	NORTH WARNING SYSTEM (NWS)	102	102
158	0102417F	OVER-THE-HORIZON BACKSCATTER RADAR	428,754	428,754
159	0202834F	VEHICLES AND SUPPORT EQUIPMENT—GENERAL	15,498	19,498
		DAF requested realignment of funds		[4,000]
160	0205219F	MQ-9 UAV	81,123	81,123
161	0205671F	JOINT COUNTER RCIED ELECTRONIC WARFARE	2,303	2,303
162	0207040F	MULTI-PLATFORM ELECTRONIC WARFARE EQUIPMENT	7,312	7,312
164	0207133F	F-16 SQUADRONS	98,633	98,633
165	0207134F	F-15E SQUADRONS	50,965	50,965
166	0207136F	MANNED DESTRUCTIVE SUPPRESSION	16,543	16,543
167	0207138F	F-22A SQUADRONS	725,889	725,889
168	0207142F	F-35 SQUADRONS	97,231	97,231
169	0207146F	F-15EX	100,006	100,006
170	0207161F	TACTICAL AIM MISSILES	41,958	41,958
171	0207163F	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	53,679	53,679
172	0207227F	COMBAT RESCUE—PARARESCUE	726	726
173	0207238F	E-11A	64,888	64,888
174	0207247F	AF TENCAP	25,749	25,749
175	0207249F	PRECISION ATTACK SYSTEMS PROCUREMENT	11,872	11,872
176	0207253F	COMPASS CALL	66,932	66,932
177	0207268F	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	55,223	55,223
178	0207325F	JOINT AIR-TO-SURFACE STANDOFF MISSILE (JASSM)	132,937	132,937
179	0207327F	SMALL DIAMETER BOMB (SDB)	37,518	37,518
180	0207410F	AIR & SPACE OPERATIONS CENTER (AOC)	72,059	72,059
181	0207412F	CONTROL AND REPORTING CENTER (CRC)	17,498	17,498
183	0207418F	AFSPECWAR—TACP	2,106	2,106
185	0207431F	COMBAT AIR INTELLIGENCE SYSTEM ACTIVITIES	72,010	72,010
186	0207438F	THEATER BATTLE MANAGEMENT (TBM) C4I	6,467	6,467

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187	0207439F	ELECTRONIC WARFARE INTEGRATED REPROGRAMMING (EWIR).	10,388	10,388
188	0207444F	TACTICAL AIR CONTROL PARTY-MOD	10,060	10,060
189	0207452F	DCAPES	8,233	8,233
190	0207531F	AIR FORCE CALIBRATION PROGRAMS	2,172	2,172
192	0207573F	NATIONAL TECHNICAL NUCLEAR FORENSICS	2,049	2,049
193	0207590F	SEEK EAGLE	33,478	33,478
195	0207605F	WARGAMING AND SIMULATION CENTERS	11,894	11,894
197	0207697F	DISTRIBUTED TRAINING AND EXERCISES	3,811	3,811
198	0208006F	MISSION PLANNING SYSTEMS	96,272	96,272
199	0208007F	TACTICAL DECEPTION	26,533	26,533
201	0208087F	DISTRIBUTED CYBER WARFARE OPERATIONS	50,122	50,122
202	0208088F	AF DEFENSIVE CYBERSPACE OPERATIONS	113,064	113,064
208	0208288F	INTEL DATA APPLICATIONS	967	967
209	0301025F	GEOBASE	1,514	1,514
211	0301113F	CYBER SECURITY INTELLIGENCE SUPPORT	8,476	8,476
218	0301401F	AF MULTI-DOMAIN NON-TRADITIONAL ISR BATTLESPACE AWARENESS.	2,890	3,390
		Military Cyber Cooperation Activities with the Kingdom of Jordan		[500]
219	0302015F	E-4B NATIONAL AIRBORNE OPERATIONS CENTER (NAOC)	39,868	39,868
220	0303004F	EIT CONNECT	32,900	32,900
221	0303089F	CYBERSPACE OPERATIONS SYSTEMS	4,881	4,881
222	0303131F	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN).	33,567	33,567
223	0303133F	HIGH FREQUENCY RADIO SYSTEMS	40,000	40,000
224	0303140F	INFORMATION SYSTEMS SECURITY PROGRAM	95,523	95,523
226	0303248F	ALL DOMAIN COMMON PLATFORM	71,296	71,296
227	0303260F	JOINT MILITARY DECEPTION INITIATIVE	4,682	4,682
228	0304100F	STRATEGIC MISSION PLANNING & EXECUTION SYSTEM (SMPEs).	64,944	64,944
230	0304260F	AIRBORNE SIGINT ENTERPRISE	108,947	108,947
231	0304310F	COMMERCIAL ECONOMIC ANALYSIS	4,635	4,635
234	0305015F	C2 AIR OPERATIONS SUITE—C2 INFO SERVICES	13,751	13,751
235	0305020F	CCMD INTELLIGENCE INFORMATION TECHNOLOGY	1,660	1,660
236	0305022F	ISR MODERNIZATION & AUTOMATION DVMT (IMAD)	18,680	18,680
237	0305099F	GLOBAL AIR TRAFFIC MANAGEMENT (GATM)	5,031	5,031
238	0305103F	CYBER SECURITY INITIATIVE	301	301
239	0305111F	WEATHER SERVICE	26,329	35,329
		Weather service data migration		[9,000]
240	0305114F	AIR TRAFFIC CONTROL, APPROACH, AND LANDING SYSTEM (ATCALS).	8,751	8,751
241	0305116F	AERIAL TARGETS	6,915	6,915
244	0305128F	SECURITY AND INVESTIGATIVE ACTIVITIES	352	352
245	0305146F	DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES	6,930	6,930
246	0305179F	INTEGRATED BROADCAST SERVICE (IBS)	21,588	21,588
247	0305202F	DRAGON U-2	16,842	16,842
248	0305206F	AIRBORNE RECONNAISSANCE SYSTEMS	43,158	43,158
249	0305207F	MANNED RECONNAISSANCE SYSTEMS	14,330	14,330
250	0305208F	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	88,854	88,854
251	0305220F	RQ-4 UAV	1,242	1,242
252	0305221F	NETWORK-CENTRIC COLLABORATIVE TARGETING	12,496	12,496
253	0305238F	NATO AGS	2	2
254	0305240F	SUPPORT TO DCGS ENTERPRISE	31,589	31,589
255	0305600F	INTERNATIONAL INTELLIGENCE TECHNOLOGY AND ARCHITECTURES.	15,322	15,322
256	0305881F	RAPID CYBER ACQUISITION	8,830	8,830
257	0305984F	PERSONNEL RECOVERY COMMAND & CTRL (PRC2)	2,764	2,764
258	0307577F	INTELLIGENCE MISSION DATA (IMD)	7,090	7,090
259	0401115F	C-130 AIRLIFT SQUADRON	5,427	5,427
260	0401119F	C-5 AIRLIFT SQUADRONS (IF)	29,502	29,502
261	0401130F	C-17 AIRCRAFT (IF)	2,753	2,753
262	0401132F	C-130J PROGRAM	19,100	19,100
263	0401134F	LARGE AIRCRAFT IR COUNTERMEASURES (LAIRCM)	5,982	5,982
264	0401218F	KC-135S	51,105	51,105
265	0401318F	CV-22	18,127	18,127
266	0408011F	SPECIAL TACTICS / COMBAT CONTROL	9,198	9,198
268	0708610F	LOGISTICS INFORMATION TECHNOLOGY (LOGIT)	17,520	17,520
269	0801380F	AF LVC OPERATIONAL TRAINING (LVC-OT)	25,144	25,144
270	0804743F	OTHER FLIGHT TRAINING	2,265	2,265
272	0901202F	JOINT PERSONNEL RECOVERY AGENCY	2,266	2,266
273	0901218F	CIVILIAN COMPENSATION PROGRAM	4,006	4,006
274	0901220F	PERSONNEL ADMINISTRATION	3,078	3,078
275	0901226F	AIR FORCE STUDIES AND ANALYSIS AGENCY	5,309	5,309
276	0901538F	FINANCIAL MANAGEMENT INFORMATION SYSTEMS DEVELOPMENT.	4,279	4,279
277	0901554F	DEFENSE ENTERPRISE ACNTNG AND MGT SYS (DEAMS)	45,925	45,925
278	1202140F	SERVICE SUPPORT TO SPACECOM ACTIVITIES	9,778	9,778
9999	9999999999	CLASSIFIED PROGRAMS	16,814,245	16,814,245

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		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	23,829,283	23,851,800
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, AF ..	46,565,356	46,481,224
		RESEARCH, DEVELOPMENT, TEST & EVAL, SF		
		APPLIED RESEARCH		
4	1206601SF	SPACE TECHNOLOGY	206,196	350,663
		Advanced analog microelectronics		[8,600]
		Advanced isotope power systems		[5,000]
		DAF requested realignment of funds		[84,397]
		Ground-based interferometry		[16,000]
		Lunar surface-based domain awareness		[5,000]
		Solar cruiser		[10,000]
		Space modeling, simulation, and analysis hub		[15,470]
		SUBTOTAL APPLIED RESEARCH	206,196	350,663
		ADVANCED TECHNOLOGY DEVELOPMENT		
5	1206310SF	SPACE SCIENCE AND TECHNOLOGY RESEARCH AND DEVELOPMENT.	472,493	477,493
		Human performance optimization		[5,000]
6	1206616SF	SPACE ADVANCED TECHNOLOGY DEVELOPMENT/DEMO	110,033	158,033
		DAF requested realignment of funds		[40,000]
		Modular multi-mode propulsion system		[8,000]
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	582,526	635,526
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
7	0604002SF	SPACE FORCE WEATHER SERVICES RESEARCH	849	849
8	1203010SF	SPACE FORCE IT, DATA ANALYTICS, DIGITAL SOLUTIONS	61,723	61,723
9	1203164SF	NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT) (SPACE).	353,807	353,807
10	1203622SF	SPACE WARFIGHTING ANALYSIS	95,541	95,541
11	1203710SF	EO/IR WEATHER SYSTEMS	95,615	112,115
		Weather satellite risk reduction		[16,500]
13	1206410SF	SPACE TECHNOLOGY DEVELOPMENT AND PROTOTYPING	2,081,307	2,081,307
16	1206427SF	SPACE SYSTEMS PROTOTYPE TRANSITIONS (SSPT)	145,948	105,948
		DAF requested realignment of funds to 6616SF		[-40,000]
17	1206438SF	SPACE CONTROL TECHNOLOGY	58,374	58,374
18	1206458SF	TECH TRANSITION (SPACE)	164,649	179,649
		Encouraging the establishment of the outernet		[15,000]
19	1206730SF	SPACE SECURITY AND DEFENSE PROGRAM	59,784	59,784
20	1206760SF	PROTECTED TACTICAL ENTERPRISE SERVICE (PTES)	76,554	76,554
21	1206761SF	PROTECTED TACTICAL SERVICE (PTS)	360,126	360,126
22	1206855SF	EVOLVED STRATEGIC SATCOM (ESS)	632,833	632,833
23	1206857SF	SPACE RAPID CAPABILITIES OFFICE	12,036	12,036
24	1206862SF	TACTICALLY RESPONSE SPACE	30,000	30,000
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	4,229,146	4,220,646
		SYSTEM DEVELOPMENT & DEMONSTRATION		
25	1203269SF	GPS III FOLLOW-ON (GPS IIIF)	308,999	308,999
27	1206421SF	COUNTERSPACE SYSTEMS	36,537	36,537
28	1206422SF	WEATHER SYSTEM FOLLOW-ON	79,727	79,727
29	1206425SF	SPACE SITUATION AWARENESS SYSTEMS	372,827	372,827
30	1206431SF	ADVANCED EHF MILSATCOM (SPACE)	4,068	4,068
31	1206432SF	POLAR MILSATCOM (SPACE)	73,757	73,757
32	1206433SF	WIDEBAND GLOBAL SATCOM (SPACE)	49,445	49,445
33	1206440SF	NEXT-GEN OPIR—GROUND	661,367	661,367
34	1206442SF	NEXT GENERATION OPIR	222,178	222,178
35	1206443SF	NEXT-GEN OPIR—GEO	719,731	719,731
36	1206444SF	NEXT-GEN OPIR—POLAR	1,013,478	1,013,478
37	1206445SF	COMMERCIAL SATCOM (COMSATCOM) INTEGRATION	73,501	73,501
38	1206446SF	RESILIENT MISSILE WARNING MISSILE TRACKING—LOW EARTH ORBIT (LEO).	1,266,437	1,519,222
		DAF requested realignment of funds		[252,785]
39	1206447SF	RESILIENT MISSILE WARNING MISSILE TRACKING—MEDIUM EARTH ORBIT (MEO).	538,208	790,992
		DAF requested realignment of funds		[252,784]
40	1206448SF	RESILIENT MISSILE WARNING MISSILE TRACKING—INTEGRATED GROUND SEGMENT.	505,569	0
		DAF requested realignment of funds to 6446SF		[-252,785]
		DAF requested realignment of funds to 6447SF		[-252,784]
41	1206853SF	NATIONAL SECURITY SPACE LAUNCH PROGRAM (SPACE)—EMD	82,188	82,188
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	6,008,017	6,008,017
		MANAGEMENT SUPPORT		
43	1203622SF	SPACE WARFIGHTING ANALYSIS	3,568	3,568

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46	1206392SF	ACQ WORKFORCE—SPACE & MISSILE SYSTEMS	258,969	276,500
		DAF requested realignment of funds		[17,531]
47	1206398SF	SPACE & MISSILE SYSTEMS CENTER—MHA	13,694	15,053
		DAF requested realignment of funds		[1,359]
48	1206601SF	SPACE TECHNOLOGY	91,778	0
		DAF requested realignment of funds		[−91,778]
49	1206759SF	MAJOR T&E INVESTMENT—SPACE	146,797	146,797
50	1206860SF	ROCKET SYSTEMS LAUNCH PROGRAM (SPACE)	18,023	18,023
52	1206864SF	SPACE TEST PROGRAM (STP)	30,192	30,192
		SUBTOTAL MANAGEMENT SUPPORT	563,021	490,133
		OPERATIONAL SYSTEMS DEVELOPMENT		
55	1203001SF	FAMILY OF ADVANCED BLOS TERMINALS (FAB-T)	91,369	91,369
56	1203040SF	DCO-SPACE	76,003	76,003
57	1203109SF	NARROWBAND SATELLITE COMMUNICATIONS	230,785	230,785
58	1203110SF	SATELLITE CONTROL NETWORK (SPACE)	86,465	86,465
59	1203154SF	LONG RANGE KILL CHAINS	243,036	243,036
61	1203173SF	SPACE AND MISSILE TEST AND EVALUATION CENTER	22,039	22,039
62	1203174SF	SPACE INNOVATION, INTEGRATION AND RAPID TECHNOLOGY DEVELOPMENT	41,483	41,483
63	1203182SF	SPACELIFT RANGE SYSTEM (SPACE)	11,175	11,175
65	1203330SF	SPACE SUPERIORITY ISR	28,730	28,730
67	1203873SF	BALLISTIC MISSILE DEFENSE RADARS	20,752	28,752
		Perimeter Acquisition Radar Attack Characterization System (PARCS) radar.		[8,000]
68	1203906SF	NCMC—TW/AA SYSTEM	25,545	25,545
69	1203913SF	NUDET DETECTION SYSTEM (SPACE)	93,391	93,391
70	1203940SF	SPACE SITUATION AWARENESS OPERATIONS	264,966	264,966
71	1206423SF	GLOBAL POSITIONING SYSTEM III—OPERATIONAL CONTROL SEGMENT	317,309	317,309
75	1206770SF	ENTERPRISE GROUND SERVICES	155,825	155,825
76	1208053SF	JOINT TACTICAL GROUND SYSTEM	14,568	14,568
9999	9999999999	CLASSIFIED PROGRAMS	5,764,667	6,225,367
		Space Force realignment of funds for classified program		[270,000]
		Space Force Unfunded Priorities List Classified Program B		[83,000]
		Space Force Unfunded Priorities List Classified Program C		[53,000]
		Space Force Unfunded Priorities List Classified Program D		[54,700]
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	7,488,108	7,956,808
		SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS		
78	1208248SF	SPACE COMMAND & CONTROL—SOFTWARE PILOT PROGRAM	122,326	122,326
		SUBTOTAL SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS	122,326	122,326
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, SF ..	19,199,340	19,784,119
		RESEARCH, DEVELOPMENT, TEST & EVAL, DW		
		BASIC RESEARCH		
1	0601000BR	DTRA BASIC RESEARCH	14,761	14,761
2	0601101E	DEFENSE RESEARCH SCIENCES	311,531	311,531
3	0601108DSZ	HIGH ENERGY LASER RESEARCH INITIATIVES	16,329	16,329
4	0601110DSZ	BASIC RESEARCH INITIATIVES	71,783	96,783
		Defense Established Program to Stimulate Competitive Research (DEPSCoR).		[25,000]
5	0601117E	BASIC OPERATIONAL MEDICAL RESEARCH SCIENCE	50,430	50,430
6	0601120DSZ	NATIONAL DEFENSE EDUCATION PROGRAM	159,549	169,549
		Enhanced civics education program		[10,000]
7	0601228DSZ	HISTORICALLY BLACK COLLEGES AND UNIVERSITIES/MINORITY INSTITUTIONS	100,467	100,467
8	0601384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	36,235	36,235
		SUBTOTAL BASIC RESEARCH	761,085	796,085
		APPLIED RESEARCH		
9	0602000DSZ	JOINT MUNITIONS TECHNOLOGY	19,157	19,157
10	0602115E	BIOMEDICAL TECHNOLOGY	141,081	141,081
11	0602128DSZ	PROMOTION AND PROTECTION STRATEGIES	3,219	3,219
12	0602230DSZ	DEFENSE TECHNOLOGY INNOVATION	55,160	55,160
13	0602234DSZ	LINCOLN LABORATORY RESEARCH PROGRAM	46,858	46,858
14	0602251DSZ	APPLIED RESEARCH FOR THE ADVANCEMENT OF S&T PRIORITIES	66,866	66,866
15	0602303E	INFORMATION & COMMUNICATIONS TECHNOLOGY	333,029	333,029
17	0602384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	240,610	240,610
18	0602668DSZ	CYBER SECURITY RESEARCH	17,437	20,437
		Semiconductor industry cybersecurity research		[3,000]
19	0602675DSZ	SOCIAL SCIENCES FOR ENVIRONMENTAL SECURITY	4,718	4,718
20	0602702E	TACTICAL TECHNOLOGY	234,549	234,549
21	0602715E	MATERIALS AND BIOLOGICAL TECHNOLOGY	344,986	344,986

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22	0602716E	ELECTRONICS TECHNOLOGY	572,662	572,662
23	0602718BR	COUNTER WEAPONS OF MASS DESTRUCTION APPLIED RESEARCH.	208,870	208,870
24	0602751DSZ	SOFTWARE ENGINEERING INSTITUTE (SEI) APPLIED RESEARCH.	11,168	11,168
25	0602890DSZ	HIGH ENERGY LASER RESEARCH	48,804	48,804
26	0602891DSZ	FSRM MODELLING	2,000	2,000
27	1160401BB	SOF TECHNOLOGY DEVELOPMENT	52,287	52,287
		SUBTOTAL APPLIED RESEARCH	2,403,461	2,406,461
		ADVANCED TECHNOLOGY DEVELOPMENT		
28	0603000DSZ	JOINT MUNITIONS ADVANCED TECHNOLOGY	37,706	37,706
29	0603021DSZ	NATIONAL SECURITY INNOVATION CAPITAL	15,085	15,085
30	0603121DSZ	SO/LIC ADVANCED DEVELOPMENT	30,102	30,102
31	0603122DSZ	COMBATING TERRORISM TECHNOLOGY SUPPORT	75,593	105,593
		Loitering munition development		[5,000]
		U.S.-Israel defense collaboration on emerging technologies		[25,000]
32	0603133DSZ	FOREIGN COMPARATIVE TESTING	27,078	27,078
33	0603160BR	COUNTER WEAPONS OF MASS DESTRUCTION ADVANCED TECHNOLOGY DEVELOPMENT.	400,947	405,947
		Advanced manufacturing of energetic materials		[5,000]
34	0603176BR	ADVANCED CONCEPTS AND PERFORMANCE ASSESSMENT	7,990	7,990
35	0603176C	ADVANCED CONCEPTS AND PERFORMANCE ASSESSMENT	17,825	17,825
36	0603180C	ADVANCED RESEARCH	21,461	21,461
37	0603183DSZ	JOINT HYPERSONIC TECHNOLOGY DEVELOPMENT &TRANSITION.	52,292	52,292
38	0603225DSZ	JOINT DOD-DOE MUNITIONS TECHNOLOGY DEVELOPMENT	19,567	19,567
39	0603260BR	INTELLIGENCE ADVANCED DEVELOPMENT	10,000	10,000
40	0603286E	ADVANCED AEROSPACE SYSTEMS	331,753	331,753
41	0603287E	SPACE PROGRAMS AND TECHNOLOGY	134,809	134,809
42	0603288DSZ	ANALYTIC ASSESSMENTS	24,328	24,328
43	0603289DSZ	ADVANCED INNOVATIVE ANALYSIS AND CONCEPTS	55,626	55,626
44	0603330DSZ	QUANTUM APPLICATION	75,000	75,000
46	0603342DSZ	DEFENSE INNOVATION UNIT (DIU)	104,729	104,729
47	0603375DSZ	TECHNOLOGY INNOVATION	123,837	123,837
48	0603379DSZ	ADVANCED TECHNICAL INTEGRATION	11,000	11,000
49	0603384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—ADVANCED DEVELOPMENT.	267,073	292,073
		Generative Unconstrained Intelligent Drug Engineering-Enhanced Bio-defense.		[25,000]
50	0603527DSZ	RETRACT LARCH	57,401	57,401
51	0603618DSZ	JOINT ELECTRONIC ADVANCED TECHNOLOGY	19,793	19,793
53	0603662DSZ	NETWORKED COMMUNICATIONS CAPABILITIES	11,197	11,197
54	0603680DSZ	DEFENSE-WIDE MANUFACTURING SCIENCE AND TECHNOLOGY PROGRAM.	252,965	264,965
		Additive manufacturing at scale		[7,000]
		Digital manufacturing modernization		[5,000]
55	0603680S	MANUFACTURING TECHNOLOGY PROGRAM	46,404	46,404
56	0603712S	GENERIC LOGISTICS R&D TECHNOLOGY DEMONSTRATIONS	16,580	16,580
57	0603716DSZ	STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM	60,387	60,387
58	0603720S	MICROELECTRONICS TECHNOLOGY DEVELOPMENT AND SUPPORT.	144,707	144,707
59	0603727DSZ	JOINT WARFIGHTING PROGRAM	2,749	2,749
60	0603739E	ADVANCED ELECTRONICS TECHNOLOGIES	254,033	254,033
61	0603760E	COMMAND, CONTROL AND COMMUNICATIONS SYSTEMS	321,591	321,591
62	0603766E	NETWORK-CENTRIC WARFARE TECHNOLOGY	885,425	885,425
63	0603767E	SENSOR TECHNOLOGY	358,580	358,580
65	0603781DSZ	SOFTWARE ENGINEERING INSTITUTE	16,699	16,699
66	0603838DSZ	DEFENSE INNOVATION ACCELERATION (DLA)	257,110	257,110
67	0603924DSZ	HIGH ENERGY LASER ADVANCED TECHNOLOGY PROGRAM	111,799	111,799
68	0603941DSZ	TEST & EVALUATION SCIENCE & TECHNOLOGY	345,384	345,384
69	0603945DSZ	AUKUS INNOVATION INITIATIVES	25,000	25,000
70	0603950DSZ	NATIONAL SECURITY INNOVATION NETWORK	21,575	28,575
		National Security Innovation Network		[7,000]
71	0604055DSZ	OPERATIONAL ENERGY CAPABILITY IMPROVEMENT	171,668	181,668
		Increase for tristructural-isotropic fuel		[10,000]
72	1160402BB	SOF ADVANCED TECHNOLOGY DEVELOPMENT	156,097	156,097
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	5,380,945	5,469,945
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
74	0603161DSZ	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E ADC&P.	76,764	76,764
75	0603600DSZ	WALKOFF	143,486	143,486
76	0603851DSZ	ENVIRONMENTAL SECURITY TECHNICAL CERTIFICATION PROGRAM.	117,196	123,196
		Sustainable Technology Evaluation and Demonstration program increase		[6,000]
77	0603881C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT	220,311	220,311

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2024 Request	Senate Authorized
78	0603882C	BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT.	903,633	903,633
79	0603884BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—DEM/VAL	316,853	316,853
80	0603884C	BALLISTIC MISSILE DEFENSE SENSORS	239,159	239,159
81	0603890C	BMD ENABLING PROGRAMS	597,720	597,720
82	0603891C	SPECIAL PROGRAMS—MDA	552,888	552,888
83	0603892C	AEGIS BMD	693,727	693,727
84	0603896C	BALLISTIC MISSILE DEFENSE COMMAND AND CONTROL, BATTLE MANAGEMENT AND COMMUNICATI.	554,201	554,201
85	0603898C	BALLISTIC MISSILE DEFENSE JOINT WARFIGHTER SUPPORT ..	48,248	48,248
86	0603904C	MISSILE DEFENSE INTEGRATION & OPERATIONS CENTER (MDIOC).	50,549	50,549
87	0603906C	REGARDING TRENCH	12,564	27,564
		Program increase—MDA UFR		[15,000]
88	0603907C	SEA BASED X-BAND RADAR (SBX)	177,868	177,868
89	0603913C	ISRAELI COOPERATIVE PROGRAMS	300,000	325,000
		U.S.-Israel cooperation on directed energy capabilities		[25,000]
90	0603914C	BALLISTIC MISSILE DEFENSE TEST	360,455	360,455
91	0603915C	BALLISTIC MISSILE DEFENSE TARGETS	570,258	580,258
		Hypersonic Targets and Countermeasures Program		[10,000]
92	0603923DSZ	COALITION WARFARE	12,103	12,103
93	0604011DSZ	NEXT GENERATION INFORMATION COMMUNICATIONS TECHNOLOGY (5G).	179,278	179,278
94	0604016DSZ	DEPARTMENT OF DEFENSE CORROSION PROGRAM	3,185	3,185
95	0604102C	GUAM DEFENSE DEVELOPMENT	397,578	397,578
97	0604124DSZ	CHIEF DIGITAL AND ARTIFICIAL INTELLIGENCE OFFICER (CDAO)—MIP.	34,350	34,350
98	0604181C	HYPERSONIC DEFENSE	208,997	208,997
99	0604250DSZ	ADVANCED INNOVATIVE TECHNOLOGIES	1,085,826	1,085,826
100	0604294DSZ	TRUSTED & ASSURED MICROELECTRONICS	810,839	810,839
101	0604331DSZ	RAPID PROTOTYPING PROGRAM	110,291	110,291
102	0604331J	RAPID PROTOTYPING PROGRAM	9,880	9,880
104	0604400DSZ	DEPARTMENT OF DEFENSE (DOD) UNMANNED SYSTEM COMMON DEVELOPMENT.	2,643	2,643
105	0604551BR	CATAPULT INFORMATION SYSTEM	8,328	8,328
106	0604555DSZ	OPERATIONAL ENERGY CAPABILITY IMPROVEMENT—NON S&T	53,726	53,726
108	0604682DSZ	WARGAMING AND SUPPORT FOR STRATEGIC ANALYSIS (SSA) ...	3,206	3,206
109	0604790DSZ	RAPID DEFENSE EXPERIMENTATION RESERVE (RDER)	79,773	79,773
110	0604826J	JOINT C5 CAPABILITY DEVELOPMENT, INTEGRATION AND INTEROPERABILITY ASSESSMENTS.	28,517	28,517
111	0604873C	LONG RANGE DISCRIMINATION RADAR (LRDR)	103,517	103,517
112	0604874C	IMPROVED HOMELAND DEFENSE INTERCEPTORS	2,130,838	2,130,838
113	0604876C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT TEST.	47,577	47,577
114	0604878C	AEGIS BMD TEST	193,484	193,484
115	0604879C	BALLISTIC MISSILE DEFENSE SENSOR TEST	111,049	111,049
116	0604880C	LAND-BASED SM-3 (LBSM3)	22,163	22,163
117	0604887C	BALLISTIC MISSILE DEFENSE MIDCOURSE SEGMENT TEST	41,824	41,824
118	0202057C	SAFETY PROGRAM MANAGEMENT	2,484	2,484
119	0208059JCY	CYBERCOM ACTIVITIES	65,484	65,484
120	0208085JCY	ROBUST INFRASTRUCTURE AND ACCESS	170,182	170,182
121	0208086JCY	CYBER TRAINING ENVIRONMENT (CTE)	114,980	114,980
122	0300206R	ENTERPRISE INFORMATION TECHNOLOGY SYSTEMS	2,156	2,156
123	0305103C	CYBER SECURITY INITIATIVE	2,760	2,760
124	0305245DSZ	INTELLIGENCE CAPABILITIES AND INNOVATION INVESTMENTS	3,000	3,000
125	0305251JCY	CYBERSPACE OPERATIONS FORCES AND FORCE SUPPORT	2,669	2,669
126	0901579DSZ	OFFICE OF STRATEGIC CAPITAL (OSC)	99,000	99,000
129	1206895C	BALLISTIC MISSILE DEFENSE SYSTEM SPACE PROGRAMS	109,483	109,483
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES.	12,187,050	12,243,050
SYSTEM DEVELOPMENT & DEMONSTRATION				
130	0604123DSZ	CHIEF DIGITAL AND ARTIFICIAL INTELLIGENCE OFFICER (CDAO)—DEM/VAL ACTIVITIES.	615,246	615,246
131	0604161DSZ	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E SDD.	6,229	6,229
132	0604384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—EMD	382,977	382,977
133	0604771DSZ	JOINT TACTICAL INFORMATION DISTRIBUTION SYSTEM (JTIDS).	9,775	9,775
134	0605000BR	COUNTER WEAPONS OF MASS DESTRUCTION SYSTEMS DEVELOPMENT.	14,414	14,414
135	0605013BL	INFORMATION TECHNOLOGY DEVELOPMENT	6,953	6,953
136	0605021SE	HOMELAND PERSONNEL SECURITY INITIATIVE	9,292	9,292
137	0605022DSZ	DEFENSE EXPORTABILITY PROGRAM	18,981	18,981
138	0605027DSZ	OUSD(C) IT DEVELOPMENT INITIATIVES	5,456	5,456
140	0605080S	DEFENSE AGENCY INITIATIVES (DAI)—FINANCIAL SYSTEM	32,629	32,629
141	0605141BR	MISSION ASSURANCE RISK MANAGEMENT SYSTEM (MARMS)	9,316	9,316
142	0605210DSZ	DEFENSE-WIDE ELECTRONIC PROCUREMENT CAPABILITIES ...	6,899	6,899

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2024 Request	Senate Authorized
143	0605294DSZ	TRUSTED & ASSURED MICROELECTRONICS	297,586	297,586
145	0605772DSZ	NUCLEAR COMMAND, CONTROL, & COMMUNICATIONS	4,110	4,110
146	0305304DSZ	DOD ENTERPRISE ENERGY INFORMATION MANAGEMENT (EEIM).	8,159	8,159
147	0305310DSZ	CWMD SYSTEMS: SYSTEM DEVELOPMENT AND DEMONSTRATION.	14,471	14,471
148	0505167DSZ	DOMESTIC PREPAREDNESS AGAINST WEAPONS OF MASS DESTRUCTION.	3,770	3,770
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION.	1,446,263	1,446,263
		MANAGEMENT SUPPORT		
149	0603829J	JOINT CAPABILITY EXPERIMENTATION	12,402	12,402
150	0604774DSZ	DEFENSE READINESS REPORTING SYSTEM (DRRS)	12,746	12,746
151	0604875DSZ	JOINT SYSTEMS ARCHITECTURE DEVELOPMENT	8,426	8,426
152	0604940DSZ	CENTRAL TEST AND EVALUATION INVESTMENT DEVELOPMENT (CTEIP).	833,792	833,792
153	0604942DSZ	ASSESSMENTS AND EVALUATIONS	5,810	5,810
154	0605001E	MISSION SUPPORT	99,090	99,090
155	0605100DSZ	JOINT MISSION ENVIRONMENT TEST CAPABILITY (JMETC)	187,421	187,421
156	0605126J	JOINT INTEGRATED AIR AND MISSILE DEFENSE ORGANIZATION (JIAMDO).	61,477	61,477
158	0605142DSZ	SYSTEMS ENGINEERING	39,949	39,949
159	0605151DSZ	STUDIES AND ANALYSIS SUPPORT—OSD	6,292	6,292
160	0605161DSZ	NUCLEAR MATTERS-PHYSICAL SECURITY	21,043	21,043
161	0605170DSZ	SUPPORT TO NETWORKS AND INFORMATION INTEGRATION	10,504	10,504
162	0605200DSZ	GENERAL SUPPORT TO OUSD(INTELLIGENCE AND SECURITY)	2,980	2,980
163	0605384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	74,382	74,382
170	0605790DSZ	SMALL BUSINESS INNOVATION RESEARCH (SBIR)/ SMALL BUSINESS TECHNOLOGY TRANSFER.	3,831	3,831
171	0605797DSZ	MAINTAINING TECHNOLOGY ADVANTAGE	38,923	38,923
172	0605798DSZ	DEFENSE TECHNOLOGY ANALYSIS	60,404	60,404
173	0605801KA	DEFENSE TECHNICAL INFORMATION CENTER (DTIC)	65,715	60,715
		Information Analysis Centers reduction		[–5,000]
174	0605803SE	R&D IN SUPPORT OF DOD ENLISTMENT, TESTING AND EVALUATION.	26,037	26,037
175	0605804DSZ	DEVELOPMENT TEST AND EVALUATION	37,353	37,353
176	0605898E	MANAGEMENT HQ—R&D	14,833	14,833
177	0605998KA	MANAGEMENT HQ—DEFENSE TECHNICAL INFORMATION CENTER (DTIC).	3,752	3,752
178	0606005DSZ	SPECIAL ACTIVITIES	18,088	18,088
179	0606100DSZ	BUDGET AND PROGRAM ASSESSMENTS	14,427	14,427
180	0606114DSZ	ANALYSIS WORKING GROUP (AWG) SUPPORT	4,200	4,200
181	0606135DSZ	CHIEF DIGITAL AND ARTIFICIAL INTELLIGENCE OFFICER (CDAO) ACTIVITIES.	17,247	17,247
182	0606225DSZ	ODNA TECHNOLOGY AND RESOURCE ANALYSIS	3,386	3,386
183	0606300DSZ	DEFENSE SCIENCE BOARD	2,352	2,352
184	0606301DSZ	AVIATION SAFETY TECHNOLOGIES	213	213
186	0606771DSZ	CYBER RESILIENCY AND CYBERSECURITY POLICY	45,194	45,194
187	0606853BR	MANAGEMENT, TECHNICAL & INTERNATIONAL SUPPORT	11,919	11,919
188	0203345DSZ	DEFENSE OPERATIONS SECURITY INITIATIVE (DOSI)	3,112	3,112
189	0204571J	JOINT STAFF ANALYTICAL SUPPORT	4,916	4,916
190	0208045K	C4I INTEROPERABILITY	66,152	66,152
195	0305172K	COMBINED ADVANCED APPLICATIONS	5,366	5,366
197	0305208K	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	3,069	3,069
199	0804768J	COCOM EXERCISE ENGAGEMENT AND TRAINING TRANSFORMATION (CE2T2)—NON-MHA.	101,319	101,319
200	0808709SE	DEFENSE EQUAL OPPORTUNITY MANAGEMENT INSTITUTE (DEOMI).	740	740
201	0901598C	MANAGEMENT HQ—MDA	28,363	28,363
202	0903235K	JOINT SERVICE PROVIDER (JSP)	5,177	5,177
9999	9999999999	CLASSIFIED PROGRAMS	36,315	63,315
		All Domain Anomaly Resolution Office		[27,000]
		SUBTOTAL MANAGEMENT SUPPORT	1,998,717	2,020,717
		OPERATIONAL SYSTEMS DEVELOPMENT		
203	0604130V	ENTERPRISE SECURITY SYSTEM (ESS)	42,482	42,482
205	0607210DSZ	INDUSTRIAL BASE ANALYSIS AND SUSTAINMENT SUPPORT	1,017,141	1,045,141
		Domestic advanced microelectronics packaging		[5,000]
		Rapid Innovation Program		[20,000]
		Shipbuilding and ship repair workforce development		[3,000]
206	0607310DSZ	COUNTERPROLIFERATION SPECIAL PROJECTS: OPERATIONAL SYSTEMS DEVELOPMENT.	12,713	12,713
207	0607327T	GLOBAL THEATER SECURITY COOPERATION MANAGEMENT INFORMATION SYSTEMS (G-TSCMIS).	8,503	8,503
208	0607384BP	CHEMICAL AND BIOLOGICAL DEFENSE (OPERATIONAL SYSTEMS DEVELOPMENT).	80,495	80,495
209	0208097JCY	CYBER COMMAND AND CONTROL (CYBER C2)	95,733	95,733

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION (In Thousands of Dollars)				
Line	Program Element	Item	FY 2024 Request	Senate Authorized
210	0208099JCY	DATA AND UNIFIED PLATFORM (D&UP)	138,558	138,558
214	0302019K	DEFENSE INFO INFRASTRUCTURE ENGINEERING AND INTE- GRATION.	19,299	19,299
215	0303126K	LONG-HAUL COMMUNICATIONS—DCS	37,726	37,726
216	0303131K	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NET- WORK (MEECN).	5,037	5,037
218	0303140DSZ	INFORMATION SYSTEMS SECURITY PROGRAM	97,171	97,171
220	0303140K	INFORMATION SYSTEMS SECURITY PROGRAM	8,351	8,351
222	0303153K	DEFENSE SPECTRUM ORGANIZATION	35,995	35,995
223	0303171K	JOINT PLANNING AND EXECUTION SERVICES	5,677	5,677
224	0303228K	JOINT REGIONAL SECURITY STACKS (JRSS)	3,196	3,196
228	0305104DSZ	DEFENSE INDUSTRIAL BASE (DIB) CYBER SECURITY INITIA- TIVE.	25,655	25,655
232	0305133V	INDUSTRIAL SECURITY ACTIVITIES	2,134	2,134
235	0305146V	DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES	2,295	2,295
236	0305172DSZ	COMBINED ADVANCED APPLICATIONS	52,736	52,736
239	0305186DSZ	POLICY R&D PROGRAMS	6,263	6,263
240	0305199DSZ	NET CENTRICITY	23,275	23,275
242	0305208BB	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	6,214	6,214
249	0305327V	INSIDER THREAT	2,971	2,971
250	0305387DSZ	HOMELAND DEFENSE TECHNOLOGY TRANSFER PROGRAM	1,879	1,879
257	0306250JCY	CYBER OPERATIONS TECHNOLOGY SUPPORT	469,385	480,385
		Locked Shield Exercise		[4,000]
		Modernization of Department of Defense Internet Gateway Cyber Defense		[7,000]
261	0505167DSZ	DOMESTIC PREPAREDNESS AGAINST WEAPONS OF MASS DE- STRUCTION.	1,760	1,760
262	0708012K	LOGISTICS SUPPORT ACTIVITIES	1,420	1,420
263	0708012S	PACIFIC DISASTER CENTERS	1,905	1,905
264	0708047S	DEFENSE PROPERTY ACCOUNTABILITY SYSTEM	3,249	3,249
265	1105219BB	MQ-9 UAV	37,188	37,188
267	1160403BB	AVIATION SYSTEMS	216,174	216,174
268	1160405BB	INTELLIGENCE SYSTEMS DEVELOPMENT	86,737	86,737
269	1160408BB	OPERATIONAL ENHANCEMENTS	216,135	216,135
270	1160431BB	WARRIOR SYSTEMS	263,374	280,514
		Counter Uncrewed Aerial Systems (CUAS) Group 3 Defeat Acceleration ...		[11,250]
		Next-Generation Blue Force Tracker		[5,890]
271	1160432BB	SPECIAL PROGRAMS	529	529
272	1160434BB	UNMANNED ISR	6,727	6,727
273	1160480BB	SOF TACTICAL VEHICLES	9,335	9,335
274	1160483BB	MARITIME SYSTEMS	158,231	158,231
275	1160490BB	OPERATIONAL ENHANCEMENTS INTELLIGENCE	15,749	15,749
9999	9999999999	CLASSIFIED PROGRAMS	8,463,742	8,463,742
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	11,683,139	11,739,279
SOFTWARE AND DIGITAL TECHNOLOGY PILOT PRO- GRAMS				
278	0608648DSZ	ACQUISITION VISIBILITY—SOFTWARE PILOT PROGRAM	21,355	21,355
279	0303150K	GLOBAL COMMAND AND CONTROL SYSTEM	33,166	33,166
9999	9999999999	CLASSIFIED PROGRAMS	270,653	270,653
		SUBTOTAL SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS.	325,174	325,174
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, DW	36,185,834	36,446,974
OPERATIONAL TEST & EVAL, DEFENSE MANAGEMENT SUPPORT				
1	0605118OTE	OPERATIONAL TEST AND EVALUATION	169,544	169,544
2	0605131OTE	LIVE FIRE TEST AND EVALUATION	103,252	103,252
3	0605814OTE	OPERATIONAL TEST ACTIVITIES AND ANALYSES	58,693	58,693
		SUBTOTAL MANAGEMENT SUPPORT	331,489	331,489
		TOTAL OPERATIONAL TEST & EVAL, DEFENSE	331,489	331,489
		TOTAL RDT&E	144,979,625	146,140,912

1 **TITLE XLIII—OPERATION AND**

2 **MAINTENANCE**

3 **SEC. 4301. OPERATION AND MAINTENANCE.**

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2024 Request	Senate Authorized
	OPERATION & MAINTENANCE, ARMY		
	OPERATING FORCES		
010	MANEUVER UNITS	3,943,409	3,943,409
020	MODULAR SUPPORT BRIGADES	225,238	225,238
030	ECHELONS ABOVE BRIGADE	947,395	947,395
040	THEATER LEVEL ASSETS	2,449,141	2,449,141
050	LAND FORCES OPERATIONS SUPPORT	1,233,070	1,233,070
060	AVIATION ASSETS	2,046,144	2,046,144
070	FORCE READINESS OPERATIONS SUPPORT	7,149,427	7,149,427
080	LAND FORCES SYSTEMS READINESS	475,435	475,435
090	LAND FORCES DEPOT MAINTENANCE	1,423,560	1,423,560
100	MEDICAL READINESS	951,499	951,499
110	BASE OPERATIONS SUPPORT	9,943,031	9,943,031
120	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZA- TION	5,381,757	5,381,757
130	MANAGEMENT AND OPERATIONAL HEADQUARTERS	313,612	313,612
140	ADDITIONAL ACTIVITIES	454,565	454,565
150	RESET	447,987	447,987
160	US AFRICA COMMAND	414,680	414,680
170	US EUROPEAN COMMAND	408,529	408,529
180	US SOUTHERN COMMAND	285,692	285,692
190	US FORCES KOREA	88,463	88,463
200	CYBERSPACE ACTIVITIES—CYBERSPACE OPERATIONS	507,845	507,845
210	CYBERSPACE ACTIVITIES—CYBERSECURITY	704,667	704,667
	SUBTOTAL OPERATING FORCES	39,795,146	39,795,146
	MOBILIZATION		
230	STRATEGIC MOBILITY	470,143	470,143
240	ARMY PREPOSITIONED STOCKS	433,909	433,909
250	INDUSTRIAL PREPAREDNESS	4,244	4,244
	SUBTOTAL MOBILIZATION	908,296	908,296
	TRAINING AND RECRUITING		
260	OFFICER ACQUISITION	178,428	178,428
270	RECRUIT TRAINING	78,235	78,235
280	ONE STATION UNIT TRAINING	114,777	114,777
290	SENIOR RESERVE OFFICERS TRAINING CORPS	551,462	551,462
300	SPECIALIZED SKILL TRAINING	1,147,431	1,147,431
310	FLIGHT TRAINING	1,398,415	1,398,415
320	PROFESSIONAL DEVELOPMENT EDUCATION	200,779	200,779
330	TRAINING SUPPORT	682,896	682,896
340	RECRUITING AND ADVERTISING	690,280	833,336
	Army Enlisted Training Corps		[5,000]
	Recruiting and advertising increase		[138,056]
350	EXAMINING	195,009	195,009
360	OFF-DUTY AND VOLUNTARY EDUCATION	260,235	260,235
370	CIVILIAN EDUCATION AND TRAINING	250,252	250,252
380	JUNIOR RESERVE OFFICER TRAINING CORPS	204,895	204,895
	SUBTOTAL TRAINING AND RECRUITING	5,953,094	6,096,150
	ADMIN & SRVWIDE ACTIVITIES		
400	SERVICEWIDE TRANSPORTATION	718,323	718,323
410	CENTRAL SUPPLY ACTIVITIES	900,624	900,624
420	LOGISTIC SUPPORT ACTIVITIES	828,059	828,059
430	AMMUNITION MANAGEMENT	464,029	464,029
440	ADMINISTRATION	537,837	537,837
450	SERVICEWIDE COMMUNICATIONS	1,962,059	1,962,059
460	MANPOWER MANAGEMENT	361,553	361,553
470	OTHER PERSONNEL SUPPORT	829,248	829,248
480	OTHER SERVICE SUPPORT	2,370,107	2,370,107
490	ARMY CLAIMS ACTIVITIES	203,323	203,323

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2024 Request	Senate Authorized
500	REAL ESTATE MANAGEMENT	286,682	286,682
510	FINANCIAL MANAGEMENT AND AUDIT READINESS	455,928	455,928
520	DEF ACQUISITION WORKFORCE DEVELOPMENT ACCOUNT	39,867	39,867
530	INTERNATIONAL MILITARY HEADQUARTERS	610,201	610,201
540	MISC. SUPPORT OF OTHER NATIONS	38,948	38,948
999	CLASSIFIED PROGRAMS	2,291,229	2,291,229
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	12,898,017	12,898,017
	UNDISTRIBUTED		
998	UNDISTRIBUTED	0	-337,600
	Foreign currency fluctuations		[-208,000]
	Unobligated balances		[-129,600]
	SUBTOTAL UNDISTRIBUTED	0	-337,600
	TOTAL OPERATION & MAINTENANCE, ARMY	59,554,553	59,360,009
	OPERATION & MAINTENANCE, ARMY RES		
	OPERATING FORCES		
010	MODULAR SUPPORT BRIGADES	15,208	15,208
020	ECHELONS ABOVE BRIGADE	720,802	720,802
030	THEATER LEVEL ASSETS	143,400	143,400
040	LAND FORCES OPERATIONS SUPPORT	707,654	707,654
050	AVIATION ASSETS	134,346	134,346
060	FORCE READINESS OPERATIONS SUPPORT	451,178	451,178
070	LAND FORCES SYSTEMS READINESS	97,564	97,564
080	LAND FORCES DEPOT MAINTENANCE	45,711	45,711
090	BASE OPERATIONS SUPPORT	608,079	608,079
100	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZA- TION	495,435	495,435
110	MANAGEMENT AND OPERATIONAL HEADQUARTERS	28,783	28,783
120	CYBERSPACE ACTIVITIES—CYBERSPACE OPERATIONS	3,153	3,153
130	CYBERSPACE ACTIVITIES—CYBERSECURITY	19,591	19,591
	SUBTOTAL OPERATING FORCES	3,470,904	3,470,904
	ADMIN & SRVWD ACTIVITIES		
140	SERVICEWIDE TRANSPORTATION	19,155	19,155
150	ADMINISTRATION	21,668	21,668
160	SERVICEWIDE COMMUNICATIONS	44,118	44,118
170	MANPOWER MANAGEMENT	7,127	7,127
180	RECRUITING AND ADVERTISING	67,976	74,651
	Recruiting and advertising increase		[6,675]
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	160,044	166,719
	UNDISTRIBUTED		
998	UNDISTRIBUTED	0	-14,300
	Foreign currency fluctuations		[-10,900]
	Unobligated balances		[-3,400]
	SUBTOTAL UNDISTRIBUTED	0	-14,300
	TOTAL OPERATION & MAINTENANCE, ARMY RES	3,630,948	3,623,323
	OPERATION & MAINTENANCE, ARNG		
	OPERATING FORCES		
010	MANEUVER UNITS	925,071	925,071
020	MODULAR SUPPORT BRIGADES	201,781	201,781
030	ECHELONS ABOVE BRIGADE	840,373	840,373
040	THEATER LEVEL ASSETS	107,392	107,392
050	LAND FORCES OPERATIONS SUPPORT	62,908	62,908
060	AVIATION ASSETS	1,113,908	1,113,908
070	FORCE READINESS OPERATIONS SUPPORT	832,946	832,946
080	LAND FORCES SYSTEMS READINESS	50,696	50,696
090	LAND FORCES DEPOT MAINTENANCE	231,784	231,784
100	BASE OPERATIONS SUPPORT	1,249,066	1,249,066
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZA- TION	1,081,561	1,081,561
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS	1,468,857	1,468,857
130	CYBERSPACE ACTIVITIES—CYBERSPACE OPERATIONS	9,566	9,566
140	CYBERSPACE ACTIVITIES—CYBERSECURITY	15,710	15,710
	SUBTOTAL OPERATING FORCES	8,191,619	8,191,619

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2024 Request	Senate Authorized
ADMIN & SRVWD ACTIVITIES			
150	SERVICEWIDE TRANSPORTATION	7,251	7,251
160	ADMINISTRATION	66,025	66,025
170	SERVICEWIDE COMMUNICATIONS	113,366	113,366
180	MANPOWER MANAGEMENT	8,663	8,663
190	OTHER PERSONNEL SUPPORT	292,426	343,146
	Recruiting and advertising increase		[50,720]
200	REAL ESTATE MANAGEMENT	3,754	3,754
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	491,485	542,205
UNDISTRIBUTED			
998	UNDISTRIBUTED	0	-52,400
	Foreign currency fluctuations		[-29,000]
	Unobligated balances		[-23,400]
	SUBTOTAL UNDISTRIBUTED	0	-52,400
	TOTAL OPERATION & MAINTENANCE, ARNG	8,683,104	8,681,424
COUNTER ISIS TRAIN AND EQUIP FUND (CTEF)			
COUNTER ISIS TRAIN AND EQUIP FUND (CTEF)			
010	IRAQ	241,950	241,950
020	SYRIA	156,000	156,000
	SUBTOTAL COUNTER ISIS TRAIN AND EQUIP FUND (CTEF)	397,950	397,950
	TOTAL COUNTER ISIS TRAIN AND EQUIP FUND (CTEF)	397,950	397,950
OPERATION & MAINTENANCE, NAVY			
OPERATING FORCES			
010	MISSION AND OTHER FLIGHT OPERATIONS	7,882,504	7,882,504
020	FLEET AIR TRAINING	2,773,957	2,773,957
030	AVIATION TECHNICAL DATA & ENGINEERING SERVICES	73,047	73,047
040	AIR OPERATIONS AND SAFETY SUPPORT	213,862	213,862
050	AIR SYSTEMS SUPPORT	1,155,463	1,158,463
	Advanced nucleated foam engine performance and restoration program		[3,000]
060	AIRCRAFT DEPOT MAINTENANCE	1,857,021	1,857,021
070	AIRCRAFT DEPOT OPERATIONS SUPPORT	66,822	66,822
080	AVIATION LOGISTICS	1,871,670	1,871,670
090	MISSION AND OTHER SHIP OPERATIONS	7,015,796	7,015,796
100	SHIP OPERATIONS SUPPORT & TRAINING	1,301,108	1,301,108
110	SHIP DEPOT MAINTENANCE	11,164,249	11,164,249
120	SHIP DEPOT OPERATIONS SUPPORT	2,728,712	2,728,712
130	COMBAT COMMUNICATIONS AND ELECTRONIC WARFARE	1,776,881	1,776,881
140	SPACE SYSTEMS AND SURVEILLANCE	389,915	389,915
150	WARFARE TACTICS	1,005,998	1,005,998
160	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	455,330	455,330
170	COMBAT SUPPORT FORCES	2,350,089	2,356,089
	Naval Small Craft Instruction and Technical Training School		[6,000]
180	EQUIPMENT MAINTENANCE AND DEPOT OPERATIONS SUPPORT	189,044	189,044
200	COMBATANT COMMANDERS CORE OPERATIONS	92,504	92,504
210	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	352,980	352,980
230	CYBERSPACE ACTIVITIES	522,180	522,180
240	FLEET BALLISTIC MISSILE	1,763,238	1,763,238
250	WEAPONS MAINTENANCE	1,640,642	1,640,642
260	OTHER WEAPON SYSTEMS SUPPORT	696,653	696,653
270	ENTERPRISE INFORMATION	1,780,645	1,780,645
280	SUSTAINMENT, RESTORATION AND MODERNIZATION	4,406,192	4,406,192
290	BASE OPERATING SUPPORT	6,223,827	6,271,827
	Navy divestment of electrical utility operations at former Naval Air Station Barbers Point		[48,000]
	SUBTOTAL OPERATING FORCES	61,750,329	61,807,329
MOBILIZATION			
300	SHIP PREPOSITIONING AND SURGE	475,255	475,255
310	READY RESERVE FORCE	701,060	701,060
320	SHIP ACTIVATIONS/INACTIVATIONS	302,930	302,930
330	EXPEDITIONARY HEALTH SERVICES SYSTEMS	151,966	151,966
340	COAST GUARD SUPPORT	21,464	21,464

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2024 Request	Senate Authorized
	SUBTOTAL MOBILIZATION	1,652,675	1,652,675
	TRAINING AND RECRUITING		
350	OFFICER ACQUISITION	201,555	201,555
360	RECRUIT TRAINING	16,521	16,521
370	RESERVE OFFICERS TRAINING CORPS	175,171	175,171
380	SPECIALIZED SKILL TRAINING	1,238,894	1,238,894
390	PROFESSIONAL DEVELOPMENT EDUCATION	335,603	335,603
400	TRAINING SUPPORT	390,931	390,931
410	RECRUITING AND ADVERTISING	269,483	355,328
	Navy Enlisted Training Corps		[5,000]
	Recruiting and advertising increase		[80,845]
420	OFF-DUTY AND VOLUNTARY EDUCATION	90,452	90,452
430	CIVILIAN EDUCATION AND TRAINING	73,406	73,406
440	JUNIOR ROTC	58,970	58,970
	SUBTOTAL TRAINING AND RECRUITING	2,850,986	2,936,831
	ADMIN & SRVWD ACTIVITIES		
450	ADMINISTRATION	1,350,449	1,350,449
460	CIVILIAN MANPOWER AND PERSONNEL MANAGEMENT	242,760	242,760
470	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	745,666	745,666
490	MEDICAL ACTIVITIES	323,978	323,978
500	DEF ACQUISITION WORKFORCE DEVELOPMENT ACCOUNT	67,357	67,357
510	SERVICEWIDE TRANSPORTATION	248,822	248,822
530	PLANNING, ENGINEERING, AND PROGRAM SUPPORT	616,816	616,816
540	ACQUISITION, LOGISTICS, AND OVERSIGHT	850,906	850,906
550	INVESTIGATIVE AND SECURITY SERVICES	888,508	888,508
999	CLASSIFIED PROGRAMS	655,281	655,281
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	5,990,543	5,990,543
	UNDISTRIBUTED		
998	UNDISTRIBUTED	0	-498,400
	Foreign currency fluctuations		[-236,300]
	Unobligated balances		[-262,100]
	SUBTOTAL UNDISTRIBUTED	0	-498,400
	TOTAL OPERATION & MAINTENANCE, NAVY	72,244,533	71,888,978
	OPERATION & MAINTENANCE, MARINE CORPS		
	OPERATING FORCES		
010	OPERATIONAL FORCES	1,799,964	1,799,964
020	FIELD LOGISTICS	1,878,228	1,878,228
030	DEPOT MAINTENANCE	211,460	211,460
040	MARITIME PREPOSITIONING	137,831	137,831
060	CYBERSPACE ACTIVITIES	205,449	205,449
070	SUSTAINMENT, RESTORATION & MODERNIZATION	1,211,183	1,211,183
080	BASE OPERATING SUPPORT	3,124,551	3,124,551
	SUBTOTAL OPERATING FORCES	8,568,666	8,568,666
	TRAINING AND RECRUITING		
090	RECRUIT TRAINING	26,284	26,284
100	OFFICER ACQUISITION	1,316	1,316
110	SPECIALIZED SKILL TRAINING	133,176	133,176
120	PROFESSIONAL DEVELOPMENT EDUCATION	66,213	66,213
130	TRAINING SUPPORT	570,152	570,152
140	RECRUITING AND ADVERTISING	246,586	300,903
	Marine Corps Enlisted Training Corps		[5,000]
	Recruiting and advertising increase		[49,317]
150	OFF-DUTY AND VOLUNTARY EDUCATION	55,230	55,230
160	JUNIOR ROTC	29,616	29,616
	SUBTOTAL TRAINING AND RECRUITING	1,128,573	1,182,890
	ADMIN & SRVWD ACTIVITIES		
180	SERVICEWIDE TRANSPORTATION	90,366	90,366
190	ADMINISTRATION	428,650	428,650
999	CLASSIFIED PROGRAMS	65,658	65,658
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	584,674	584,674
	UNDISTRIBUTED		
998	UNDISTRIBUTED	0	-108,900

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2024 Request	Senate Authorized
	Foreign currency fluctuations		[−33,800]
	Unobligated balances		[−75,100]
	SUBTOTAL UNDISTRIBUTED	0	−108,900
	TOTAL OPERATION & MAINTENANCE, MARINE CORPS	10,281,913	10,227,330
	OPERATION & MAINTENANCE, NAVY RES OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	731,113	731,113
020	INTERMEDIATE MAINTENANCE	10,122	10,122
030	AIRCRAFT DEPOT MAINTENANCE	167,811	167,811
040	AIRCRAFT DEPOT OPERATIONS SUPPORT	103	103
050	AVIATION LOGISTICS	29,185	29,185
060	COMBAT COMMUNICATIONS	20,806	20,806
070	COMBAT SUPPORT FORCES	186,590	186,590
080	CYBERSPACE ACTIVITIES	296	296
090	ENTERPRISE INFORMATION	32,467	32,467
100	SUSTAINMENT, RESTORATION AND MODERNIZATION	63,726	63,726
110	BASE OPERATING SUPPORT	121,064	121,064
	SUBTOTAL OPERATING FORCES	1,363,283	1,363,283
	ADMIN & SRVWD ACTIVITIES		
120	ADMINISTRATION	2,025	2,025
130	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	13,401	13,401
140	ACQUISITION AND PROGRAM MANAGEMENT	2,101	2,101
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	17,527	17,527
	UNDISTRIBUTED		
998	UNDISTRIBUTED	0	−8,100
	Foreign currency fluctuations		[−3,900]
	Unobligated balances		[−4,200]
	SUBTOTAL UNDISTRIBUTED	0	−8,100
	TOTAL OPERATION & MAINTENANCE, NAVY RES	1,380,810	1,372,710
	OPERATION & MAINTENANCE, MC RESERVE OPERATING FORCES		
010	OPERATING FORCES	128,468	128,468
020	DEPOT MAINTENANCE	20,967	20,967
030	SUSTAINMENT, RESTORATION AND MODERNIZATION	46,589	46,589
040	BASE OPERATING SUPPORT	120,808	120,808
	SUBTOTAL OPERATING FORCES	316,832	316,832
	ADMIN & SRVWD ACTIVITIES		
050	ADMINISTRATION	12,563	12,563
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	12,563	12,563
	UNDISTRIBUTED		
998	UNDISTRIBUTED	0	−4,900
	Foreign currency fluctuations		[−3,900]
	Unobligated balances		[−1,000]
	SUBTOTAL UNDISTRIBUTED	0	−4,900
	TOTAL OPERATION & MAINTENANCE, MC RESERVE	329,395	324,495
	OPERATION & MAINTENANCE, AIR FORCE OPERATING FORCES		
010	PRIMARY COMBAT FORCES	980,768	966,068
	DAF requested realignment of funds		[−14,700]
020	COMBAT ENHANCEMENT FORCES	2,665,924	2,665,924
030	AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS)	1,630,552	1,630,552
040	DEPOT PURCHASE EQUIPMENT MAINTENANCE	4,632,693	4,632,693
050	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZA- TION	4,252,815	4,194,663
	DAF requested realignment of funds		[−58,152]
060	CYBERSPACE SUSTAINMENT	229,440	229,440
070	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT ..	9,537,192	9,537,192
080	FLYING HOUR PROGRAM	6,697,549	6,697,549
090	BASE SUPPORT	11,633,510	11,425,018

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2024 Request	Senate Authorized
	DAF requested realignment of funds		[-223,192]
	DAF requested realignment of funds from SAG 11A		[14,700]
100	GLOBAL C3I AND EARLY WARNING	1,350,827	1,319,876
	DAF requested realignment of funds		[-30,951]
110	OTHER COMBAT OPS SPT PROGRAMS	1,817,941	1,817,941
120	CYBERSPACE ACTIVITIES	807,966	807,966
130	TACTICAL INTEL AND OTHER SPECIAL ACTIVITIES	267,615	267,615
160	US NORTHCOM/NORAD	245,263	245,263
170	US STRATCOM	541,720	541,720
190	US CENTCOM	335,220	329,220
	Office of Security Cooperation-Iraq reduction		[-6,000]
200	US SOCOM	27,511	27,511
210	US TRANSCOM	607	607
220	CENTCOM CYBERSPACE SUSTAINMENT	1,415	1,415
230	USSPACECOM	373,989	373,989
240	MEDICAL READINESS	564,880	562,596
	DAF requested realignment of funds		[-2,284]
999	CLASSIFIED PROGRAMS	1,465,926	1,465,926
	SUBTOTAL OPERATING FORCES	51,527,249	51,206,670
	MOBILIZATION		
260	AIRLIFT OPERATIONS	3,012,287	3,012,287
270	MOBILIZATION PREPAREDNESS	241,918	241,918
	SUBTOTAL MOBILIZATION	3,254,205	3,254,205
	TRAINING AND RECRUITING		
280	OFFICER ACQUISITION	202,769	202,769
290	RECRUIT TRAINING	28,892	28,892
300	RESERVE OFFICERS TRAINING CORPS (ROTC)	137,647	137,647
310	SPECIALIZED SKILL TRAINING	588,131	588,131
320	FLIGHT TRAINING	875,230	875,230
330	PROFESSIONAL DEVELOPMENT EDUCATION	301,262	301,262
340	TRAINING SUPPORT	194,609	194,609
350	RECRUITING AND ADVERTISING	204,318	250,182
	Air Force Enlisted Training Corps		[5,000]
	Recruiting and advertising increase		[40,864]
360	EXAMINING	7,775	7,775
370	OFF-DUTY AND VOLUNTARY EDUCATION	263,421	263,421
380	CIVILIAN EDUCATION AND TRAINING	343,039	343,039
390	JUNIOR ROTC	75,666	75,666
	SUBTOTAL TRAINING AND RECRUITING	3,222,759	3,268,623
	ADMIN & SRVWD ACTIVITIES		
400	LOGISTICS OPERATIONS	1,062,199	1,062,199
410	TECHNICAL SUPPORT ACTIVITIES	162,919	162,919
420	ADMINISTRATION	1,409,015	1,409,015
430	SERVICEWIDE COMMUNICATIONS	30,268	30,268
440	OTHER SERVICEWIDE ACTIVITIES	1,851,856	1,856,376
	DAF requested realignment of funds		[4,520]
450	CIVIL AIR PATROL	30,901	30,901
460	DEF ACQUISITION WORKFORCE DEVELOPMENT ACCOUNT	42,759	42,759
480	INTERNATIONAL SUPPORT	115,267	115,267
999	CLASSIFIED PROGRAMS	1,506,624	1,506,624
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	7,718,432	7,722,952
	UNDISTRIBUTED		
998	UNDISTRIBUTED	0	-442,200
	Foreign currency fluctuations		[-208,500]
	Unobligated balances		[-233,700]
	SUBTOTAL UNDISTRIBUTED	0	-442,200
	TOTAL OPERATION & MAINTENANCE, AIR FORCE	65,722,645	65,010,250
	OPERATION & MAINTENANCE, SPACE FORCE		
	OPERATING FORCES		
010	GLOBAL C3I & EARLY WARNING	642,201	642,201
020	SPACE LAUNCH OPERATIONS	356,162	356,162
030	SPACE OPERATIONS	866,547	866,547
040	EDUCATION & TRAINING	199,181	217,353
	DAF requested realignment of funds		[18,172]

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2024 Request	Senate Authorized
050	SPECIAL PROGRAMS	383,233	383,233
060	DEPOT MAINTENANCE	67,757	67,757
070	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZA- TION	678,648	678,648
080	CONTRACTOR LOGISTICS AND SYSTEM SUPPORT	1,380,350	1,380,350
090	SPACE OPERATIONS -BOS	188,760	188,760
999	CLASSIFIED PROGRAMS	71,475	71,475
	SUBTOTAL OPERATING FORCES	4,834,314	4,852,486
	ADMINISTRATION AND SERVICE WIDE ACTIVITIES		
100	LOGISTICS OPERATIONS	34,046	34,046
110	ADMINISTRATION	149,108	130,936
	DAF requested realignment of funds		[-18,172]
	SUBTOTAL ADMINISTRATION AND SERVICE WIDE ACTIVITIES	183,154	164,982
	UNDISTRIBUTED		
998	UNDISTRIBUTED	0	-87,100
	Foreign currency fluctuations		[-14,100]
	Unobligated balances		[-73,000]
	SUBTOTAL UNDISTRIBUTED	0	-87,100
	TOTAL OPERATION & MAINTENANCE, SPACE FORCE	5,017,468	4,930,368
	OPERATION & MAINTENANCE, AF RESERVE OPERATING FORCES		
010	PRIMARY COMBAT FORCES	2,088,949	2,116,429
	Military technician (dual status) end strength		[27,480]
020	MISSION SUPPORT OPERATIONS	198,213	198,213
030	DEPOT PURCHASE EQUIPMENT MAINTENANCE	647,758	647,758
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZA- TION	122,314	122,314
050	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT ..	374,442	374,442
060	BASE SUPPORT	543,962	543,962
070	CYBERSPACE ACTIVITIES	1,742	1,742
	SUBTOTAL OPERATING FORCES	3,977,380	4,004,860
	ADMINISTRATION AND SERVICEWIDE ACTIVITIES		
080	ADMINISTRATION	107,281	107,281
090	RECRUITING AND ADVERTISING	9,373	11,248
	Recruiting and advertising increase		[1,875]
100	MILITARY MANPOWER AND PERS MGMT (ARPC)	15,563	15,563
110	OTHER PERS SUPPORT (DISABILITY COMP)	6,174	6,174
120	AUDIOVISUAL	485	485
	SUBTOTAL ADMINISTRATION AND SERVICEWIDE ACTIVITIES	138,876	140,751
	UNDISTRIBUTED		
998	UNDISTRIBUTED	0	-46,700
	Foreign currency fluctuations		[-12,500]
	Unobligated balances		[-34,200]
	SUBTOTAL UNDISTRIBUTED	0	-46,700
	TOTAL OPERATION & MAINTENANCE, AF RESERVE ..	4,116,256	4,098,911
	OPERATION & MAINTENANCE, ANG OPERATING FORCES		
010	AIRCRAFT OPERATIONS	2,498,675	2,498,675
020	MISSION SUPPORT OPERATIONS	656,714	796,394
	Military technician (dual status) end strength		[139,680]
030	DEPOT PURCHASE EQUIPMENT MAINTENANCE	1,171,901	1,171,901
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZA- TION	370,188	370,188
050	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT ..	1,280,003	1,280,003
060	BASE SUPPORT	1,089,579	1,089,579
070	CYBERSPACE SUSTAINMENT	19,708	19,708
080	CYBERSPACE ACTIVITIES	49,476	49,476
	SUBTOTAL OPERATING FORCES	7,136,244	7,275,924
	ADMINISTRATION AND SERVICE-WIDE ACTIVITIES		

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2024 Request	Senate Authorized
090	ADMINISTRATION	68,417	68,417
100	RECRUITING AND ADVERTISING	49,033	72,433
	Recruiting and advertising increase		[23,400]
	SUBTOTAL ADMINISTRATION AND SERVICE-WIDE ACTIVITIES	117,450	140,850
	UNDISTRIBUTED		
998	UNDISTRIBUTED	0	-46,200
	Foreign currency fluctuations		[-24,300]
	Unobligated balances		[-21,900]
	SUBTOTAL UNDISTRIBUTED	0	-46,200
	TOTAL OPERATION & MAINTENANCE, ANG	7,253,694	7,370,574
	OPERATION AND MAINTENANCE, DEFENSE-WIDE OPERATING FORCES		
010	JOINT CHIEFS OF STAFF	461,370	457,770
	Unobligated balances		[-3,600]
030	JOINT CHIEFS OF STAFF—JTEEP	701,081	701,081
030	JOINT CHIEFS OF STAFF—CYBER	8,210	8,210
040	OFFICE OF THE SECRETARY OF DEFENSE—MISO	252,480	252,480
060	SPECIAL OPERATIONS COMMAND COMBAT DEVELOPMENT ACTIVITIES	2,012,953	2,012,953
070	SPECIAL OPERATIONS COMMAND MAINTENANCE	1,210,930	1,206,930
	MQ-9 Unmanned Aerial Vehicle unjustified increase		[-4,000]
080	SPECIAL OPERATIONS COMMAND MANAGEMENT/OPER- ATIONAL HEADQUARTERS	202,574	202,574
090	SPECIAL OPERATIONS COMMAND THEATER FORCES	3,346,004	3,351,004
	Special Operations Forces cyber training		[5,000]
100	SPECIAL OPERATIONS COMMAND CYBERSPACE ACTIVITIES	49,757	49,757
110	SPECIAL OPERATIONS COMMAND INTELLIGENCE	1,391,402	1,391,402
120	SPECIAL OPERATIONS COMMAND OPERATIONAL SUPPORT ...	1,438,967	1,438,967
130	CYBERSPACE OPERATIONS	1,318,614	1,328,614
	Modernization of Department of Defense Internet Gateway Cyber De- fense		[10,000]
140	USCYBERCOM HEADQUARTERS	332,690	332,690
	SUBTOTAL OPERATING FORCES	12,727,032	12,734,432
	TRAINING AND RECRUITING		
150	DEFENSE ACQUISITION UNIVERSITY	183,342	183,342
160	JOINT CHIEFS OF STAFF	118,172	118,172
170	SPECIAL OPERATIONS COMMAND/PROFESSIONAL DEVELOP- MENT EDUCATION	33,855	33,855
	SUBTOTAL TRAINING AND RECRUITING	335,369	335,369
	ADMIN & SRVWIDE ACTIVITIES		
180	CIVIL MILITARY PROGRAMS	142,240	139,740
	Unobligated balances		[-2,500]
190	DEFENSE CONTRACT AUDIT AGENCY—CYBER	4,870	4,870
200	DEFENSE CONTRACT AUDIT AGENCY	667,943	665,243
	Unobligated balances		[-2,700]
210	DEFENSE CONTRACT MANAGEMENT AGENCY	1,567,119	1,551,619
	Unobligated balances		[-15,500]
220	DEFENSE CONTRACT MANAGEMENT AGENCY—CYBER	30,279	20,279
	Cybersecurity Maturity Model Certification program reduction		[-10,000]
230	DEFENSE COUNTERINTELLIGENCE AND SECURITY AGENCY	1,062,123	1,062,123
250	DEFENSE COUNTERINTELLIGENCE AND SECURITY AGEN- CY—CYBER	9,835	9,835
260	DEFENSE HUMAN RESOURCES ACTIVITY—CYBER	27,517	27,517
270	DEFENSE HUMAN RESOURCES ACTIVITY	1,033,789	1,033,789
300	DEFENSE INFORMATION SYSTEMS AGENCY	2,567,698	2,557,798
	Unobligated balances		[-9,900]
310	DEFENSE INFORMATION SYSTEMS AGENCY—CYBER	526,893	526,893
320	DEFENSE LEGAL SERVICES AGENCY	241,779	219,379
	Unobligated balances		[-22,400]
330	DEFENSE LOGISTICS AGENCY	446,731	446,731
340	DEFENSE MEDIA ACTIVITY	246,840	246,840
360	DEFENSE POW/MIA OFFICE	195,959	195,959
370	DEFENSE SECURITY COOPERATION AGENCY	2,379,100	2,389,100
	Irregular Warfare Functional Center		[10,000]

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2024 Request	Senate Authorized
380	DEFENSE TECHNOLOGY SECURITY ADMINISTRATION	41,722	41,722
390	DEFENSE THREAT REDUCTION AGENCY	984,272	984,272
410	DEFENSE THREAT REDUCTION AGENCY—CYBER	70,548	70,548
420	DEPARTMENT OF DEFENSE EDUCATION ACTIVITY	3,451,625	3,531,625
	Impact Aid		[50,000]
	Impact Aid for children with severe disabilities		[30,000]
430	MISSILE DEFENSE AGENCY	564,078	564,078
440	OFFICE OF THE LOCAL DEFENSE COMMUNITY COOPERATION	118,216	138,216
	Defense Manufacturing Community Support Program		[20,000]
480	OFFICE OF THE SECRETARY OF DEFENSE—CYBER	92,176	92,176
490	OFFICE OF THE SECRETARY OF DEFENSE	2,676,416	2,718,116
	Bien Hoa dioxin cleanup		[15,000]
	Centers for Disease Control and Prevention Nation-wide human health assessment		[5,000]
	Readiness and Environmental Protection Integration program		[20,200]
	United States Telecommunications Training Institute		[1,500]
530	WASHINGTON HEADQUARTERS SERVICES	440,947	440,947
999	CLASSIFIED PROGRAMS	20,114,447	20,114,447
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	39,705,162	39,793,862
	TOTAL OPERATION AND MAINTENANCE, DEFENSE-WIDE	52,767,563	52,863,663
	UNDISTRIBUTED		
	OPERATION & MAINTENANCE, DEFENSE-WIDE		
997	UNDISTRIBUTED	0	–51,000
	Program reduction—USSOCOM		[–51,000]
998	UNDISTRIBUTED	0	–15,000
	Unobligated balances		[–15,000]
	SUBTOTAL UNDISTRIBUTED	0	–66,000
	TOTAL OPERATION & MAINTENANCE, DEFENSE-WIDE	0	–66,000
	MISCELLANEOUS APPROPRIATIONS		
	US COURT OF APPEALS FOR THE ARMED FORCES, DEF		
010	US COURT OF APPEALS FOR THE ARMED FORCES, DEFENSE	16,620	16,620
	SUBTOTAL US COURT OF APPEALS FOR THE ARMED FORCES, DEF	16,620	16,620
	TOTAL MISCELLANEOUS APPROPRIATIONS	16,620	16,620
	MISCELLANEOUS APPROPRIATIONS		
	OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID		
010	OVERSEAS HUMANITARIAN, DISASTER AND CIVIC AID	114,900	114,900
	SUBTOTAL OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID	114,900	114,900
	TOTAL MISCELLANEOUS APPROPRIATIONS	114,900	114,900
	MISCELLANEOUS APPROPRIATIONS		
	COOPERATIVE THREAT REDUCTION ACCOUNT		
010	COOPERATIVE THREAT REDUCTION	350,999	350,999
	SUBTOTAL COOPERATIVE THREAT REDUCTION ACCOUNT	350,999	350,999
	TOTAL MISCELLANEOUS APPROPRIATIONS	350,999	350,999
	MISCELLANEOUS APPROPRIATIONS		
	ACQUISITION WORKFORCE DEVELOPMENT		
010	ACQ WORKFORCE DEV FD	54,977	54,977
	SUBTOTAL ACQUISITION WORKFORCE DEVELOPMENT	54,977	54,977
	TOTAL MISCELLANEOUS APPROPRIATIONS	54,977	54,977

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
<i>Line</i>	<i>Item</i>	<i>FY 2024 Request</i>	<i>Senate Authorized</i>
	MISCELLANEOUS APPROPRIATIONS		
	ENVIRONMENTAL RESTORATION, ARMY		
050	ENVIRONMENTAL RESTORATION, ARMY	198,760	198,760
	SUBTOTAL ENVIRONMENTAL RESTORATION, ARMY	198,760	198,760
	TOTAL MISCELLANEOUS APPROPRIATIONS	198,760	198,760
	MISCELLANEOUS APPROPRIATIONS		
	ENVIRONMENTAL RESTORATION, NAVY		
060	ENVIRONMENTAL RESTORATION, NAVY	335,240	335,240
	SUBTOTAL ENVIRONMENTAL RESTORATION, NAVY	335,240	335,240
	TOTAL MISCELLANEOUS APPROPRIATIONS	335,240	335,240
	MISCELLANEOUS APPROPRIATIONS		
	ENVIRONMENTAL RESTORATION, AIR FORCE		
070	ENVIRONMENTAL RESTORATION, AIR FORCE	349,744	349,744
	SUBTOTAL ENVIRONMENTAL RESTORATION, AIR FORCE	349,744	349,744
	TOTAL MISCELLANEOUS APPROPRIATIONS	349,744	349,744
	MISCELLANEOUS APPROPRIATIONS		
	ENVIRONMENTAL RESTORATION, DEFENSE		
080	ENVIRONMENTAL RESTORATION, DEFENSE	8,965	8,965
	SUBTOTAL ENVIRONMENTAL RESTORATION, DE- FENSE	8,965	8,965
	TOTAL MISCELLANEOUS APPROPRIATIONS	8,965	8,965
	MISCELLANEOUS APPROPRIATIONS		
	ENVIRONMENTAL RESTORATION FORMERLY USED SITES		
090	ENVIRONMENTAL RESTORATION FORMERLY USED SITES	232,806	232,806
	SUBTOTAL ENVIRONMENTAL RESTORATION FOR- MERLY USED SITES	232,806	232,806
	TOTAL MISCELLANEOUS APPROPRIATIONS	232,806	232,806
	TOTAL OPERATION & MAINTENANCE	293,043,843	291,746,996

1 **TITLE XLIV—MILITARY**

2 **PERSONNEL**

3 **SEC. 4401. MILITARY PERSONNEL.**

SEC. 4401. MILITARY PERSONNEL (In Thousands of Dollars)			
	<i>Item</i>	<i>FY 2024 Request</i>	<i>Senate Authorized</i>
	MILITARY PERSONNEL		
	MILITARY PERSONNEL APPROPRIATIONS		
	MILITARY PERSONNEL APPROPRIATIONS	168,320,510	166,779,670
	Air Force end strength underexecution		[−564,000]
	Air National Guard AGR end strength underexecution		[−45,600]
	Air National Reserve AGR end strength underexecution		[−8,040]
	Navy end strength underexecution		[−600,000]
	Unobligated balances		[−323,200]
	SUBTOTAL MILITARY PERSONNEL APPROPRIA- TIONS	168,320,510	166,779,670
	MEDICARE-ELIGIBLE RETIREE HEALTH CARE FUND CONTRIBUTIONS		

SEC. 4401. MILITARY PERSONNEL
(In Thousands of Dollars)

<i>Item</i>	<i>FY 2024 Request</i>	<i>Senate Authorized</i>
MEDICARE-ELIGIBLE RETIREE HEALTH CARE FUND CONTRIBUTIONS	10,553,456	10,553,456
SUBTOTAL MEDICARE-ELIGIBLE RETIREE HEALTH CARE FUND CONTRIBUTIONS	10,553,456	10,553,456
TOTAL MILITARY PERSONNEL	178,873,966	177,333,126

1 **TITLE XLV—OTHER**
2 **AUTHORIZATIONS**
3 **SEC. 4501. OTHER AUTHORIZATIONS.**

SEC. 4501. OTHER AUTHORIZATIONS
(In Thousands of Dollars)

<i>Line</i>	<i>Item</i>	<i>FY 2024 Request</i>	<i>Senate Authorized</i>
	WORKING CAPITAL FUND		
	WORKING CAPITAL FUND, ARMY		
010	INDUSTRIAL OPERATIONS	27,551	27,551
020	SUPPLY MANAGEMENT—ARMY	1,662	1,662
	SUBTOTAL WORKING CAPITAL FUND, ARMY	29,213	29,213
	WORKING CAPITAL FUND, AIR FORCE		
020	SUPPLIES AND MATERIALS	83,587	83,587
	SUBTOTAL WORKING CAPITAL FUND, AIR FORCE	83,587	83,587
	NATIONAL DEFENSE STOCKPILE TRANSACTION FUND		
010	DEFENSE STOCKPILE	7,629	7,629
	SUBTOTAL NATIONAL DEFENSE STOCKPILE TRANSACTION FUND	7,629	7,629
	WORKING CAPITAL FUND, DEFENSE-WIDE		
010	DEFENSE AUTOMATION & PRODUCTION SERVICES	4	4
040	ENERGY MANAGEMENT—DEF	114,663	114,663
	SUBTOTAL WORKING CAPITAL FUND, DEFENSE-WIDE	114,667	114,667
	WORKING CAPITAL FUND, DECA		
010	WORKING CAPITAL FUND, DECA	1,447,612	1,447,612
	SUBTOTAL WORKING CAPITAL FUND, DECA	1,447,612	1,447,612
	TOTAL WORKING CAPITAL FUND	1,682,708	1,682,708
	CHEM AGENTS & MUNITIONS DESTRUCTION OPERATION & MAINTENANCE		
1	CHEM DEMILITARIZATION—O&M	89,284	89,284
	SUBTOTAL OPERATION & MAINTENANCE	89,284	89,284
	RESEARCH, DEVELOPMENT, TEST, AND EVALUATION		
2	CHEM DEMILITARIZATION—RDT&E	1,002,560	1,002,560
	SUBTOTAL RESEARCH, DEVELOPMENT, TEST, AND EVALUATION	1,002,560	1,002,560
	TOTAL CHEM AGENTS & MUNITIONS DESTRUCTION	1,091,844	1,091,844
	DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF DRUG INTRDCTN		
010	COUNTER-NARCOTICS SUPPORT	643,848	643,848
	SUBTOTAL DRUG INTRDCTN	643,848	643,848
	DRUG DEMAND REDUCTION PROGRAM		
020	DRUG DEMAND REDUCTION PROGRAM	134,313	134,313
	SUBTOTAL DRUG DEMAND REDUCTION PROGRAM	134,313	134,313

SEC. 4501. OTHER AUTHORIZATIONS (In Thousands of Dollars)			
Line	Item	FY 2024 Request	Senate Authorized
	NATIONAL GUARD COUNTER-DRUG PROGRAM		
030	NATIONAL GUARD COUNTER-DRUG PROGRAM	102,272	102,272
	SUBTOTAL NATIONAL GUARD COUNTER-DRUG PROGRAM	102,272	102,272
	NATIONAL GUARD COUNTER-DRUG SCHOOLS		
040	NATIONAL GUARD COUNTER-DRUG SCHOOLS	5,993	5,993
	SUBTOTAL NATIONAL GUARD COUNTER-DRUG SCHOOLS	5,993	5,993
	TOTAL DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF	886,426	886,426
	OFFICE OF THE INSPECTOR GENERAL		
	OFFICE OF THE INSPECTOR GENERAL		
010	OPERATION AND MAINTENANCE	518,919	518,919
020	OPERATION AND MAINTENANCE	1,948	1,948
030	RDT&E	3,400	3,400
040	PROCUREMENT	1,098	1,098
	SUBTOTAL OFFICE OF THE INSPECTOR GENERAL	520,867	520,867
	SUBTOTAL OFFICE OF THE INSPECTOR GENERAL	3,400	3,400
	SUBTOTAL OFFICE OF THE INSPECTOR GENERAL	1,098	1,098
	TOTAL OFFICE OF THE INSPECTOR GENERAL	525,365	525,365
	DEFENSE HEALTH PROGRAM		
	OPERATION & MAINTENANCE		
010	IN-HOUSE CARE	10,044,342	10,044,342
020	PRIVATE SECTOR CARE	19,893,028	19,893,028
030	CONSOLIDATED HEALTH SUPPORT	2,007,012	2,007,012
040	INFORMATION MANAGEMENT	2,327,816	2,327,816
050	MANAGEMENT ACTIVITIES	347,446	347,446
060	EDUCATION AND TRAINING	336,111	336,111
070	BASE OPERATIONS/COMMUNICATIONS	2,144,551	2,144,551
	SUBTOTAL OPERATION & MAINTENANCE	37,100,306	37,100,306
	RDT&E		
080	R&D RESEARCH	40,311	40,311
090	R&D EXPLORATORY DEVELOPMENT	178,892	178,892
100	R&D ADVANCED DEVELOPMENT	327,040	327,040
110	R&D DEMONSTRATION/VALIDATION	172,351	172,351
120	R&D ENGINEERING DEVELOPMENT	107,753	107,753
130	R&D MANAGEMENT AND SUPPORT	87,096	87,096
140	R&D CAPABILITIES ENHANCEMENT	18,330	18,330
	SUBTOTAL RDT&E	931,773	931,773
	PROCUREMENT		
150	PROC INITIAL OUTFITTING	22,344	22,344
160	PROC REPLACEMENT & MODERNIZATION	238,435	238,435
170	PROC JOINT OPERATIONAL MEDICINE INFORMATION SYSTEM	29,537	29,537
180	PROC MILITARY HEALTH SYSTEM—DESKTOP TO DATACENTER	74,055	74,055
190	PROC DOD HEALTHCARE MANAGEMENT SYSTEM MODERNIZATION	17,510	17,510
	SUBTOTAL PROCUREMENT	381,881	381,881
	TOTAL DEFENSE HEALTH PROGRAM	38,413,960	38,413,960
	TOTAL OTHER AUTHORIZATIONS	42,600,303	42,600,303

TITLE XLVI—MILITARY CONSTRUCTION

SEC. 4601. MILITARY CONSTRUCTION.

SEC. 4601. MILITARY CONSTRUCTION (In Thousands of Dollars)				
Account	State/Country and Installation	Project Title	FY 2024 Request	Senate Authorized
MILITARY CONSTRUCTION				
ARMY				
	Alabama			
Army	Anniston Army Depot	OPEN STORAGE (P&D)	0	270
Army	Redstone Arsenal	SUBSTATION	50,000	50,000
	Alaska			
Army	Fort Wainwright	COST TO COMPLETE: ENLISTED UNACCOMPANIED PERS HSG	34,000	34,000
Army	Fort Wainwright	SOLDER PERFORMANCE READINESS CENTER (P&D)	0	7,900
	Georgia			
Army	Fort Eisenhower	CYBER INSTRUCTIONAL FACILITY (CLASSROOMS)	163,000	73,000
	Germany			
Army	Grafenwoehr	AUTOMATED MULTIPURPOSE MACHINE GUN RANGE	10,400	10,400
Army	Hohenfels	SIMULATIONS CENTER	56,000	56,000
	Hawaii			
Army	Aliamanu Military Reservation	WATER STORAGE TANK	20,000	20,000
Army	Fort Shafter	CLEARWELL AND BOOSTER PUMP	0	23,000
Army	Helemano Military Reservation	WELLS AND STORAGE TANK	0	33,000
Army	Schofield Barracks	ELEVATED TANK AND DISTRIBUTION LINE	0	21,000
Army	Schofield Barracks	WATER STORAGE TANK	0	16,000
Army	Wheeler Army Airfield	AIR TRAFFIC CONTROL TOWER (P&D)	0	5,400
	Indiana			
Army	Crane Army Ammunition Plant	EARTH COVERED MAGAZINES (P&D)	0	1,195
	Kansas			
Army	Fort Riley	AIR TRAFFIC CONTROL TOWER (P&D)	0	1,600
Army	Fort Riley	AIRCRAFT MAINTENANCE HANGER	105,000	105,000
	Kentucky			
Army	Blue Grass Army Depot	SMALL ARMS MODERNIZATION (P&D)	0	3,300
Army	Fort Campbell	AIR TRAFFIC CONTROL TOWER (P&D)	0	2,500
Army	Fort Campbell	MULTIPURPOSE TRAINING RANGE	38,000	38,000
Army	Fort Knox	MIDDLE SCHOOL ADDITION (P&D)	0	6,600
	Kwajalein			
Army	Kwajalein Atoll	COST TO COMPLETE: PIER	0	15,000
	Louisiana			
Army	Fort Johnson	MULTIPURPOSE ATHLETIC FIELD	0	13,400
	Massachusetts			
Army	Soldier Systems Center Natick	BARRACKS ADDITION	18,500	18,500
	Michigan			
Army	Detroit Arsenal	GROUND TRANSPORT EQUIPMENT BUILDING	72,000	72,000
	New Mexico			
Army	White Sands Missile Range	J-DETC DIRECTED ENERGY FACILITY (P&D)	0	5,500
	New York			
Army	Watervliet Arsenal	TANK FARM (P&D)	0	160
	North Carolina			
Army	Fort Liberty	AUTOMATED RECORD FIRE RANGE	19,500	19,500
Army	Fort Liberty	BARRACKS	50,000	50,000
Army	Fort Liberty	BARRACKS (FACILITY PROTOTYPING)	85,000	85,000
	Oklahoma			
Army	McAlester Army Ammunition Plant	WATER TREATMENT PLANT (P&D)	0	1,194
	Pennsylvania			
Army	Letterkenny Army Depot	ANECHOIC CHAMBER (P&D)	0	275
Army	Letterkenny Army Depot	GUIDED MISSILE MAINTENANCE BUILDING	89,000	89,000
Army	Tobyhanna Army Depot	HELIPAD (P&D)	0	311
Army	Tobyhanna Army Depot	RADAR MAINTENANCE SHOP (P&D)	0	259
	Poland			
Army	Various Locations	PLANNING & DESIGN	0	25,710
	South Carolina			

SEC. 4601. MILITARY CONSTRUCTION (In Thousands of Dollars)				
Account	State/Country and Installation	Project Title	FY 2024 Request	Senate Authorized
Army	Fort Jackson	COST TO COMPLETE: RECEPTION BARRACKS COMPLEX, PHASE 2	0	66,000
	Texas			
Army	Fort Bliss	RAIL YARD	74,000	74,000
Army	Fort Cavazos	BARRACKS (P&D)	0	20,000
Army	Fort Cavazos	TACTICAL EQUIPMENT MAINTENANCE FACILITIES (P&D)	0	5,800
Army	Red River Army Depot	COMPONENT REBUILD SHOP	113,000	46,400
Army	Red River Army Depot	NON-DESTRUCTIVE TESTING FACILITY (P&D)	0	280
Army	Red River Army Depot	STANDBY GENERATOR (P&D)	0	270
	Virginia			
Army	Fort Belvoir	EQUINE TRAINING FACILITY (P&D)	0	4,000
	Washington			
Army	Joint Base Lewis-McChord	BARRACKS	100,000	100,000
Army	Joint Base Lewis-McChord	VEHICLE MAINTENANCE SHOP (P&D)	0	7,500
	Worldwide Unspecified			
Army	Unspecified Worldwide	BARRACKS REPLACEMENT FUND	0	50,000
Army	Unspecified Worldwide	HOST NATION SUPPORT	26,000	26,000
	Locations			
Army	Unspecified Worldwide	MINOR CONSTRUCTION	76,280	76,280
	Locations			
Army	Unspecified Worldwide	PLANNING & DESIGN	270,875	270,875
	Locations			
Subtotal Military Construction, Army			1,470,555	1,651,379
NAVY				
	Australia			
Navy	Royal Australian Air Force Base Darwin	PDI: AIRCRAFT PARKING APRON (INC)	134,624	134,624
	California			
Navy	Marine Corps Air Ground Combat Center Twentynine Palms	COMMUNICATIONS TOWERS	42,100	42,100
Navy	Port Hueneme	LABORATORY COMPOUND FACILITIES IMPROVEMENTS	110,000	15,000
	Connecticut			
Navy	Naval Submarine Base New London	SUBMARINE PIER 31 EXTENSION	112,518	36,718
Navy	Naval Submarine Base New London	WEAPONS MAGAZINE & ORDNANCE OPERATIONS FAC.	219,200	19,200
	District of Columbia			
Navy	Marine Barracks Washington	BACHELOR ENLISTED QUARTERS & SUPPORT FACILITY	131,800	16,800
	Djibouti			
Navy	Camp Lemonnier	ELECTRICAL POWER PLANT	0	20,000
	Florida			
Navy	Naval Air Station Whiting Field	AHTS HANGAR	0	50,000
	Guam			
Navy	Andersen Air Force Base	PDI: CHILD DEVELOPMENT CENTER	105,220	55,220
Navy	Andersen Air Force Base	PDI: JOINT CONSOL. COMM. CENTER (INC)	107,000	107,000
Navy	Joint Region Marianas	PDI: JOINT COMMUNICATION UPGRADE (INC)	292,830	31,330
Navy	Joint Region Marianas	PDI: MISSILE INTEGRATION TEST FACILITY	174,540	44,540
Navy	Naval Base Guam	PDI: 9TH ESB TRAINING COMPLEX	23,380	23,380
Navy	Naval Base Guam	PDI: ARTILLERY BATTERY FACILITIES	137,550	67,550
Navy	Naval Base Guam	PDI: CONSOLIDATED MEB HQ/NCIS PHII	19,740	19,740
Navy	Naval Base Guam	PDI: RECREATION CENTER	34,740	34,740
Navy	Naval Base Guam	PDI: RELIGIOUS MINISTRY SERVICES FACILITY	46,350	46,350
Navy	Naval Base Guam	PDI: SATELLITE COMMUNICATIONS FACILITY (INC)	166,159	56,159
Navy	Naval Base Guam	PDI: TRAINING CENTER	89,640	89,640
	Hawaii			
Navy	Joint Base Pearl Harbor-Hickam	DRY DOCK 3 REPLACEMENT (INC)	1,318,711	1,318,711
Navy	Joint Base Pearl Harbor-Hickam	WATERFRONT PRODUCTION FACILITY (P&D)	0	60,000
Navy	Marine Corps Base Kaneohe Bay	WATER RECLAMATION FACILITY COMPLIANCE UPGRADE	0	40,000
	Italy			
Navy	Naval Air Station Sigonella	EDI: ORDNANCE MAGAZINES	77,072	77,072

SEC. 4601. MILITARY CONSTRUCTION (In Thousands of Dollars)				
Account	State/Country and Installation	Project Title	FY 2024 Request	Senate Authorized
	<i>Maine</i>			
<i>Navy</i>	<i>Portsmouth Naval Shipyard</i>	<i>MULTI-MISSION DRYDOCK #1 EXTENSION (INC)</i>	<i>544,808</i>	<i>544,808</i>
	<i>Maryland</i>			
<i>Navy</i>	<i>Fort Meade</i>	<i>CYBERSECURITY OPERATIONS FACILITY</i>	<i>186,480</i>	<i>60,580</i>
<i>Navy</i>	<i>Naval Air Station Patuxent River</i>	<i>AIRCRAFT DEVELOPMENT AND MAINTENANCE FACILITIES</i>	<i>141,700</i>	<i>62,000</i>
	<i>North Carolina</i>			
<i>Navy</i>	<i>Marine Corps Air Station Cherry Point</i>	<i>2D LAAD MAINTENANCE AND OPERATIONS FACILITIES</i>	<i>0</i>	<i>50,000</i>
<i>Navy</i>	<i>Marine Corps Air Station Cherry Point</i>	<i>AIRCRAFT MAINTENANCE HANGAR (INC)</i>	<i>19,529</i>	<i>19,529</i>
<i>Navy</i>	<i>Marine Corps Air Station Cherry Point</i>	<i>MAINTENANCE FACILITY & MARINE AIR GROUP HQS</i>	<i>125,150</i>	<i>40,150</i>
<i>Navy</i>	<i>Marine Corps Base Camp Lejeune</i>	<i>10TH MARINES MAINTENANCE & OPERATIONS COMPLEX</i>	<i>0</i>	<i>20,000</i>
<i>Navy</i>	<i>Marine Corps Base Camp Lejeune</i>	<i>CORROSION REPAIR FACILITY REPLACEMENT</i>	<i>0</i>	<i>20,000</i>
	<i>Pennsylvania</i>			
<i>Navy</i>	<i>Naval Surface Warfare Center Philadelphia</i>	<i>AI MACHINERY CONTROL DEVELOPMENT CENTER</i>	<i>0</i>	<i>88,200</i>
	<i>Virginia</i>			
<i>Navy</i>	<i>Dam Neck Annex</i>	<i>MARITIME SURVEILLANCE SYSTEM FACILITY</i>	<i>109,680</i>	<i>109,680</i>
<i>Navy</i>	<i>Joint Expeditionary Base Little Creek—Port Story</i>	<i>CHILD DEVELOPMENT CENTER</i>	<i>35,000</i>	<i>35,000</i>
<i>Navy</i>	<i>Marine Corps Base Quantico</i>	<i>WATER TREATMENT PLANT</i>	<i>127,120</i>	<i>37,120</i>
<i>Navy</i>	<i>Naval Station Norfolk</i>	<i>CHILD DEVELOPMENT CENTER</i>	<i>43,600</i>	<i>43,600</i>
<i>Navy</i>	<i>Naval Station Norfolk</i>	<i>MQ-25 AIRCRAFT LAYDOWN FACILITIES</i>	<i>114,495</i>	<i>11,495</i>
<i>Navy</i>	<i>Naval Station Norfolk</i>	<i>SUBMARINE PIER 3 (INC)</i>	<i>99,077</i>	<i>99,077</i>
<i>Navy</i>	<i>Naval Weapons Station Yorktown</i>	<i>WEAPONS MAGAZINES</i>	<i>221,920</i>	<i>46,920</i>
<i>Navy</i>	<i>Norfolk Naval Shipyard</i>	<i>DRY DOCK SALTWATER SYSTEM FOR CVN-78 (INC)</i>	<i>81,082</i>	<i>81,082</i>
	<i>Washington</i>			
<i>Navy</i>	<i>Naval Base Kitsap</i>	<i>ALTERNATE POWER TRANSMISSION LINE</i>	<i>0</i>	<i>19,000</i>
<i>Navy</i>	<i>Naval Base Kitsap</i>	<i>ARMORED FIGHTING VEHICLE SUPPORT FACILITY</i>	<i>0</i>	<i>31,000</i>
<i>Navy</i>	<i>Naval Base Kitsap</i>	<i>SHIPYARD ELECTRICAL BACKBONE</i>	<i>195,000</i>	<i>15,000</i>
	<i>Worldwide Unspecified</i>			
<i>Navy</i>	<i>Unspecified Worldwide</i>	<i>BARRACKS REPLACEMENT FUND</i>	<i>0</i>	<i>75,000</i>
<i>Navy</i>	<i>Unspecified Worldwide</i>	<i>INDOPACOM PLANNING & DESIGN</i>	<i>0</i>	<i>69,000</i>
<i>Navy</i>	<i>Unspecified Worldwide</i>	<i>SHOP (P&D)</i>	<i>0</i>	<i>50,000</i>
<i>Navy</i>	<i>Unspecified Worldwide Locations</i>	<i>PLANNING & DESIGN</i>	<i>578,942</i>	<i>578,942</i>
<i>Navy</i>	<i>Unspecified Worldwide Locations</i>	<i>PLANNING & DESIGN</i>	<i>21,000</i>	<i>21,000</i>
<i>Navy</i>	<i>Unspecified Worldwide Locations</i>	<i>UNSPECIFIED MINOR CONSTRUCTION</i>	<i>34,430</i>	<i>34,430</i>
Subtotal Military Construction, Navy			6,022,187	4,668,487
AIR FORCE				
	<i>Alaska</i>			
<i>Air Force</i>	<i>Eielson Air Force Base</i>	<i>CONSOLIDATED MUNITIONS COMPLEX (P&D)</i>	<i>0</i>	<i>1,200</i>
<i>Air Force</i>	<i>Eielson Air Force Base</i>	<i>JOINT PACIFIC ALASKA RANGE COMPLEX (JPARC) OPS FACILITY (P&D)</i>	<i>0</i>	<i>1,100</i>
<i>Air Force</i>	<i>Joint Base Elmendorf-Richardson</i>	<i>EXTEND RUNWAY 16/34 (INC 3)</i>	<i>107,500</i>	<i>107,500</i>
<i>Air Force</i>	<i>Joint Base Elmendorf-Richardson</i>	<i>PRECISION GUIDED MISSILE COMPLEX (P&D)</i>	<i>0</i>	<i>6,100</i>
	<i>Arizona</i>			
<i>Air Force</i>	<i>Luke Air Force Base</i>	<i>GILA BEND (P&D)</i>	<i>0</i>	<i>2,600</i>
	<i>Australia</i>			
<i>Air Force</i>	<i>Royal Australian Air Force Base Darwin</i>	<i>PDI: SQUADRON OPERATIONS FACILITY</i>	<i>26,000</i>	<i>26,000</i>
<i>Air Force</i>	<i>Royal Australian Air Force Base Tindal</i>	<i>PDI: AIRCRAFT MAINTENANCE SUPPORT FACILITY</i>	<i>17,500</i>	<i>17,500</i>
<i>Air Force</i>	<i>Royal Australian Air Force Base Tindal</i>	<i>PDI: SQUADRON OPERATIONS FACILITY</i>	<i>20,000</i>	<i>20,000</i>
<i>Air Force</i>	<i>Royal Australian Air Force Base Tindal</i>	<i>PDI: BOMBER APRON</i>	<i>93,000</i>	<i>93,000</i>
	<i>Florida</i>			
<i>Air Force</i>	<i>MacDill Air Force Base</i>	<i>KC-46A ADAL AIRCRAFT CORROSION CONTROL</i>	<i>25,000</i>	<i>25,000</i>

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Account	State/Country and Installation	Project Title	FY 2024 Request	Senate Authorized	
<i>Air Force</i>	<i>MacDill Air Force Base</i>	<i>KC-46A ADAL AIRCRAFT MAINTENANCE HANGAR</i>	<i>27,000</i>	<i>27,000</i>	
<i>Air Force</i>	<i>MacDill Air Force Base</i>	<i>KC-46A ADAL APRON & HYDRANT FUELING PITS</i>	<i>61,000</i>	<i>61,000</i>	
<i>Air Force</i>	<i>MacDill Air Force Base</i>	<i>KC-46A ADAL FUEL SYSTEM MAINTENANCE DOCK</i>	<i>18,000</i>	<i>18,000</i>	
<i>Air Force</i>	<i>Patrick Space Force Base</i>	<i>COMMERCIAL VEHICLE INSPECTION</i>	<i>15,000</i>	<i>15,000</i>	
<i>Air Force</i>	<i>Patrick Space Force Base</i>	<i>COST TO COMPLETE: CONSOLIDATED COMMUNICATIONS CENTER</i>	<i>15,000</i>	<i>15,000</i>	
<i>Air Force</i>	<i>Patrick Space Force Base</i>	<i>FINAL DENIAL BARRIERS, SOUTH GATE</i>	<i>12,000</i>	<i>12,000</i>	
<i>Air Force</i>	<i>Tyndall Air Force Base</i>	<i>NATURAL DISASTER RECOVERY</i>	<i>0</i>	<i>252,000</i>	
	<i>Georgia</i>				
<i>Air Force</i>	<i>Robins Air Force Base</i>	<i>BATTLE MANAGEMENT COMBINED OPERATIONS COMPLEX</i>	<i>115,000</i>	<i>115,000</i>	
	<i>Guam</i>				
<i>Air Force</i>	<i>Joint Region Marianas</i>	<i>PDI: NORTH AIRCRAFT PARKING RAMP (INC)</i>	<i>109,000</i>	<i>109,000</i>	
	<i>Japan</i>				
<i>Air Force</i>	<i>Kadena Air Base</i>	<i>PDI: HELO RESCUE OPS MAINTENANCE HANGAR (INC 3)</i>	<i>46,000</i>	<i>46,000</i>	
<i>Air Force</i>	<i>Kadena Air Base</i>	<i>PDI: THEATER A/C CORROSION CONTROL CTR (INC)</i>	<i>42,000</i>	<i>42,000</i>	
	<i>Louisiana</i>				
<i>Air Force</i>	<i>Barksdale Air Force Base</i>	<i>CHILD DEVELOPMENT CENTER (P&D)</i>	<i>0</i>	<i>2,000</i>	
<i>Air Force</i>	<i>Barksdale Air Force Base</i>	<i>DORMITORY (P&D)</i>	<i>0</i>	<i>7,000</i>	
<i>Air Force</i>	<i>Barksdale Air Force Base</i>	<i>WEAPONS GENERATION FACILITY (INC 3)</i>	<i>112,000</i>	<i>112,000</i>	
	<i>Mariana Islands</i>				
<i>Air Force</i>	<i>Tinian</i>	<i>PDI: AIRFIELD DEVELOPMENT, PHASE 1 (INC 3)</i>	<i>26,000</i>	<i>26,000</i>	
<i>Air Force</i>	<i>Tinian</i>	<i>PDI: FUEL TANKS W/PIPELINE & HYDRANT (INC 3)</i>	<i>20,000</i>	<i>20,000</i>	
<i>Air Force</i>	<i>Tinian</i>	<i>PDI: PARKING APRON (INC 3)</i>	<i>32,000</i>	<i>32,000</i>	
	<i>Massachusetts</i>				
<i>Air Force</i>	<i>Hanscom Air Force Base</i>	<i>CHILD DEVELOPMENT CENTER</i>	<i>37,000</i>	<i>37,000</i>	
<i>Air Force</i>	<i>Hanscom Air Force Base</i>	<i>MIT-LINCOLN LAB (WEST LAB CSL/MIF) (INC 4)</i>	<i>70,000</i>	<i>70,000</i>	
	<i>Mississippi</i>				
<i>Air Force</i>	<i>Columbus Air Force Base</i>	<i>T-7A GROUND BASED TRAINING SYSTEM FACILITY</i>	<i>30,000</i>	<i>30,000</i>	
<i>Air Force</i>	<i>Columbus Air Force Base</i>	<i>T-7A UNIT MAINTENANCE TRAINING FACILITY</i>	<i>9,500</i>	<i>9,500</i>	
<i>Air Force</i>	<i>Keesler Air Force Base</i>	<i>AIR TRAFFIC CONTROL TOWER (P&D)</i>	<i>0</i>	<i>2,000</i>	
	<i>Nebraska</i>				
<i>Air Force</i>	<i>Offutt Air Force Base</i>	<i>55 CES MAINTENANCE/WAREHOUSE (P&D)</i>	<i>0</i>	<i>4,500</i>	
<i>Air Force</i>	<i>Offutt Air Force Base</i>	<i>BASE OPERATIONS/MOBILITY CENTER (P&D)</i>	<i>0</i>	<i>5,000</i>	
<i>Air Force</i>	<i>Offutt Air Force Base</i>	<i>LOGISTICS READINESS SQUADRON TRANSPORTATION FACILITY (P&D)</i>	<i>0</i>	<i>3,500</i>	
	<i>Nevada</i>				
<i>Air Force</i>	<i>Nellis Air Force Base</i>	<i>F-35 COALITION HANGAR (P&D)</i>	<i>0</i>	<i>5,500</i>	
<i>Air Force</i>	<i>Nellis Air Force Base</i>	<i>F-35 DATA LAB SUPPORT FACILITY (P&D)</i>	<i>0</i>	<i>700</i>	
	<i>New Mexico</i>				
<i>Air Force</i>	<i>Cannon Air Force Base</i>	<i>SATELLITE FIRE STATION (P&D)</i>	<i>0</i>	<i>5,000</i>	
<i>Air Force</i>	<i>Kirtland Air Force Base</i>	<i>COST TO COMPLETE: WYOMING GATE UPGRADE FOR ANTITERRORISM COMPLIANCE</i>	<i>0</i>	<i>24,400</i>	
	<i>Norway</i>				
<i>Air Force</i>	<i>Rygge Air Station</i>	<i>EDI: DABS-FEV STORAGE</i>	<i>88,000</i>	<i>88,000</i>	
<i>Air Force</i>	<i>Rygge Air Station</i>	<i>EDI: MUNITIONS STORAGE AREA</i>	<i>31,000</i>	<i>31,000</i>	
	<i>Ohio</i>				
<i>Air Force</i>	<i>Wright-Patterson Air Force Base</i>	<i>ACQUISITION MANAGEMENT COMPLEX PHASE V (P&D)</i>	<i>0</i>	<i>19,500</i>	
	<i>Oklahoma</i>				
<i>Air Force</i>	<i>Tinker Air Force Base</i>	<i>KC-46 3-BAY DEPOT MAINTENANCE HANGAR (INC 3)</i>	<i>78,000</i>	<i>78,000</i>	
<i>Air Force</i>	<i>Vance Air Force Base</i>	<i>CONSOLIDATED UNDERGRADUATE PILOT TRAINING CENTER (P&D)</i>	<i>0</i>	<i>8,400</i>	
	<i>Philippines</i>				
<i>Air Force</i>	<i>Cesar Basa Air Base</i>	<i>PDI: TRANSIENT AIRCRAFT PARKING APRON</i>	<i>35,000</i>	<i>35,000</i>	
	<i>South Dakota</i>				
<i>Air Force</i>	<i>Ellsworth Air Force Base</i>	<i>B-21 FUEL SYSTEM MAINTENANCE DOCK</i>	<i>75,000</i>	<i>75,000</i>	
<i>Air Force</i>	<i>Ellsworth Air Force Base</i>	<i>B-21 PHASE HANGAR</i>	<i>160,000</i>	<i>160,000</i>	
<i>Air Force</i>	<i>Ellsworth Air Force Base</i>	<i>B-21 WEAPONS GENERATION FACILITY (INC)</i>	<i>160,000</i>	<i>160,000</i>	
	<i>Spain</i>				
<i>Air Force</i>	<i>Morón Air Base</i>	<i>EDI: MUNITIONS STORAGE</i>	<i>26,000</i>	<i>26,000</i>	
	<i>Texas</i>				

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<i>Air Force</i>	<i>Joint Base San Antonio-Lackland</i>	<i>CHILD DEVELOPMENT CENTER</i>	20,000	20,000
	<i>United Kingdom</i>			
<i>Air Force</i>	<i>Royal Air Force Fairford</i>	<i>COST TO COMPLETE: EDI DABS-FEV STORAGE</i>	0	28,000
<i>Air Force</i>	<i>Royal Air Force Fairford</i>	<i>COST TO COMPLETE: EDI MUNITIONS HOLDING AREA</i>	0	20,000
<i>Air Force</i>	<i>Royal Air Force Fairford</i>	<i>EDI: RADR STORAGE FACILITY</i>	47,000	47,000
<i>Air Force</i>	<i>Royal Air Force Lakenheath</i>	<i>EDI: RADR STORAGE FACILITY</i>	28,000	28,000
<i>Air Force</i>	<i>Royal Air Force Lakenheath</i>	<i>SURETY DORMITORY</i>	50,000	50,000
	<i>Utah</i>			
<i>Air Force</i>	<i>Hill Air Force Base</i>	<i>F-35 T-7A EAST CAMPUS INFRASTRUCTURE</i>	82,000	82,000
	<i>Worldwide Unspecified</i>			
<i>Air Force</i>	<i>Unspecified Worldwide</i>	<i>BARRACKS REPLACEMENT FUND</i>	0	50,000
<i>Air Force</i>	<i>Unspecified Worldwide Locations</i>	<i>EDI: PLANNING & DESIGN</i>	5,648	5,648
<i>Air Force</i>	<i>Unspecified Worldwide Locations</i>	<i>PLANNING & DESIGN</i>	338,985	338,985
<i>Air Force</i>	<i>Unspecified Worldwide Locations</i>	<i>PLANNING & DESIGN</i>	90,281	90,281
<i>Air Force</i>	<i>Unspecified Worldwide Locations</i>	<i>UNSPECIFIED MINOR MILITARY CONSTRUCTION</i>	64,900	64,900
	<i>Wyoming</i>			
<i>Air Force</i>	<i>F.E. Warren Air Force Base</i>	<i>COST TO COMPLETE: CONSOLIDATED HELO/TRF OPS/AMU AND ALERT FACILITY</i>	0	18,000
<i>Air Force</i>	<i>F.E. Warren Air Force Base</i>	<i>GBSD INTEGRATED COMMAND CENTER (INC 2)</i>	27,000	27,000
<i>Air Force</i>	<i>F.E. Warren Air Force Base</i>	<i>GBSD INTEGRATED TRAINING CENTER</i>	85,000	85,000
<i>Air Force</i>	<i>F.E. Warren Air Force Base</i>	<i>GBSD MISSILE HANDLING COMPLEX (INC 2)</i>	28,000	28,000
Subtotal Military Construction, Air Force			2,605,314	3,071,814
DEFENSE-WIDE				
	<i>Alabama</i>			
<i>Defense-Wide</i>	<i>Redstone Arsenal</i>	<i>GROUND TEST FACILITY INFRASTRUCTURE</i>	147,975	77,975
	<i>California</i>			
<i>Defense-Wide</i>	<i>Marine Corps Air Station Miramar</i>	<i>AMBULATORY CARE CENTER—DENTAL CLINIC ADD//ALT</i>	103,000	20,600
<i>Defense-Wide</i>	<i>Marine Corps Air Station Miramar</i>	<i>ELECTRICAL INFRASTRUCTURE, ON-SITE GENERATION, AND MICROGRID IMPROVEMENTS</i>	0	30,550
<i>Defense-Wide</i>	<i>Monterey</i>	<i>COST TO COMPLETE: COGEN PLANT AT B236</i>	0	5,460
<i>Defense-Wide</i>	<i>Naval Base Coronado</i>	<i>COST TO COMPLETE: ATC OPERATIONS SUPPORT FACILITY</i>	0	11,400
<i>Defense-Wide</i>	<i>Naval Base Coronado</i>	<i>SOF NAVAL SPECIAL WARFARE COMMAND OPERATIONS SUPPORT FACILITY, PHASE 2</i>	0	51,000
<i>Defense-Wide</i>	<i>Naval Base San Diego</i>	<i>AMBULATORY CARE CENTER—DENTAL CLINIC REPLMT</i>	101,644	22,185
<i>Defense-Wide</i>	<i>Naval Base San Diego</i>	<i>MICROGRID AND BACKUP POWER</i>	0	6,300
<i>Defense-Wide</i>	<i>Naval Base Ventura County</i>	<i>COST TO COMPLETE: GROUND MOUNTED SOLAR PV</i>	0	16,840
<i>Defense-Wide</i>	<i>Vandenberg Space Force Base</i>	<i>MICROGRID WITH BACKUP POWER</i>	0	57,000
	<i>Colorado</i>			
<i>Defense-Wide</i>	<i>Buckley Space Force Base</i>	<i>REDUNDANT ELECTRICAL SUPPLY</i>	0	9,000
<i>Defense-Wide</i>	<i>Buckley Space Force Base</i>	<i>REPLACEMENT WATER WELL</i>	0	5,700
	<i>Cuba</i>			
<i>Defense-Wide</i>	<i>Guantanamo Bay Naval Station</i>	<i>AMBULATORY CARE CENTER (INC 1)</i>	60,000	60,000
	<i>Delaware</i>			
<i>Defense-Wide</i>	<i>Dover Air Force Base</i>	<i>ARMED SERVICES WHOLE BLOOD PROCESSING LABORATORY</i>	0	30,500
	<i>Djibouti</i>			
<i>Defense-Wide</i>	<i>Camp Lemonnier</i>	<i>COST TO COMPLETE: ENHANCE ENERGY SECURITY AND CONTROL SYSTEMS</i>	0	5,200
	<i>Georgia</i>			

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Defense-Wide	Naval Submarine Base Kings Bay	ELECTRICAL TRANSMISSION AND DISTRIBUTION IMPROVEMENTS, PHASE 2	0	49,500
Defense-Wide	Germany Baumholder	HUMAN PERFORMANCE TRAINING CENTER	0	16,700
Defense-Wide	Baumholder	SOF COMPANY OPERATIONS FACILITY	41,000	41,000
Defense-Wide	Baumholder	SOF JOINT PARACHUTE RIGGING FACILITY	23,000	23,000
Defense-Wide	Kaiserslautern Air Base	KAISERSLAUTERN MIDDLE SCHOOL	21,275	21,275
Defense-Wide	Ramstein Air Base	RAMSTEIN MIDDLE SCHOOL	181,764	181,764
Defense-Wide	Rhine Ordnance Barracks Stuttgart	MEDICAL CENTER REPLACEMENT (INC 11)	77,210	77,210
Defense-Wide	Robinson Barracks Stuttgart	ROBINSON BARRACKS ELEM SCHOOL REPLACEMENT	8,000	8,000
Defense-Wide	Hawaii Joint Base Pearl Harbor-Hickam	COST TO COMPLETE: FY20 500 KW PV COVERED PARKING EV CHARGING STATION	0	7,476
Defense-Wide	Joint Base Pearl Harbor-Hickam	COST TO COMPLETE: PRIMARY ELECTRICAL DISTRIBUTION	0	13,040
Defense-Wide	Honduras Soto Cano Air Base	FUEL FACILITIES	41,300	41,300
Defense-Wide	Italy Naples	COST TO COMPLETE: SMART GRID	0	7,610
Defense-Wide	Japan Fleet Activities Yokosuka	KINNICK HIGH SCHOOL (INC)	70,000	70,000
Defense-Wide	Kadena Air Base	PDI SOF MAINTENANCE HANGAR	88,900	88,900
Defense-Wide	Kadena Air Base	PDI: SOF COMPOSITE MAINTENANCE FACILITY	11,400	11,400
Defense-Wide	Kansas Forbes Field	MICROGRID AND BACKUP POWER	0	5,850
Defense-Wide	Fort Riley	COST TO COMPLETE: POWER GENERATION AND MICROGRID	0	15,468
Defense-Wide	Korea K-16 Air Base	K-16 EMERGENCY BACKUP POWER	0	5,650
Defense-Wide	Kuwait Camp Arifjan	COST TO COMPLETE: POWER GENERATION AND MICROGRID	0	8,197
Defense-Wide	Camp Buehring	MICROGRID AND BACKUP POWER	0	18,850
Defense-Wide	Louisiana Naval Air Station Joint Reserve Base New Orleans	COST TO COMPLETE: DISTRIBUTION SWITCHGEAR	0	6,453
Defense-Wide	Maryland Bethesda Naval Hospital	MEDICAL CENTER ADDITION/ALTERATION (INC 7)	101,816	101,816
Defense-Wide	Fort Meade	NSAW MISSION OPS AND RECORDS CENTER (INC)	105,000	105,000
Defense-Wide	Fort Meade	NSAW RECAP BUILDING 4 (INC)	315,000	315,000
Defense-Wide	Fort Meade	NSAW RECAP BUILDING 5 (ECB 5) (INC)	65,000	65,000
Defense-Wide	Joint Base Andrews	HYDRANT FUELING SYSTEM	38,300	38,300
Defense-Wide	Missouri Lake City Army Ammunition Plant	MICROGRID AND BACKUP POWER	0	80,100
Defense-Wide	Montana Great Falls International Airport	FUEL FACILITIES	30,000	30,000
Defense-Wide	Nebraska Offutt Air Force Base	DEFENSE POW/MIA ACCOUNTABILITY AGENCY LABORATORY (P&D)	0	5,000
Defense-Wide	Offutt Air Force Base	MICROGRID AND BACKUP POWER	0	41,000
Defense-Wide	North Carolina Fort Liberty (Camp Mackall)	MICROGRID AND BACKUP POWER	0	10,500
Defense-Wide	Marine Corps Base Camp Lejeune	MARINE RAIDER BATTALION OPERATIONS FACILITY	0	70,000
Defense-Wide	Oklahoma Fort Sill	MICROGRID AND BACKUP POWER	0	76,650
Defense-Wide	Pennsylvania Fort Indiantown Gap	COST TO COMPLETE: GEOTHERMAL AND SOLAR PV	0	9,250
Defense-Wide	Puerto Rico Fort Buchanan	MICROGRID AND BACKUP POWER	0	56,000
Defense-Wide	Juana Díaz	COST TO COMPLETE: MICROGRID CONTROLS, 690 KW PV, 275KW GEN, 570 KWH BESS	0	7,680
Defense-Wide	Ramey	COST TO COMPLETE: MICROGRID CONTROL SYSTEM, 460 KW PV, 275KW GEN, 660 KWH BESS	0	6,360

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	<i>Spain</i>			
Defense-Wide	Naval Station Rota	BULK TANK FARM, PHASE 1	80,000	80,000
	<i>Texas</i>			
Defense-Wide	Fort Cavazos	COST TO COMPLETE: POWER GENERATION AND MICROGRID	0	18,900
Defense-Wide	Fort Cavazos	MICROGRID AND BACKUP POWER	0	18,250
	<i>Utah</i>			
Defense-Wide	Hill Air Force Base	OPEN STORAGE	14,200	14,200
	<i>Virginia</i>			
Defense-Wide	Fort Belvoir	DIA HEADQUARTERS ANNEX	185,000	25,000
Defense-Wide	Hampton Roads	COST TO COMPLETE: BACKUP POWER GENERATION	0	1,200
Defense-Wide	Joint Expeditionary Base Little Creek—Fort Story	SOF SDVT2 OPERATIONS SUPPORT FACILITY	61,000	61,000
Defense-Wide	Fort Belvoir (NGA Campus East)	COST TO COMPLETE: CHILLED WATER REDUNDANCY	0	550
Defense-Wide	Pentagon	HVAC EFFICIENCY UPGRADES	0	2,250
Defense-Wide	Pentagon	SEC OPS AND PEDESTRIAN ACCESS FACS	30,600	30,600
	<i>Washington</i>			
Defense-Wide	Joint Base Lewis-McChord	POWER GENERATION AND MICROGRID	0	49,850
Defense-Wide	Joint Base Lewis-McChord	SOF CONSOLIDATED RIGGING FACILITY	62,000	62,000
Defense-Wide	Manchester	BULK STORAGE TANKS, PHASE 2	71,000	71,000
Defense-Wide	Naval Undersea Warfare Center Keyport	SOF COLD WATER TRAINING AUSTERE ENVIRONMENT FACILITY	0	37,000
	<i>Worldwide Unspecified</i>			
Defense-Wide	Unspecified Worldwide	INDOPACOM UNSPECIFIED MINOR MILITARY CONSTRUCTION	0	62,000
Defense-Wide	Unspecified Worldwide Locations	ENERGY RESILIENCE AND CONSERV. INVEST. PROG.	548,000	0
Defense-Wide	Unspecified Worldwide Locations	ERCIP PLANNING & DESIGN	86,250	86,250
Defense-Wide	Unspecified Worldwide Locations	EXERCISE RELATED MINOR CONSTRUCTION	11,107	11,107
Defense-Wide	Unspecified Worldwide Locations	PLANNING & DESIGN	49,610	49,610
Defense-Wide	Unspecified Worldwide Locations	PLANNING & DESIGN	32,579	32,579
Defense-Wide	Unspecified Worldwide Locations	PLANNING & DESIGN	30,215	30,215
Defense-Wide	Unspecified Worldwide Locations	PLANNING & DESIGN	25,130	25,130
Defense-Wide	Unspecified Worldwide Locations	PLANNING & DESIGN	24,000	24,000
Defense-Wide	Unspecified Worldwide Locations	PLANNING & DESIGN	8,568	8,568
Defense-Wide	Unspecified Worldwide Locations	PLANNING & DESIGN	3,068	3,068
Defense-Wide	Unspecified Worldwide Locations	PLANNING & DESIGN	2,000	2,000
Defense-Wide	Unspecified Worldwide Locations	PLANNING & DESIGN	1,035	1,035
Defense-Wide	Unspecified Worldwide Locations	PLANNING & DESIGN	590	590
Defense-Wide	Unspecified Worldwide Locations	UNSPECIFIED MINOR CONSTRUCTION	19,271	19,271
Defense-Wide	Unspecified Worldwide Locations	UNSPECIFIED MINOR CONSTRUCTION	3,000	3,000
Defense-Wide	Various Worldwide Locations	UNSPECIFIED MINOR CONSTRUCTION	4,875	4,875
	<i>Wyoming</i>			
Defense-Wide	F.E. Warren Air Force Base	MICROGRID AND BATTERY STORAGE	0	25,000
Subtotal Military Construction, Defense-Wide			2,984,682	3,006,107
ARMY NATIONAL GUARD				
	<i>Alabama</i>			
Army National Guard	Fort McClellan	COST TO COMPLETE: ENLISTED BARRACKS, TT	0	7,000
Army National Guard	Huntsville	COST TO COMPLETE: NATIONAL GUARD READINESS CENTER	0	4,650
	<i>Arizona</i>			
Army National Guard	Surprise Readiness Center	NATIONAL GUARD READINESS CENTER	15,000	15,000
	<i>Arkansas</i>			

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Army National Guard	Fort Chaffee	COST TO COMPLETE: NATIONAL GUARD READINESS CENTER	0	610
Army National Guard	California Bakersfield	COST TO COMPLETE: VEHICLE MAINTENANCE SHOP	0	1,000
Army National Guard	Camp Roberts	COST TO COMPLETE: AUTOMATED MULTI-PURPOSE MACHINE GUN (MPMG) RANGE	0	5,000
Army National Guard	Colorado Peterson Space Force Base	COST TO COMPLETE: NATIONAL GUARD READINESS CENTER	0	3,000
Army National Guard	Connecticut Putnam	COST TO COMPLETE: NATIONAL GUARD READINESS CENTER	0	6,125
Army National Guard	Florida Camp Blanding	MULTIPURPOSE MACHINE GUN RANGE	0	11,000
Army National Guard	Guam Barrigada	COST TO COMPLETE: NATIONAL GUARD READINESS CENTER	0	6,900
Army National Guard	Idaho Jerome	COST TO COMPLETE: NATIONAL GUARD READINESS CENTER	0	1,250
Army National Guard	Jerome County Regional Site	NATIONAL GUARD VEHICLE MAINTENANCE SHOP	17,000	17,000
Army National Guard	Illinois Bloomington	COST TO COMPLETE: NATIONAL GUARD VEHICLE MAINTENANCE SHOP	0	5,250
Army National Guard	North Riverside Armory	NATIONAL GUARD VEHICLE MAINTENANCE SHOP	24,000	24,000
Army National Guard	Indiana Shelbyville	COST TO COMPLETE: NATIONAL GUARD READINESS CENTER ADD/ALT	0	5,000
Army National Guard	Kansas Topeka	COST TO COMPLETE: NATIONAL GUARD/RESERVE CENTER BUILDING	0	5,856
Army National Guard	Kentucky Burlington	VEHICLE MAINTENANCE SHOP	0	16,400
Army National Guard	Frankfort	COST TO COMPLETE: NATIONAL GUARD/RESERVE CENTER BUILDING	0	2,000
Army National Guard	Louisiana Camp Beauregard	COLLECTIVE TRAINING UNACCOMPANIED HOUSING OPEN-BAY (P&D)	0	2,400
Army National Guard	Camp Beauregard	COST TO COMPLETE: NATIONAL GUARD READINESS CENTER	0	2,000
Army National Guard	Camp Minden	COST TO COMPLETE: COLLECTIVE TRAINING UNACCOMPANIED HOUSING, OPEN BAY	0	3,718
Army National Guard	Maine Northern Maine Range Complex	AUTOMATED MULTIPURPOSE MACHINE GUN RANGE (P&D)	0	2,800
Army National Guard	Saco	COST TO COMPLETE: NATIONAL GUARD VEHICLE MAINTENANCE SHOP	0	7,420
Army National Guard	Massachusetts Camp Edwards	COST TO COMPLETE: AUTOMATED MULTI-PURPOSE MACHINE GUN (MPMG) RANGE	0	3,000
Army National Guard	Mississippi Camp Shelby	CAMP SHELBY JFTC RAILHEAD EXPANSION (P&D)	0	2,200
Army National Guard	Camp Shelby	COST TO COMPLETE: MANEUVER AREA TRAINING EQUIPMENT SITE ADDITION	0	5,425
Army National Guard	Southaven	NATIONAL GUARD READINESS CENTER	0	22,000
Army National Guard	Missouri Belle Fontaine	NATIONAL GUARD READINESS CENTER	28,000	28,000
Army National Guard	Nebraska Bellevue	COST TO COMPLETE: NATIONAL GUARD READINESS CENTER	0	9,090
Army National Guard	Greenlief Training Site	COLLECTIVE TRAINING UNACCOMPANIED HOUSING OPEN-BAY (P&D)	0	1,200
Army National Guard	Mead Training Site	COST TO COMPLETE: COLLECTIVE TRAINING UNACCOMPANIED HOUSING, OPEN BAY	0	1,913
Army National Guard	North Platte	COST TO COMPLETE: NATIONAL GUARD VEHICLE MAINTENANCE SHOP	0	400

SEC. 4601. MILITARY CONSTRUCTION (In Thousands of Dollars)				
Account	State/Country and Installation	Project Title	FY 2024 Request	Senate Authorized
	<i>New Hampshire</i>			
<i>Army National Guard</i>	<i>Concord</i>	<i>COST TO COMPLETE: NATIONAL GUARD READINESS CENTER</i>	<i>0</i>	<i>200</i>
<i>Army National Guard</i>	<i>Littleton</i>	<i>NATIONAL GUARD VEHICLE MAINTENANCE SHOP ADD</i>	<i>23,000</i>	<i>23,000</i>
	<i>New Jersey</i>			
<i>Army National Guard</i>	<i>Joint Base McGuire-Dix-Lakehurst</i>	<i>COST TO COMPLETE: NATIONAL GUARD READINESS CENTER</i>	<i>0</i>	<i>605</i>
	<i>New Mexico</i>			
<i>Army National Guard</i>	<i>Rio Rancho Training Site</i>	<i>NATIONAL GUARD VEHICLE MAINTENANCE SHOP ADD</i>	<i>11,000</i>	<i>11,000</i>
	<i>New York</i>			
<i>Army National Guard</i>	<i>Lexington Avenue Armory</i>	<i>NATIONAL GUARD READINESS CENTER</i>	<i>0</i>	<i>70,000</i>
	<i>North Carolina</i>			
<i>Army National Guard</i>	<i>Salisbury</i>	<i>ARMY AVIATION SUPPORT FACILITIES (P&D)</i>	<i>0</i>	<i>2,200</i>
	<i>North Dakota</i>			
<i>Army National Guard</i>	<i>Camp Grafton</i>	<i>INSTITUTIONAL POST-INITIAL MILITARY TRAINING, UNACCOMPANIED HOUSING (P&D)</i>	<i>0</i>	<i>1,950</i>
<i>Army National Guard</i>	<i>Dickinson</i>	<i>COST TO COMPLETE: NATIONAL GUARD READINESS CENTER</i>	<i>0</i>	<i>5,425</i>
	<i>Ohio</i>			
<i>Army National Guard</i>	<i>Camp Perry Joint Training Center</i>	<i>NATIONAL GUARD READINESS CENTER</i>	<i>19,200</i>	<i>19,200</i>
<i>Army National Guard</i>	<i>Columbus</i>	<i>COST TO COMPLETE: NATIONAL GUARD READINESS CENTER</i>	<i>0</i>	<i>4,000</i>
	<i>Oklahoma</i>			
<i>Army National Guard</i>	<i>Ardmore</i>	<i>COST TO COMPLETE: VEHICLE MAINTENANCE SHOP</i>	<i>0</i>	<i>400</i>
	<i>Oregon</i>			
<i>Army National Guard</i>	<i>Washington County Readiness Center</i>	<i>NATIONAL GUARD READINESS CENTER</i>	<i>26,000</i>	<i>26,000</i>
	<i>Pennsylvania</i>			
<i>Army National Guard</i>	<i>Hermitage Readiness Center</i>	<i>NATIONAL GUARD READINESS CENTER</i>	<i>13,600</i>	<i>13,600</i>
<i>Army National Guard</i>	<i>Moon Township</i>	<i>COST TO COMPLETE: COMBINED SUPPORT MAINTENANCE SHOP</i>	<i>0</i>	<i>3,100</i>
	<i>Puerto Rico</i>			
<i>Army National Guard</i>	<i>Fort Allen</i>	<i>COST TO COMPLETE: NATIONAL GUARD READINESS CENTER</i>	<i>0</i>	<i>3,676</i>
	<i>Rhode Island</i>			
<i>Army National Guard</i>	<i>Camp Fogarty Training Site</i>	<i>COLLECTIVE TRAINING UNACCOMPANIED HOUSING OPEN-BAY (P&D)</i>	<i>0</i>	<i>1,990</i>
<i>Army National Guard</i>	<i>North Kingstown</i>	<i>NATIONAL GUARD READINESS CENTER</i>	<i>0</i>	<i>30,000</i>
	<i>South Carolina</i>			
<i>Army National Guard</i>	<i>Aiken County Readiness Center</i>	<i>NATIONAL GUARD READINESS CENTER</i>	<i>20,000</i>	<i>20,000</i>
<i>Army National Guard</i>	<i>Joint Base Charleston</i>	<i>COST TO COMPLETE: NATIONAL GUARD READINESS CENTER</i>	<i>0</i>	<i>4,373</i>
<i>Army National Guard</i>	<i>McCrary Training Center</i>	<i>AUTOMATED MULTIPURPOSE MACHINE GUN RANGE</i>	<i>7,900</i>	<i>7,900</i>
	<i>South Dakota</i>			
<i>Army National Guard</i>	<i>Sioux Falls</i>	<i>COST TO COMPLETE: NATIONAL GUARD READINESS CENTER</i>	<i>0</i>	<i>5,250</i>
	<i>Tennessee</i>			
<i>Army National Guard</i>	<i>Campbell Army Air Field</i>	<i>ARMY AIR TRAFFIC CONTROL TOWERS (P&D)</i>	<i>0</i>	<i>2,500</i>
<i>Army National Guard</i>	<i>McMinnville</i>	<i>COST TO COMPLETE: NATIONAL GUARD READINESS CENTER</i>	<i>0</i>	<i>500</i>
	<i>Texas</i>			
<i>Army National Guard</i>	<i>Fort Cavazos</i>	<i>GENERAL INSTRUCTION BUILDING (P&D)</i>	<i>0</i>	<i>2,685</i>
<i>Army National Guard</i>	<i>Fort Worth</i>	<i>COST TO COMPLETE: AIRCRAFT MAINTENANCE HANGAR ADD/ALT</i>	<i>0</i>	<i>6,489</i>
<i>Army National Guard</i>	<i>Fort Worth</i>	<i>COST TO COMPLETE: NATIONAL GUARD VEHICLE MAINTENANCE SHOP</i>	<i>0</i>	<i>381</i>
	<i>Utah</i>			
<i>Army National Guard</i>	<i>Camp Williams</i>	<i>COLLECTIVE TRAINING UNACCOMPANIED HOUSING, SENIOR NCO AND OFFICER (P&D)</i>	<i>0</i>	<i>2,875</i>
	<i>Vermont</i>			
<i>Army National Guard</i>	<i>Bennington</i>	<i>COST TO COMPLETE: NATIONAL GUARD READINESS CENTER</i>	<i>0</i>	<i>3,415</i>
	<i>Virgin Islands</i>			

SEC. 4601. MILITARY CONSTRUCTION (In Thousands of Dollars)				
Account	State/Country and Installation	Project Title	FY 2024 Request	Senate Authorized
Army National Guard	St. Croix	COST TO COMPLETE: ARMY AVIATION SUPPORT FACILITY	0	4,200
Army National Guard	St. Croix	COST TO COMPLETE: READY BUILDING	0	1,710
Army National Guard	Virginia Sandston Re & FMS 1	AIRCRAFT MAINTENANCE HANGAR	20,000	20,000
Army National Guard	Troutville	COST TO COMPLETE: COMBINED SUPPORT MAINTENANCE SHOP ADDITION	0	2,415
Army National Guard	Troutville	COST TO COMPLETE: NATIONAL GUARD READINESS CENTER ADDITION	0	2,135
Army National Guard	West Virginia Parkersburg	NATIONAL GUARD READINESS CENTER (P&D)	0	3,300
Army National Guard	Wisconsin Viroqua	NATIONAL GUARD READINESS CENTER	18,200	18,200
Army National Guard	Worldwide Unspecified Unspecified Worldwide Locations	PLANNING & DESIGN	34,286	34,286
Army National Guard	Unspecified Worldwide Locations	UNSPECIFIED MINOR CONSTRUCTION	63,000	63,000
Subtotal Military Construction, Army National Guard			340,186	650,567
ARMY RESERVE				
Army Reserve	Alabama Birmingham	ARMY RESERVE CENTER/AMSA/LAND	57,000	57,000
Army Reserve	Arizona San Tan Valley	AREA MAINTENANCE SUPPORT ACTIVITY	12,000	12,000
Army Reserve	California Camp Pendleton	COST TO COMPLETE: AREA MAINTENANCE SUPPORT ACTIVITY	0	3,000
Army Reserve	Fort Hunter Liggett Florida	NETWORK ENTERPRISE CENTER	0	40,000
Army Reserve	Perrine	COST TO COMPLETE: ARMY RESERVE CENTER	0	3,000
Army Reserve	North Carolina Asheville	COST TO COMPLETE: ARMY RESERVE CENTER	0	12,000
Army Reserve	Ohio Wright-Patterson Air Force Base	COST TO COMPLETE: ARMY RESERVE CENTER	0	5,000
Army Reserve	Worldwide Unspecified Unspecified Worldwide Locations	PLANNING & DESIGN	23,389	23,389
Army Reserve	Unspecified Worldwide Locations	UNSPECIFIED MINOR CONSTRUCTION	14,687	14,687
Subtotal Military Construction, Army Reserve			107,076	170,076
NAVY RESERVE & MARINE CORPS RESERVE				
Navy Reserve & Marine Corps Reserve	Michigan Battle Creek	ORGANIC SUPPLY FACILITIES	24,549	24,549
Navy Reserve & Marine Corps Reserve	Virginia Marine Forces Reserve Dam Neck Virginia Beach	GIATOR SUPPORT FACILITIES	12,400	12,400
Navy Reserve & Marine Corps Reserve	Worldwide Unspecified Unspecified Worldwide Locations	MCNR PLANNING & DESIGN	6,495	6,495
Navy Reserve & Marine Corps Reserve	Unspecified Worldwide Locations	MCNR UNSPECIFIED MINOR CONSTRUCTION	7,847	7,847
Subtotal Military Construction, Navy Reserve & Marine Corps Reserve			51,291	51,291
AIR NATIONAL GUARD				
Air National Guard	Alabama Montgomery Regional Airport	F-35 ADAL SQ OPS BLDG 1303	7,000	7,000
Air National Guard	Alaska Eielson Air Force Base	AMC STANDARD DUAL BAY HANGAR (P&D)	0	3,700
Air National Guard	Joint Base Elmendorf-Richardson	ADAL ALERT CREW FACILITY HGR 18	0	7,000
Air National Guard	Arizona Tucson International Airport	MCCA: AIRCRAFT ARRESTING SYSTEM (NEW RWY)	11,600	11,600

SEC. 4601. MILITARY CONSTRUCTION (In Thousands of Dollars)				
Account	State/Country and Installation	Project Title	FY 2024 Request	Senate Authorized
	Arkansas			
Air National Guard	Ebbing Air National Guard Base	3-BAY HANGAR	0	54,000
Air National Guard	Ebbing Air National Guard Base	AIRCREW FLIGHT EQUIPMENT/STEP	0	9,300
Air National Guard	Ebbing Air National Guard Base	SPECIAL ACCESS PROGRAM FACILITY	0	12,700
	Colorado			
Air National Guard	Buckley Space Force Base	AIRCRAFT CORROSION CONTROL	12,000	12,000
	Indiana			
Air National Guard	Fort Wayne International Airport	FIRE STATION	8,900	8,900
	Mississippi			
Air National Guard	Field Air National Guard Base	COST TO COMPLETE: 172ND AIRLIFT WING FIRE/CRASH RESCUE STATION	0	8,000
	Missouri			
Air National Guard	Rosecrans Air National Guard Base	139TH AIRLIFT WING ENTRY CONTROL POINT (P&D)	0	2,000
Air National Guard	Rosecrans Air National Guard Base	ENTRY CONTROL POINT (P&D)	0	2,000
	Oregon			
Air National Guard	Portland International Airport	SPECIAL TACTICS COMPLEX, PHASE 1	22,000	22,000
Air National Guard	Portland International Airport	SPECIAL TACTICS COMPLEX, PHASE 2	18,500	18,500
Air National Guard	Portland International Airport	SPECIAL TACTICS COMPLEX, PHASE 3	0	20,000
Air National Guard	Portland International Airport	SPECIAL TACTICS COMPLEX, PHASE 4	0	11,000
	Pennsylvania			
Air National Guard	Harrisburg International Airport	ENTRY CONTROL FACILITY	0	8,000
	Wisconsin			
Air National Guard	Truxar Field	F-35: MM&I FAC, B701	0	5,200
Air National Guard	Volk Air National Guard Base	FIRE/CRASH RESCUE STATION (P&D)	0	670
	Worldwide Unspecified			
Air National Guard	Unspecified Worldwide Locations	PLANNING & DESIGN	35,600	35,600
Air National Guard	Unspecified Worldwide Locations	UNSPECIFIED MINOR CONSTRUCTION	63,122	63,122
Subtotal Military Construction, Air National Guard			178,722	322,292
AIR FORCE RESERVE				
	Arizona			
Air Force Reserve	Davis-Monthan Air Force Base	GUARDIAN ANGEL POTFF FACILITY	0	8,500
	California			
Air Force Reserve	March Air Reserve Base	KC-46 ADD/ALTER B1244 FUT/CARGO PALLET STORAGE	17,000	17,000
Air Force Reserve	March Air Reserve Base	KC-46 ADD/ALTER B6000 SIMULATOR FACILITY	8,500	8,500
Air Force Reserve	March Air Reserve Base	KC-46 TWO BAY MAINTENANCE/FUEL HANGAR	201,000	201,000
	Guam			
Air Force Reserve	Joint Region Marianas	AERIAL PORT FACILITY	27,000	27,000
	Louisiana			
Air Force Reserve	Barksdale Air Force Base	307 BW MEDICAL FACILITY ADDITION	0	7,000
	Ohio			
Air Force Reserve	Youngstown Air Reserve Station	BASE FIRE STATION (P&D)	0	2,500
	Texas			
Air Force Reserve	Naval Air Station Joint Reserve Base Fort Worth	LRS WAREHOUSE	16,000	16,000
	Worldwide Unspecified			
Air Force Reserve	Unspecified Worldwide Locations	PLANNING & DESIGN	12,146	12,146
Air Force Reserve	Unspecified Worldwide Locations	UNSPECIFIED MINOR MILITARY CONSTRUCTION	9,926	9,926
Subtotal Military Construction, Air Force Reserve			291,572	309,572
NATO SECURITY INVESTMENT PROGRAM				
	Worldwide Unspecified			
NATO	NATO Security Investment Program	NATO SECURITY INVESTMENT PROGRAM	293,434	293,434

SEC. 4601. MILITARY CONSTRUCTION (In Thousands of Dollars)				
Account	State/Country and Installation	Project Title	FY 2024 Request	Senate Authorized
Subtotal NATO Security Investment Program			293,434	293,434
INDOPACIFIC COMBATANT COMMAND				
MILCON, INDOPACOM	Worldwide Unspecified Unspecified Worldwide Locations	INDOPACOM MILITARY CONSTRUCTION PILOT PROGRAM	0	150,000
Subtotal Base Realignment and Closure—Defense-Wide			0	150,000
TOTAL INDOPACIFIC COMBATANT COMMAND			0	150,000
TOTAL MILITARY CONSTRUCTION			14,345,019	14,345,019
FAMILY HOUSING				
FAMILY HOUSING CONSTRUCTION, ARMY				
Fam Hsg Con, Army	Georgia Fort Eisenhower	FORT EISENHOWER MHPI EQUITY INVESTMENT	50,000	50,000
Fam Hsg Con, Army	Germany Baumholder	FAMILY HOUSING NEW CONSTRUCTION	78,746	78,746
Fam Hsg Con, Army	Kwajalein Kwajalein Atoll	FAMILY HOUSING REPLACEMENT CONSTRUCTION	98,600	98,600
Fam Hsg Con, Army	Missouri Fort Leonard Wood	FORT LEONARD WOOD MHPI EQUITY INVESTMENT	50,000	50,000
Fam Hsg Con, Army	Worldwide Unspecified Unspecified Worldwide Locations	FAMILY HOUSING P&D	27,549	27,549
Subtotal Family Housing Construction, Army			304,895	304,895
FAMILY HOUSING O&M, ARMY				
Fam Hsg O&M, Army	Worldwide Unspecified Unspecified Worldwide Locations	FURNISHINGS	12,121	12,121
Fam Hsg O&M, Army	Unspecified Worldwide Locations	HOUSING PRIVATIZATION SUPPORT	86,019	86,019
Fam Hsg O&M, Army	Unspecified Worldwide Locations	LEASING	112,976	112,976
Fam Hsg O&M, Army	Unspecified Worldwide Locations	MAINTENANCE	86,706	86,706
Fam Hsg O&M, Army	Unspecified Worldwide Locations	MANAGEMENT	41,121	41,121
Fam Hsg O&M, Army	Unspecified Worldwide Locations	MISCELLANEOUS	554	554
Fam Hsg O&M, Army	Unspecified Worldwide Locations	SERVICES	7,037	7,037
Fam Hsg O&M, Army	Unspecified Worldwide Locations	UTILITIES	38,951	38,951
Subtotal Family Housing Operation And Maintenance, Army			385,485	385,485
FAMILY HOUSING CONSTRUCTION, NAVY & MARINE CORPS				
Fam Hsg Con, Navy & Marine Corps	Guam Joint Region Marianas	REPLACE ANDERSEN HOUSING, PHASE 8	121,906	121,906
Fam Hsg Con, Navy & Marine Corps	Naval Support Activity Andersen	REPLACE ANDERSEN HOUSING (AF), PHASE 7	83,126	83,126
Fam Hsg Con, Navy & Marine Corps	Worldwide Unspecified Unspecified Worldwide Locations	DESIGN, WASHINGTON DC	4,782	4,782
Fam Hsg Con, Navy & Marine Corps	Unspecified Worldwide Locations	IMPROVEMENTS, WASHINGTON DC	57,740	57,740
Fam Hsg Con, Navy & Marine Corps	Unspecified Worldwide Locations	USMC DPRI/GUAM PLANNING & DESIGN	9,588	9,588
Subtotal Family Housing Construction, Navy & Marine Corps			277,142	277,142
FAMILY HOUSING O&M, NAVY & MARINE CORPS				
Fam Hsg O&M, Navy & Marine Corps	Worldwide Unspecified Unspecified Worldwide Locations	FURNISHINGS	17,744	17,744
Fam Hsg O&M, Navy & Marine Corps	Unspecified Worldwide Locations	HOUSING PRIVATIZATION SUPPORT	65,655	65,655

SEC. 4601. MILITARY CONSTRUCTION (In Thousands of Dollars)				
Account	State/Country and Installation	Project Title	FY 2024 Request	Senate Authorized
<i>Pam Hsg O&M, Navy & Marine Corps</i>	<i>Unspecified Worldwide Locations</i>	<i>LEASING</i>	60,214	60,214
<i>Pam Hsg O&M, Navy & Marine Corps</i>	<i>Unspecified Worldwide Locations</i>	<i>MAINTENANCE</i>	101,356	101,356
<i>Pam Hsg O&M, Navy & Marine Corps</i>	<i>Unspecified Worldwide Locations</i>	<i>MANAGEMENT</i>	61,896	61,896
<i>Pam Hsg O&M, Navy & Marine Corps</i>	<i>Unspecified Worldwide Locations</i>	<i>MISCELLANEOUS</i>	419	419
<i>Pam Hsg O&M, Navy & Marine Corps</i>	<i>Unspecified Worldwide Locations</i>	<i>SERVICES</i>	13,250	13,250
<i>Pam Hsg O&M, Navy & Marine Corps</i>	<i>Unspecified Worldwide Locations</i>	<i>UTILITIES</i>	43,320	43,320
Subtotal Family Housing Operation & Maintenance, Navy & Marine Corps ...			363,854	363,854
FAMILY HOUSING CONSTRUCTION, AIR FORCE				
<i>Pam Hsg Con, Air Force</i>	<i>Alabama</i> <i>Maxwell Air Force Base</i>	<i>MHIPI RESTRUCTURE-AETC GROUP II</i>	65,000	65,000
<i>Pam Hsg Con, Air Force</i>	<i>Colorado</i> <i>U.S. Air Force Academy</i>	<i>CONSTRUCTION IMPROVEMENT—CARLTON HOUSE</i>	9,282	9,282
<i>Pam Hsg Con, Air Force</i>	<i>Hawaii</i> <i>Joint Base Pearl Harbor-Hickam</i>	<i>MHIPI RESTRUCTURE-JOINT BASE PEARL HARBOR-HICKAM</i>	75,000	75,000
<i>Pam Hsg Con, Air Force</i>	<i>Mississippi</i> <i>Keesler Air Force Base</i>	<i>MHIPI RESTRUCTURE-SOUTHERN GROUP</i>	80,000	80,000
<i>Pam Hsg Con, Air Force</i>	<i>Worldwide Unspecified</i> <i>Unspecified Worldwide Locations</i>	<i>PLANNING & DESIGN</i>	7,815	7,815
Subtotal Family Housing Construction, Air Force			237,097	237,097
FAMILY HOUSING O&M, AIR FORCE				
<i>Pam Hsg O&M, Air Force</i>	<i>Worldwide Unspecified</i> <i>Unspecified Worldwide Locations</i>	<i>FURNISHINGS</i>	12,884	23,884
<i>Pam Hsg O&M, Air Force</i>	<i>Unspecified Worldwide Locations</i>	<i>HOUSING PRIVATIZATION SUPPORT</i>	31,803	31,803
<i>Pam Hsg O&M, Air Force</i>	<i>Unspecified Worldwide Locations</i>	<i>LEASING</i>	5,143	5,143
<i>Pam Hsg O&M, Air Force</i>	<i>Unspecified Worldwide Locations</i>	<i>MAINTENANCE</i>	135,410	124,410
<i>Pam Hsg O&M, Air Force</i>	<i>Unspecified Worldwide Locations</i>	<i>MANAGEMENT</i>	68,023	68,023
<i>Pam Hsg O&M, Air Force</i>	<i>Unspecified Worldwide Locations</i>	<i>MISCELLANEOUS</i>	2,377	2,377
<i>Pam Hsg O&M, Air Force</i>	<i>Unspecified Worldwide Locations</i>	<i>SERVICES</i>	10,692	10,692
<i>Pam Hsg O&M, Air Force</i>	<i>Unspecified Worldwide Locations</i>	<i>UTILITIES</i>	48,054	48,054
Subtotal Family Housing Operation And Maintenance, Air Force			314,386	314,386
FAMILY HOUSING O&M, DEFENSE-WIDE				
<i>Pam Hsg O&M, Defense-Wide</i>	<i>Worldwide Unspecified</i> <i>Unspecified Worldwide Locations</i>	<i>FURNISHINGS</i>	673	673
<i>Pam Hsg O&M, Defense-Wide</i>	<i>Unspecified Worldwide Locations</i>	<i>FURNISHINGS</i>	89	89
<i>Pam Hsg O&M, Defense-Wide</i>	<i>Unspecified Worldwide Locations</i>	<i>LEASING</i>	32,042	32,042
<i>Pam Hsg O&M, Defense-Wide</i>	<i>Unspecified Worldwide Locations</i>	<i>LEASING</i>	13,658	13,658
<i>Pam Hsg O&M, Defense-Wide</i>	<i>Unspecified Worldwide Locations</i>	<i>MAINTENANCE</i>	35	35
<i>Pam Hsg O&M, Defense-Wide</i>	<i>Unspecified Worldwide Locations</i>	<i>UTILITIES</i>	4,273	4,273
<i>Pam Hsg O&M, Defense-Wide</i>	<i>Unspecified Worldwide Locations</i>	<i>UTILITIES</i>	15	15
Subtotal Family Housing Operation And Maintenance, Defense-Wide			50,785	50,785

SEC. 4601. MILITARY CONSTRUCTION (In Thousands of Dollars)				
Account	State/Country and Installation	Project Title	FY 2024 Request	Senate Authorized
FAMILY HOUSING IMPROVEMENT FUND				
Family Housing Improvement Fund	Worldwide Unspecified Unspecified Worldwide Locations	ADMINISTRATIVE EXPENSES—FHIF	6,611	6,611
Subtotal Family Housing Improvement Fund			6,611	6,611
UNACCOMPANIED HOUSING IMPROVEMENT FUND				
Unaccompanied Housing Improvement Fund	Worldwide Unspecified Unspecified Worldwide Locations	ADMINISTRATIVE EXPENSES—UHIF	496	496
Subtotal Unaccompanied Housing Improvement Fund			496	496
TOTAL FAMILY HOUSING			1,940,751	1,940,751
DEFENSE BASE REALIGNMENT AND CLOSURE				
BASE REALIGNMENT AND CLOSURE, ARMY				
BRAC, Army	Worldwide Unspecified Unspecified Worldwide Locations	BASE REALIGNMENT AND CLOSURE	150,640	150,640
Subtotal Base Realignment and Closure—Army			150,640	150,640
BASE REALIGNMENT AND CLOSURE, NAVY				
BRAC, Navy	Worldwide Unspecified Unspecified Worldwide Locations	BASE REALIGNMENT AND CLOSURE	108,818	108,818
Subtotal Base Realignment and Closure—Navy			108,818	108,818
BASE REALIGNMENT AND CLOSURE, AIR FORCE				
BRAC, Air Force	Worldwide Unspecified Unspecified Worldwide Locations	BASE REALIGNMENT AND CLOSURE	123,990	123,990
Subtotal Base Realignment and Closure—Air Force			123,990	123,990
BASE REALIGNMENT AND CLOSURE, DEFENSE-WIDE				
BRAC, Defense-Wide	Worldwide Unspecified Unspecified Worldwide Locations	INT-4: DLA ACTIVITIES	5,726	5,726
Subtotal Base Realignment and Closure—Defense-Wide			5,726	5,726
TOTAL DEFENSE BASE REALIGNMENT AND CLOSURE			389,174	389,174
TOTAL MILITARY CONSTRUCTION, FAMILY HOUSING, AND BRAC			16,674,944	16,674,944

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 2024 Request	Senate Authorized	
Discretionary Summary by Appropriation			
Energy and Water Development and Related Agencies			
Appropriation Summary:			
Energy Programs			
Nuclear Energy	177,733	177,733	

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS (In Thousands of Dollars)		
Program	FY 2024 Request	Senate Authorized
Atomic Energy Defense Activities		
National Nuclear Security Administration:		
Weapons Activities	18,832,947	19,108,947
Defense Nuclear Nonproliferation	2,508,959	2,483,959
Naval Reactors	1,964,100	1,964,100
Federal Salaries and Expenses	538,994	538,994
Total, National Nuclear Security Administration	23,845,000	24,096,000
Defense Environmental Cleanup	7,073,587	7,073,587
Defense Uranium Enrichment D&D	427,000	0
Other Defense Activities	1,075,197	1,075,197
Total, Atomic Energy Defense Activities	32,420,784	32,244,784
Total, Discretionary Funding	32,598,517	32,422,517
Nuclear Energy		
Safeguards and security	177,733	177,733
Total, Nuclear Energy	177,733	177,733
National Nuclear Security Administration		
Weapons Activities		
Stockpile management		
Stockpile major modernization		
B61 Life extension program	449,850	449,850
W88 Alteration program	178,823	178,823
W80-4 Life extension program	1,009,929	1,009,929
W80-4 ALT Nuclear-armed sea-launched cruise missile	0	75,000
Program increase		(75,000)
W87-1 Modification Program	1,068,909	1,068,909
W93	389,656	389,656
Subtotal, Stockpile major modernization	3,097,167	3,172,167
Stockpile sustainment	1,276,578	1,276,578
Weapons dismantlement and disposition	53,718	53,718
Production operations	710,822	710,822
Nuclear enterprise assurance	66,614	66,614
Total, Stockpile management	5,204,899	5,279,899
Production Modernization		
Primary Capability Modernization		
Plutonium Modernization		
Los Alamos Plutonium Modernization		
Los Alamos Plutonium Operations	833,100	833,100
21-D-512 Plutonium Pit Production Project, LANL	670,000	670,000
15-D-302 TA-55 Reinvestments Project, Phase 3, LANL	30,000	30,000
07-D-220-04 Transuranic Liquid Waste Facility, LANL	0	0
04-D-125 Chemistry and Metallurgy Research Replacement Project, LANL	227,122	227,122
Subtotal, Los Alamos Plutonium Modernization	1,760,222	1,760,222
Savannah River Plutonium Modernization		
Savannah River Plutonium Operations	62,764	62,764
21-D-511 Savannah River Plutonium Processing Facility, SRS	858,235	858,235
Subtotal, Savannah River Plutonium Modernization	920,999	920,999
Enterprise Plutonium Support	87,779	87,779
Total, Plutonium Modernization	2,769,000	2,769,000
High Explosives & Energetics		
High Explosives & Energetics	93,558	93,558
23-D-516 Energetic Materials Characterization Facility, LANL	0	19,000
Restore project		(19,000)
21-D-510 HE Synthesis, Formulation, and Production, PX ..	0	110,000
Restore project		(110,000)
15-D-301 HE Science & Engineering Facility, PX	101,356	101,356
Subtotal, High Explosives & Energetics	194,914	323,914
Total, Primary Capability Modernization	2,963,914	3,092,914

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS (In Thousands of Dollars)		
Program	FY 2024 Request	Senate Authorized
Secondary Capability Modernization		
Secondary Capability Modernization	666,914	666,914
18-D-690 Lithium Processing Facility, Y-12	210,770	210,770
06-D-141 Uranium Processing Facility, Y-12	760,000	760,000
Total, Secondary Capability Modernization	1,637,684	1,637,684
Tritium and Domestic Uranium Enrichment		
Tritium and Domestic Uranium Enrichment	592,992	592,992
18-D-650 Tritium Finishing Facility, SRS	0	0
Total, Tritium and Domestic Uranium Enrichment	592,992	592,992
Non-Nuclear Capability Modernization		
Non-Nuclear Capability Modernization	166,990	166,990
22-D-513 Power Sources Capability, SNL	37,886	37,886
Total, Non-Nuclear Capability Modernization	204,876	204,876
Capability Based Investments	156,462	156,462
Total, Production Modernization	5,555,928	5,684,928
Stockpile research, technology, and engineering		
Assessment Science		
Assessment Science	917,751	926,751
Program increase for Krypton Fluoride laser		(9,000)
14-D-640 U1a Complex Enhancements Project, NNSS	126,570	126,570
Total, Assessment Science	1,044,321	1,053,321
Engineering and integrated assessments	440,456	440,456
Inertial confinement fusion	601,650	641,650
Program increase		(40,000)
Advanced simulation and computing	782,472	792,472
Program increase		(10,000)
Weapon technology and manufacturing maturation	327,745	327,745
Academic programs	152,271	152,271
Total, Stockpile research, technology, and engineering	3,348,915	3,407,915
Infrastructure and operations		
Operating		
Operations of facilities	1,053,000	1,053,000
Safety and Environmental Operations	139,114	139,114
Maintenance and Repair of Facilities	718,000	718,000
Recapitalization		
Infrastructure and Safety	650,012	650,012
Subtotal, Recapitalization	650,012	650,012
Total, Operating	2,560,126	2,560,126
Mission enabling construction		
22-D-510 Analytic Gas Laboratory, PX	35,000	35,000
22-D-511 Plutonium Production Building, LANL	48,500	48,500
22-D-512 TA-46 Protective Force Facility, LANL	48,500	48,500
22-D-517 Electrical Power Capacity Upgrade, LANL	75,000	75,000
22-D-518 Plutonium Modernization Ops & Waste Mngmt Office Bldg, LANL	0	0
23-D-519 Special Material Facility, Y-12	0	0
Total, Mission enabling construction	207,000	207,000
Total, Infrastructure and operations	2,767,126	2,767,126
Secure transportation asset		
Operations and equipment	239,008	239,008
Program direction	118,056	118,056
Total, Secure transportation asset	357,064	357,064
Defense nuclear security		
Operations and maintenance	988,756	991,756
Program increase		(3,000)
Construction:		
17-D-710 West End Protected Area Reduction Project, Y-12	28,000	38,000
Program increase		(10,000)
Subtotal, Construction	28,000	38,000
Total, Defense nuclear security	1,016,756	1,029,756
Information technology and cybersecurity	578,379	578,379
Legacy contractor pensions	65,452	65,452
Total, Weapons Activities	18,894,519	19,170,519
Adjustments		

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2024 Request	Senate Authorized
Use of prior year balances	-61,572	-61,572
Total, Adjustments	-61,572	-61,572
Total, Weapons Activities	18,832,947	19,108,947
Defense Nuclear Nonproliferation		
Material Management and Minimization		
Conversion (formerly HEU Reactor Conversion)	116,675	116,675
Nuclear material removal	47,100	47,100
Material disposition	282,250	282,250
Total, Material Management and Minimization	446,025	446,025
Global Material Security		
International nuclear security	84,707	84,707
Radiological security	258,033	258,033
Nuclear smuggling detection and deterrence	181,308	181,308
Total, Global Material Security	524,048	524,048
Nonproliferation and Arms Control	212,358	212,358
Defense Nuclear Nonproliferation R&D		
Proliferation detection	290,388	290,388
Nonproliferation stewardship program	107,437	107,437
Nuclear detonation detection	285,603	285,603
Forensics R&D	44,759	44,759
Nonproliferation fuels development	0	0
Total, Defense Nuclear Nonproliferation R&D	728,187	728,187
Nonproliferation Construction:		
18-D-150 Surplus Plutonium Disposition Project, SRS	77,211	77,211
Total, Nonproliferation Construction	77,211	77,211
NNSA Bioassurance Program	25,000	0
Program reduction		(-25,000)
Legacy contractor pensions	22,587	22,587
Nuclear Counterterrorism and Incident Response Program		
Emergency Operations	19,123	19,123
Counterterrorism and Counterproliferation	474,420	474,420
Total, Nuclear Counterterrorism and Incident Response Program	493,543	493,543
Subtotal, Defense Nuclear Nonproliferation	2,528,959	2,503,959
Adjustments		
Use of prior year balances	-20,000	-20,000
Total, Adjustments	-20,000	-20,000
Total, Defense Nuclear Nonproliferation	2,508,959	2,483,959
Naval Reactors		
Naval reactors development	838,340	838,340
Columbia-Class reactor systems development	52,900	52,900
S5G Prototype refueling	0	0
Naval reactors operations and infrastructure	712,036	712,036
Program direction	61,540	61,540
Construction:		
22-D-533 BL Component Test Complex	0	0
22-D-531 KL Chemistry & Radiological Health Building	10,400	10,400
21-D-530 KL Steam and Condensate Upgrade	53,000	53,000
14-D-901 Spent Fuel Handling Recapitalization Project, NRF	199,300	199,300
24-D-530 NRF Medical Science Complex	36,584	36,584
Total, Construction	299,284	262,700
Total, Naval Reactors	1,964,100	1,964,100
Federal Salaries and Expenses		
Program direction	538,994	538,994
Use of prior year balances	0	0
Total, Federal Salaries and Expenses	538,994	538,994
TOTAL, National Nuclear Security Administration	23,845,000	24,096,000
Defense Environmental Cleanup		
Closure sites administration	3,023	3,023
Richland		

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2024 Request	Senate Authorized
<i>River corridor and other cleanup operations</i>	180,000	180,000
<i>Central plateau remediation</i>	684,289	684,289
<i>Richland community and regulatory support</i>	10,100	10,100
<i>18-D-404 Modification of Waste Encapsulation and Storage Facility</i>	0	0
<i>22-D-401 L-888 Eastern Plateau Fire Station</i>	7,000	7,000
<i>22-D-402 L-897 200 Area Water Treatment Facility</i>	11,200	11,200
<i>23-D-404 181D Export Water System Reconfiguration and Upgrade</i>	27,149	27,149
<i>23-D-405 181B Export Water System Reconfiguration and Upgrade</i>	462	462
<i>24-D-401 Environmental Restoration Disposal Facility Supercell 11 Expans Proj</i>	1,000	1,000
Total, Richland	921,200	921,200
Office of River Protection:		
<i>Waste Treatment Immobilization Plant Commissioning</i>	466,000	466,000
<i>Rad liquid tank waste stabilization and disposition</i>	813,625	813,625
Construction:		
<i>23-D-403 Hanford 200 West Area Tank Farms Risk Management Project</i>	15,309	15,309
<i>15-D-409 Low Activity Waste Pretreatment System</i>	60,000	60,000
<i>18-D-16 Waste Treatment and Immobilization Plant—LBL/Di- rect feed LAW</i>	0	0
<i>01-D-16D High-Level Waste Facility</i>	600,000	600,000
<i>01-D-16E Pretreatment Facility</i>	20,000	20,000
Subtotal, Construction	695,309	695,309
<i>ORP Low-level waste offsite disposal</i>	0	0
Total, Office of River Protection	1,974,934	1,974,934
Idaho National Laboratory:		
<i>Idaho cleanup and waste disposition</i>	377,623	377,623
<i>Idaho community and regulatory support</i>	2,759	2,759
Construction:		
<i>22-D-403 Idaho Spent Nuclear Fuel Staging Facility</i>	10,159	10,159
<i>22-D-404 Adtl ICDF Landfill Disposal Cell and Evaporation Ponds Project</i>	46,500	46,500
<i>22-D-402 Calcine Construction</i>	10,000	10,000
Subtotal, Construction	66,659	66,659
Total, Idaho National Laboratory	447,041	447,041
NNSA sites and Nevada off-sites		
<i>Lawrence Livermore National Laboratory</i>	1,879	1,879
<i>LLNL Excess Facilities D&D</i>	20,195	20,195
<i>Separations Processing Research Unit</i>	15,300	15,300
<i>Nevada Test Site</i>	61,952	61,952
<i>Sandia National Laboratory</i>	2,264	2,264
<i>Los Alamos National Laboratory</i>	273,831	273,831
<i>Los Alamos Excess Facilities D&D</i>	13,648	13,648
Total, NNSA sites and Nevada off-sites	389,069	389,069
Oak Ridge Reservation:		
<i>OR Nuclear Facility D&D</i>	335,000	335,000
<i>U233 Disposition Program</i>	55,000	55,000
<i>OR cleanup and waste disposition</i>	72,000	72,000
Construction:		
<i>14-D-403 Outfall 200 Mercury Treatment Facility</i>	10,000	10,000
<i>17-D-401 On-site Waste Disposal Facility</i>	24,500	24,500
Subtotal, Construction	34,500	34,500
<i>OR community & regulatory support</i>	5,500	5,500
<i>OR technology development and deployment</i>	3,000	3,000
Total, Oak Ridge Reservation	505,000	505,000
Savannah River Site:		
<i>Savannah River risk management operations</i>	453,109	453,109
<i>Savannah River legacy pensions</i>	65,898	65,898
<i>Savannah River community and regulatory support</i>	12,389	12,389
<i>Savannah River National Laboratory O&M</i>	42,000	42,000
Construction:		
<i>20-D-401 Saltstone Disposal Unit #10, 11, 12</i>	56,250	56,250
<i>19-D-701 SR Security Systems Replacement</i>	0	0
<i>18-D-401 Saltstone Disposal Unit #8, 9</i>	31,250	31,250
<i>18-D-402 Emergency Operations Center Replacement, SR</i>	34,733	34,733

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS (In Thousands of Dollars)		
Program	FY 2024 Request	Senate Authorized
Subtotal, Construction	122,233	122,233
Radioactive liquid tank waste stabilization	880,323	880,323
Total, Savannah River Site	1,575,952	1,575,952
Waste Isolation Pilot Plant		
Waste Isolation Pilot Plant	369,961	369,961
Construction:		
15-D-411 Safety Significant Confinement Ventilation System, WIPP	44,365	44,365
15-D-412 Utility Shaft, WIPP	50,000	50,000
Total, Construction	94,365	94,365
Total, Waste Isolation Pilot Plant	464,326	464,326
Program direction—Defense Environmental Cleanup	326,893	326,893
Program support—Defense Environmental Cleanup	103,504	103,504
Safeguards and Security—Defense Environmental Cleanup	332,645	332,645
Technology development and deployment	30,000	30,000
Subtotal, Defense Environmental Cleanup	7,073,587	7,073,587
TOTAL, Defense Environmental Cleanup	7,073,587	7,073,587
Defense Uranium Enrichment D&D	427,000	0
Program reduction		(-427,000)
Other Defense Activities		
Environment, health, safety and security		
Environment, health, safety and security mission support	144,705	144,705
Program direction	86,558	86,558
Total, Environment, health, safety and security	231,263	231,263
Office of Enterprise Assessments		
Enterprise assessments	30,022	30,022
Program direction	64,132	64,132
Total, Office of Enterprise Assessments	94,154	94,154
Specialized security activities	345,330	345,330
Legacy Management		
Legacy Management Activities—Defense	173,681	173,681
Program Direction	22,621	22,621
Total, Legacy Management	196,302	196,302
Defense-Related Administrative Support	203,649	203,649
Office of Hearings and Appeals	4,499	4,499
Subtotal, Other Defense Activities	1,075,197	1,075,197
Use of prior year balances	0	0
Total, Other Defense Activities	1,075,197	1,075,197

1 ***DIVISION E—ADDITIONAL***
2 ***PROVISIONS***
3 ***TITLE LI—PROCUREMENT***
4 ***Subtitle D—Air Force Programs***

5 ***SEC. 5131. INVENTORY OF C-130 AIRCRAFT.***

6 (a) *MINIMUM INVENTORY REQUIREMENT.*—Section
7 146(a)(3)(B) of the James M. Inhofe National Defense Au-

1 *thorization Act for Fiscal Year 2023 (Public Law 117–263;*
 2 *136 Stat. 2455) is amended by striking “2023” and insert-*
 3 *ing “2024”.*

4 *(b) PROHIBITION ON REDUCTION OF C–130 AIRCRAFT*
 5 *ASSIGNED TO NATIONAL GUARD.—Section 146(b)(1) of the*
 6 *James M. Inhofe National Defense Authorization Act for*
 7 *Fiscal Year 2023 (Public Law 117–263; 136 Stat. 2455)*
 8 *is amended by striking “fiscal year 2023” and inserting*
 9 *“fiscal years 2023 and 2024”.*

10 **SEC. 5132. EXTENSION OF PROHIBITION ON CERTAIN RE-**
 11 **DUCTIONS TO B–1 BOMBER AIRCRAFT SQUAD-**
 12 **IONS.**

13 *Section 133(c)(1) of the National Defense Authoriza-*
 14 *tion Act for Fiscal Year 2022 (Public Law 117–81; 135*
 15 *Stat. 1574) is amended by striking “September 30, 2023”*
 16 *and inserting “September 30, 2026”.*

17 **SEC. 5133. PROHIBITION ON DIVESTMENT OF F–15E AIR-**
 18 **CRAFT.**

19 *None of the funds authorized to be appropriated by this*
 20 *Act for any of fiscal years 2024 through 2029 may be obli-*
 21 *gated or expended to divest any F–15E aircraft.*

1 ***TITLE LII—RESEARCH, DEVELOP-***
 2 ***MENT, TEST, AND EVALUA-***
 3 ***TION***

4 ***SEC. 5201. APPLICATION OF PUBLIC-PRIVATE TALENT EX-***
 5 ***CHANGE PROGRAMS IN THE DEPARTMENT OF***
 6 ***DEFENSE TO QUANTUM INFORMATION***
 7 ***SCIENCES AND TECHNOLOGY RESEARCH.***

8 *In carrying out section 1599g of title 10, United States*
 9 *Code, the Secretary of Defense may establish public-private*
 10 *exchange programs, each with up to 10 program partici-*
 11 *pants, focused on private sector entities working on quan-*
 12 *tum information sciences and technology research applica-*
 13 *tions.*

14 ***SEC. 5202. BRIEFING ON SCIENCE, MATHEMATICS, AND RE-***
 15 ***SEARCH FOR TRANSFORMATION (SMART) DE-***
 16 ***FENSE EDUCATION PROGRAM.***

17 *Not later than three years after the date of the enact-*
 18 *ment of this Act, the Secretary of Defense shall provide Con-*
 19 *gress with a briefing on participation and use of the pro-*
 20 *gram under section 4093 of title 10, United States Code,*
 21 *with a particular focus on levels of interest from students*
 22 *engaged in studying quantum fields.*

1 **SEC. 5203. IMPROVEMENTS TO DEFENSE QUANTUM INFOR-**
 2 **MATION SCIENCE AND TECHNOLOGY RE-**
 3 **SEARCH AND DEVELOPMENT PROGRAM.**

4 (a) *FELLOWSHIP PROGRAM AUTHORIZED.*—Section
 5 234 of the John S. McCain National Defense Authorization
 6 Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C.
 7 4001 note) 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) *FELLOWSHIPS.*—

13 “(1) *PROGRAM AUTHORIZED.*—In carrying out
 14 the program required by subsection (a) and subject to
 15 the availability of appropriations to carry out this
 16 subsection, the Secretary may carry out a program of
 17 fellowships in quantum information science and tech-
 18 nology research and development for individuals who
 19 have a graduate or post-graduate degree.

20 “(2) *EQUAL ACCESS.*—In carrying out the pro-
 21 gram under paragraph (1), the Secretary may estab-
 22 lish procedures to ensure that minority, geographi-
 23 cally diverse, and economically disadvantaged stu-
 24 dents have equal access to fellowship opportunities
 25 under such program.”.

1 (b) *MULTIDISCIPLINARY PARTNERSHIPS WITH UNI-*
 2 *VERSITIES.*—*Such section is further amended—*

3 (1) *by redesignating subsection (g), as redesign-*
 4 *ated by subsection (a)(1), as subsection (h); and*

5 (2) *by inserting after subsection (f), as added by*
 6 *subsection (a)(2), the following new subsection (g):*

7 “(g) *MULTIDISCIPLINARY PARTNERSHIPS WITH UNI-*
 8 *VERSITIES.*—*In carrying out the program under subsection*
 9 *(a), the Secretary of Defense may develop partnerships with*
 10 *universities to enable students to engage in multidisci-*
 11 *plinary courses of study.”.*

12 **SEC. 5204. IMPROVEMENTS TO NATIONAL QUANTUM INITIA-**
 13 **TIVE PROGRAM.**

14 (a) *INVOLVEMENT OF DEPARTMENT OF DEFENSE AND*
 15 *INTELLIGENCE COMMUNITY IN NATIONAL QUANTUM INITIA-*
 16 *TIVE ADVISORY COMMITTEE.*—

17 (1) *QUALIFICATIONS.*—*Subsection (b) of section*
 18 *104 of the National Quantum Initiative Act (15*
 19 *U.S.C. 8814) is amended by striking “and Federal*
 20 *laboratories” and inserting “Federal laboratories, and*
 21 *intelligence researchers”.*

22 (2) *INTEGRATION.*—*Such section is amended—*

23 (A) *by redesignating subsections (e) through*
 24 *(g) as subsection (f) through (h), respectively;*
 25 *and*

1 (B) by inserting after subsection (d) the fol-
 2 lowing new subsection (e):

3 “(e) *INTEGRATION OF DEPARTMENT OF DEFENSE AND*
 4 *INTELLIGENCE COMMUNITY.—The Advisory Committee*
 5 *shall take such actions as may be necessary, including by*
 6 *modifying policies and procedures of the Advisory Com-*
 7 *mittee, to ensure the full integration of the Department of*
 8 *Defense and the intelligence community (as defined in sec-*
 9 *tion 3 of the National Security Act of 1947 (50 U.S.C.*
 10 *3003)) in activities of the Advisory Committee.”.*

11 (b) *CLARIFICATION OF PURPOSE OF MULTIDISCI-*
 12 *PLINARY CENTERS FOR QUANTUM RESEARCH AND EDU-*
 13 *CATION.—Section 302(c) of the National Quantum Initia-*
 14 *tive Act (15 U.S.C. 8842(c)) is amended—*

15 (1) *in paragraph (2), by striking “; and” and*
 16 *inserting a semicolon;*

17 (2) *in paragraph (3), by striking the period at*
 18 *the end and inserting “; and”; and*

19 (3) *by adding at the end the following new para-*
 20 *graph:*

21 “(4) *encouraging workforce collaboration, both*
 22 *with private industry and among Federal entities, in-*
 23 *cluding Department of Defense components and the*
 24 *intelligence community (as defined in section 3 of the*
 25 *National Security Act of 1947 (50 U.S.C. 3003)).”.*

1 (c) *COORDINATION OF NATIONAL QUANTUM INFORMA-*
 2 *TION SCIENCE RESEARCH CENTERS.*—Section 402(d) of the
 3 *National Quantum Initiative Act (15 U.S.C. 8852(d))* is
 4 amended—

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

7 (2) *by inserting after paragraph (1) the fol-*
 8 *lowing new paragraph (2):*

9 “(2) *other research entities of the Federal govern-*
 10 *ment, including research entities in the intelligence*
 11 *community (as defined in section 3 of the National*
 12 *Security Act of 1947 (50 U.S.C. 3003));”.*

13 (d) *NATIONAL QUANTUM COORDINATION OFFICE, COL-*
 14 *LABORATION WHEN REPORTING TO CONGRESS.*—Section
 15 *102 of the National Quantum Initiative Act (15 U.S.C.*
 16 *8812)* is amended—

17 (1) *by redesignating subsection (c) as subsection*
 18 *(d); and*

19 (2) *by inserting after subsection (b) the following*
 20 *new subsection (c):*

21 “(c) *COLLABORATION WHEN REPORTING TO CON-*
 22 *GRESS.*—*The Coordination Office shall ensure that when*
 23 *participants in the National Quantum Initiative Program*
 24 *prepare and submit reports to Congress that they do so in*

1 *collaboration with each other and as appropriate Federal*
 2 *civilian, defense, and intelligence research entities.”.*

3 *(e) REPORTING TO ADDITIONAL COMMITTEES OF CON-*
 4 *GRESS.—Paragraph (2) of section 2 of such Act (15 U.S.C.*
 5 *8801) is amended to read as follows:*

6 *“(2) APPROPRIATE COMMITTEES OF CON-*
 7 *GRESS.—The term ‘appropriate committees of Con-*
 8 *gress’ means—*

9 *“(A) the Committee on Commerce, Science,*
 10 *and Transportation, the Committee on Energy*
 11 *and Natural Resources, the Committee on Armed*
 12 *Services, and the Select Committee on Intel-*
 13 *ligence of the Senate; and*

14 *“(B) the Committee on Energy and Com-*
 15 *merce, the Committee on Science, Space, and*
 16 *Technology, the Committee on Armed Services,*
 17 *and the Permanent Select Committee on Intel-*
 18 *ligence of the House of Representatives.”.*

19 **SEC. 5205. ANNUAL REVIEW OF STATUS OF IMPLEMENTA-**
 20 **TION PLAN FOR DIGITAL ENGINEERING CA-**
 21 **REER TRACKS.**

22 *(a) ANNUAL REVIEW AND REPORT REQUIRED.—Not*
 23 *less frequently than once each year until December 31, 2029,*
 24 *the Secretary of Defense shall—*

1 (1) *conduct an internal review of the status of*
 2 *the implementation of the plan submitted pursuant to*
 3 *section 230(b) of the National Defense Authorization*
 4 *Act for Fiscal Year 2020 (Public Law 116–92; 10*
 5 *U.S.C. note prec. 501); and*

6 (2) *submit to the congressional defense commit-*
 7 *tees—*

8 (A) *a summary of the status described in*
 9 *paragraph (1);*

10 (B) *a report on the findings of the Sec-*
 11 *retary with respect to the most recent review con-*
 12 *ducted pursuant to such paragraph; and*

13 (C) *a plan for how the Department of De-*
 14 *fense will plan for digital engineering personnel*
 15 *needs in the coming years.*

16 (b) *CONSIDERATION.—The review conducted pursuant*
 17 *to subsection (a)(1) shall include consideration of the rapid*
 18 *rate of technological change in data science and machine*
 19 *learning.*

20 **SEC. 5206. RAPID RESPONSE TO EMERGENT TECHNOLOGY**
 21 **ADVANCEMENTS OR THREATS.**

22 (a) *AUTHORITIES.—Upon approval by the Secretary*
 23 *of Defense of a determination described in subsection (b),*
 24 *the Secretary of a military department may use the rapid*
 25 *acquisition and funding authorities established pursuant to*

1 *section 3601 of title 10, United States Code, to initiate ur-*
2 *gent or emerging operational development activities for a*
3 *period of up to one year, in order to—*

4 (1) *leverage an emergent technological advance-*
5 *ment of value to the national defense to address a*
6 *military service-specific need; or*

7 (2) *provide a rapid response to an emerging*
8 *threat identified by a military service.*

9 (b) *DETERMINATION.*—*A determination described in*
10 *this subsection is a determination by the Secretary of a*
11 *military department submitted in writing to the Secretary*
12 *of Defense that provides the following:*

13 (1) *Identification of a compelling urgent or*
14 *emergency national security need to immediately ini-*
15 *tiate development activity in anticipation of a pro-*
16 *gramming or budgeting action, in order to leverage*
17 *an emergent technological advancement or provide a*
18 *rapid response to an emerging threat.*

19 (2) *Justification for why the effort cannot be de-*
20 *layed until the next submission of the budget of the*
21 *President (under section 1105(a) of title 31, United*
22 *States Code) without harming the national defense.*

23 (3) *Funding is identified for the effort in the*
24 *current fiscal year to initiative the activity.*

1 (4) *An appropriate acquisition pathway and*
2 *programmed funding for transition to continued de-*
3 *velopment, integration, or sustainment is identified to*
4 *on-ramp this activity within two years.*

5 (c) *ADDITIONAL PROCEDURES.—*

6 (1) *IN GENERAL.—Not later than 180 days after*
7 *the date of the enactment of this Act, the Secretary of*
8 *Defense shall amend the procedures for the rapid ac-*
9 *quisition and deployment of capabilities needed in re-*
10 *sponse to urgent operational needs prescribed pursu-*
11 *ant to such section 3601 to carry out this section.*
12 *Such updated procedures shall be provided to the con-*
13 *gressional defense committees concurrently with the*
14 *promulgation to the rest of the Department of De-*
15 *fense.*

16 (2) *REQUIREMENTS TO BE INCLUDED.—The pro-*
17 *cedures amended under paragraph (1) shall include*
18 *the following requirements:*

19 (A) *FUNDING.—(i) Subject to clause (ii), in*
20 *any fiscal year in which a determination de-*
21 *scribed in subsection (b) is made, the Secretary*
22 *of the military department making the deter-*
23 *mination may initiate the activities authorized*
24 *under subsection (a) using any funds available*
25 *to the Secretary for such fiscal year for—*

1 (I) procurement; or

2 (II) research, development, test, and
3 evaluation.

4 (ii) The total cost of all developmental ac-
5 tivities within the Department of Defense, funded
6 under this section, may not exceed \$100,000,000
7 for any fiscal year.

8 (B) WAIVER AUTHORITY.—(i) Subject to
9 clause (ii), the Secretary of the military depart-
10 ment making a determination under subsection
11 (b) may issue a waiver under subsection (d) of
12 such section 3601.

13 (ii) Chapter 221 of title 10, United States
14 Code, may not be waived pursuant to clause (i).

15 (C) TRANSITION.—(i) Any acquisition ini-
16 tiated under subsection (a) shall transition to an
17 appropriate acquisition pathway for transition
18 and integration of the development activity, or
19 be transitioned to a newly established program
20 element or procurement line for completion of
21 such activity.

22 (ii)(I) Transition shall be completed within
23 one year of initiation, but may be extended one
24 time only at the discretion of the Secretary of the
25 military department for one additional year.

1 (II) *In the event an extension determination*
2 *is made under subclause (I), the affected Sec-*
3 *retary of the military department shall submit to*
4 *the congressional defense committees, not later*
5 *than 30 days before the extension takes effect,*
6 *written notification of the extension with a jus-*
7 *tification for the extension.*

8 (3) *SUBMITTAL TO CONGRESS.*—*Concurrent with*
9 *promulgation to the Department of the amendments*
10 *to the procedures under paragraph (1), the Secretary*
11 *shall submit to the congressional defense committees*
12 *the procedures update by such amendments.*

13 (d) *CONGRESSIONAL NOTIFICATION.*—*Within 15 days*
14 *after the Secretary of Defense approves a determination de-*
15 *scribed in subsection (b), the Secretary of the military de-*
16 *partment making the determination shall provide written*
17 *notification of such determination to the congressional de-*
18 *fense committees following the procedures for notification*
19 *in subsections (c)(4)(D) and (c)(4)(F) of such section 3601.*
20 *A notice under this subsection shall be sufficient to fulfill*
21 *any requirement to provide notification to Congress for a*
22 *new start program.*

1 ***TITLE LIII—OPERATION AND***
 2 ***MAINTENANCE***

3 ***Subtitle A—Briefings and Reports***

4 ***SEC. 5341. REPORT BY DEPARTMENT OF DEFENSE ON AL-***
 5 ***TERNATIVES TO BURN PITS.***

6 *Not later than 60 days after the date of the enactment*
 7 *of this Act, the Under Secretary of Defense for Acquisition*
 8 *and Sustainment shall submit to Congress a report on in-*
 9 *cinerators and waste-to-energy waste disposal alternatives*
 10 *to burn pits.*

11 ***TITLE LVI—COMPENSATION AND***
 12 ***OTHER PERSONNEL BENEFITS***

13 ***Subtitle C—Other Matters***

14 ***SEC. 5631. MODIFICATIONS TO TRANSITIONAL COMPENSA-***
 15 ***TION FOR DEPENDENTS OF MEMBERS SEPA-***
 16 ***RATED FOR DEPENDENT ABUSE.***

17 *(a) COVERED PUNITIVE ACTIONS.—Subsection (b) of*
 18 *section 1059 of title 10, United States Code, is amended—*

19 *(1) in paragraph (1)(B), by striking “; or” and*
 20 *inserting a semicolon;*

21 *(2) in paragraph (2), by striking the period at*
 22 *the end and inserting “; or”; and*

23 *(3) by adding at the end the following new para-*
 24 *graph:*

25 *“(3) who is—*

1 “(A) convicted of a dependent-abuse offense
2 in a district court of the United States or a
3 State court; and

4 “(B) separated from active duty pursuant
5 to a sentence of a court-martial, or administra-
6 tively separated, voluntarily or involuntarily,
7 from active duty, for an offense other than the
8 dependent-abuse offense.”.

9 (b) *COMMENCEMENT OF PAYMENT*.—Subsection (e)(1)
10 of such section is amended—

11 (1) in subparagraph (A)—

12 (A) in the matter preceding clause (i), by
13 inserting after “offense” the following: “or an of-
14 fense described in subsection (b)(3)(B)”; and

15 (B) in clause (ii), by striking “; and” and
16 inserting a semicolon; and

17 (2) in subparagraph (B), by striking “(if the
18 basis” and all that follows through “offense)”.

19 (c) *DEFINITION OF DEPENDENT CHILD*.—Subsection
20 (l) of such section is amended, in the matter preceding
21 paragraph (1)—

22 (1) by striking “resulting in the separation of
23 the former member or” and inserting “referred to in
24 subsection (b) or”; and

1 (2) *by striking “resulting in the separation of*
 2 *the former member and” and inserting “and”.*

3 (d) *DELEGATION OF DETERMINATIONS RELATING TO*
 4 *EXCEPTIONAL ELIGIBILITY.*—*Subsection (m)(4) of such sec-*
 5 *tion is amended to read as follows:*

6 “(4) *The Secretary concerned may delegate the author-*
 7 *ity under paragraph (1) to authorize eligibility for benefits*
 8 *under this section for dependents and former dependents of*
 9 *a member or former member to the first general or flag offi-*
 10 *cer (or civilian equivalent) in the chain of command of the*
 11 *member.”.*

12 **SEC. 5632. REPORT ON EFFECT OF PHASE-OUT OF REDUC-**
 13 **TION OF SURVIVOR BENEFIT PLAN SURVIVOR**
 14 **ANNUITIES BY AMOUNT OF DEPENDENCY**
 15 **AND INDEMNITY COMPENSATION.**

16 (a) *IN GENERAL.*—*The Secretary of Defense shall sub-*
 17 *mit to Congress a report on the effect of section 622 of the*
 18 *National Defense Authorization Act for Fiscal Year 2020*
 19 *(Public Law 116–92) and the amendments made by such*
 20 *section.*

21 (b) *CONTENTS.*—*The report submitted pursuant to*
 22 *subsection (a) shall include the following:*

23 (1) *An assessment on the effect that section 622*
 24 *of the National Defense Authorization Act for Fiscal*
 25 *Year 2020 (Public Law 116–92) and the amendments*

1 *made by such section had on beneficiaries and any*
2 *unintended consequences that were a result of such*
3 *section or amendments.*

4 *(2) An evaluation of the authority that the Sec-*
5 *retary has in a situation when the Defense Finance*
6 *Accounting Service cannot verify the eligibility of a*
7 *spouse and payments are paused for the child.*

8 *(3) Recommendations for legislative action to en-*
9 *sure the Secretary has the flexibility to make pay-*
10 *ments under subchapter II of chapter 73 of title 10,*
11 *United States Code, to dependent children that are*
12 *under the guardianship of someone other than the*
13 *surviving spouse.*

14 *(4) An assessment of the process of the Depart-*
15 *ment for determining eligibility for survivor benefits*
16 *under subchapter II of chapter 73 of title 10, United*
17 *States Code, and dependency and indemnity com-*
18 *penetration under chapter 13 of title 38, United States*
19 *Code, and the coordination between the Defense Fi-*
20 *nance Accounting Service and the Department of Vet-*
21 *erans Affairs for such benefits.*

1 ***TITLE LVII—HEALTH CARE***
 2 ***PROVISIONS***
 3 ***Subtitle A—TRICARE and Other***
 4 ***Health Care Benefits***

5 ***SEC. 5701. EXPANSION OF ELIGIBILITY FOR HEARING AIDS***
 6 ***TO INCLUDE CHILDREN OF CERTAIN RE-***
 7 ***TIRED MEMBERS OF THE UNIFORMED SERV-***
 8 ***ICES.***

9 *Paragraph (16) of section 1077(a) of title 10, United*
 10 *States Code, is amended to read as follows:*

11 “(16) *Except as provided by subsection (g), a*
 12 *hearing aid, but only if the dependent has a profound*
 13 *hearing loss, as determined under standards pre-*
 14 *scribed in regulations by the Secretary of Defense in*
 15 *consultation with the administering Secretaries, and*
 16 *only for the following dependents:*

17 “(A) *A dependent of a member of the uni-*
 18 *formed services on active duty.*

19 “(B) *A dependent under subparagraph (D)*
 20 *or (I) of section 1072(2) of this title of a former*
 21 *member of the uniformed services who—*

22 “(i) *is entitled to retired or retainer*
 23 *pay, or equivalent pay; and*

24 “(ii) *is enrolled in family coverage*
 25 *under TRICARE Prime.”.*

***Subtitle B—Health Care
Administration***

***SEC. 5711. MODIFICATION OF REQUIREMENT TO TRANSFER
RESEARCH AND DEVELOPMENT AND PUBLIC
HEALTH FUNCTIONS TO DEFENSE HEALTH
AGENCY.***

Section 720(a) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263; 10 U.S.C. 1073c note) is amended, in the matter preceding paragraph (1), by striking “February 1, 2024” and inserting “February 1, 2025”.

***Subtitle C—Reports and Other
Matters***

***SEC. 5721. REPORT ON MILITARY MENTAL HEALTH CARE
REFERRAL POLICIES.***

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report—

(1) detailing the mental health care referral policies of the Armed Forces; and

(2) the impact of removing primary care referral requirements for outpatient mental health care on—

(A) military readiness;

1 (B) the uptake of outpatient mental health
 2 care services by members of the Armed Forces;
 3 and

4 (C) suicide prevention.

5 (b) *RECOMMENDATIONS.*—The report required by sub-
 6 section (a) shall include recommendations and legislative
 7 proposals—

8 (1) to improve resources and access for out-
 9 patient mental health care services by members of the
 10 Armed Forces;

11 (2) to encourage the uptake of such services by
 12 such members; and

13 (3) to maintain military readiness.

14 **SEC. 5722. COMPTROLLER GENERAL STUDY ON BIO-**
 15 **MEDICAL RESEARCH AND DEVELOPMENT**
 16 **FUNDED BY DEPARTMENT OF DEFENSE.**

17 (a) *STUDY.*—The Comptroller General of the United
 18 States shall conduct a study on the management by the De-
 19 partment of Defense of biomedical research and development
 20 funded by the Department, including a review of—

21 (1) patents for drugs approved by the Food and
 22 Drug Administration that were supported with intra-
 23 mural or extramural funding from the Department;

24 (2) requirements of the Department for how
 25 grant recipients, contractors, and labs of the Depart-

1 *ment should disclose support by the Department in*
 2 *patents generated with funding from the Department;*
 3 *and*

4 *(3) the data systems of the Department for cata-*
 5 *loging information about patents generated with*
 6 *funding from the Department.*

7 *(b) BRIEFING.—Not later than March 31, 2024, the*
 8 *Comptroller General shall brief the Committees on Armed*
 9 *Services of the Senate and the House of Representatives on*
 10 *the study conducted under subsection (a).*

11 *(c) REPORT.—Not later than one year after the date*
 12 *of the enactment of this Act, the Comptroller General shall*
 13 *submit to the Committees on Armed Services of the Senate*
 14 *and the House of Representatives a report on the study con-*
 15 *ducted under subsection (a).*

16 **SEC. 5723. REPORT ON PROVISION OF MENTAL HEALTH**
 17 **SERVICES VIA TELEHEALTH TO MEMBERS OF**
 18 **THE ARMED FORCES AND THEIR DEPEND-**
 19 **ENTS.**

20 *Not later than March 31, 2024, the Secretary of De-*
 21 *fense shall submit to the Committees on Armed Services of*
 22 *the Senate and the House of Representatives a report on*
 23 *the provision by the Department of Defense of mental health*
 24 *services via telehealth that includes the following:*

1 (1) *A summary of relevant Federal and State*
 2 *laws and policies of the Department governing the*
 3 *provision of mental health services via telehealth to*
 4 *members of the Armed Forces and their dependents.*

5 (2) *An explanation of any challenges experienced*
 6 *by members of the Armed Forces and their dependents*
 7 *in receiving continuing care from a provider when*
 8 *assigned to a new State or location outside the United*
 9 *States.*

10 (3) *An assessment of the value of receiving con-*
 11 *tinuing care from the same mental health provider for*
 12 *various mental health conditions.*

13 (4) *A description of how the Department accom-*
 14 *modates members of the Armed Forces who would ben-*
 15 *efit from receiving continuing care from a specific*
 16 *mental health provider.*

17 (5) *Such other matters as the Secretary considers*
 18 *relevant.*

19 **SEC. 5724. EXPANSION OF DOULA CARE FURNISHED BY DE-**
 20 **PARTMENT OF DEFENSE.**

21 *The text of section 706 is hereby deemed to read as*
 22 *follows:*

1 **“SEC. 706 EXPANSION OF DOULA CARE FURNISHED BY DE-**
 2 **PARTMENT OF DEFENSE.**

3 “(a) *EXPANSION OF EXTRAMEDICAL MATERNAL*
 4 *HEALTH PROVIDERS DEMONSTRATION PROJECT.—Section*
 5 *746 of the William M. (Mac) Thornberry National Defense*
 6 *Authorization Act for Fiscal Year 2021 (Public Law 116–*
 7 *283; 10 U.S.C. 1073 note) is amended—*

8 “(1) *by redesignating subsections (e) through (h)*
 9 *as subsections (f) through (i), respectively; and*

10 “(2) *by inserting after subsection (d) the fol-*
 11 *lowing new subsection (e):*

12 ““(e) *COVERAGE OF DOULA CARE.—The Secretary*
 13 *may add coverage of labor doula care to the demonstration*
 14 *project, or reimbursement for such care, for all beneficiaries*
 15 *under the TRICARE program, including access—*

16 ““(1) *by members of the Armed Forces on active*
 17 *duty;*

18 ““(2) *by beneficiaries outside the continental*
 19 *United States; and*

20 ““(3) *at military medical treatment facilities.’.*

21 “(b) *HIRING OF DOULAS.—The hiring authority for*
 22 *each military medical treatment facility may hire a team*
 23 *of doulas to work in coordination with lactation support*
 24 *personnel or labor and delivery units at such facility.’.*

1 ***TITLE LVIII—ACQUISITION POL-***
 2 ***ICY, ACQUISITION MANAGE-***
 3 ***MENT, AND RELATED MAT-***
 4 ***TERS***

5 ***Subtitle D—Small Business Matters***

6 ***SEC. 5841. COMPETITION OF SMALL BUSINESS CONCERNS***
 7 ***FOR DEPARTMENT OF DEFENSE CONTRACTS.***

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 issue guidance ensuring that covered small businesses*
 11 *are better able to compete for Department of Defense con-*
 12 *tracts.*

13 *(b) EXEMPTIONS FROM CAPABILITY REQUIRE-*
 14 *MENTS.—*

15 *(1) WAIVER AUTHORITY.—The guidance issued*
 16 *under subsection (a) shall provide that the Depart-*
 17 *ment of Defense may waive capability requirements,*
 18 *including the waiver described in paragraph (2), to*
 19 *allow a covered small business that does not otherwise*
 20 *meet such requirements to bid on a contract, provided*
 21 *that it makes the certification described under para-*
 22 *graph (3).*

23 *(2) SPECIAL CONSIDERATION TO PROVIDE IN-*
 24 *TERIM ACCESS TO CLASSIFIED INFORMATION FOR DE-*
 25 *PARTMENT OF DEFENSE CONTRACTORS WITHOUT SE-*

1 *CURITY CLEARANCES.*—*Notwithstanding section 801*
2 *of the National Security Act of 1947 (50 U.S.C. 3161)*
3 *and the procedures established pursuant to such sec-*
4 *tion, the Secretary of Defense may issue a waiver pro-*
5 *viding a covered small business that has not been de-*
6 *termined eligible to access classified information pur-*
7 *suant to such procedures interim access to classified*
8 *information under such terms and conditions as the*
9 *Secretary considers appropriate.*

10 (3) *CERTIFICATION REQUIREMENT.*—*In order to*
11 *qualify for a waiver under paragraph (1), a covered*
12 *small business shall certify that it will be able to meet*
13 *the exempted capability requirements within 180 days*
14 *after the contract award date. The certification shall*
15 *include a detailed project and financial plan out-*
16 *lining the tasks to be completed, milestones to be*
17 *achieved, and resources required.*

18 (4) *MONITORING AND COMPLIANCE.*—

19 (A) *IN GENERAL.*—*The contracting officer*
20 *for a contract awarded pursuant to a waiver*
21 *under paragraph (1) shall closely monitor the*
22 *contract performance of the covered small busi-*
23 *ness to ensure that sufficient progress is being*
24 *made and that any issues that arise are prompt-*
25 *ly addressed.*

1 (B) *FAILURE TO MEET CAPABILITY RE-*
 2 *QUIREMENTS.—If a covered small business*
 3 *awarded a contract pursuant to a waiver under*
 4 *paragraph (1) fails to meet the requirements*
 5 *promised in the certification required under*
 6 *paragraph (3) within 180 days, the covered*
 7 *small business shall be subject to disqualification*
 8 *from consideration for future contracts of similar*
 9 *scope pursuant to “Termination for Default”*
 10 *provisions under subpart 49.4 of the Federal Ac-*
 11 *quisition Regulation.*

12 (c) *COVERED SMALL BUSINESS DEFINED.—In this*
 13 *section, the term “covered small business” means—*

14 (1) *a nontraditional defense contractor, as that*
 15 *term is defined in section 3014 of title 10, United*
 16 *States Code;*

17 (2) *a small business concern, as that term is de-*
 18 *finied in section 3(a) of the Small Business Act (15*
 19 *U.S.C. 632(a)); and*

20 (3) *any other contractor that has not been*
 21 *awarded a Department of Defense contract in the*
 22 *five-year period preceding the solicitation of sources*
 23 *by the Department of Defense.*

1 ***Subtitle E—Other Matters***

2 ***SEC. 5851. BRIEFING ON THE REDESIGNATION OF NA-***
 3 ***TIONAL SERIAL NUMBER (NSN) PARTS AS***
 4 ***PROPRIETARY.***

5 *Not later than 60 days after the date of the enactment*
 6 *of this Act, the Secretary of Defense shall provide a briefing*
 7 *to the congressional defense committees identifying which*
 8 *National Serial Number (NSN) parts in the Defense Logis-*
 9 *tics Agency system have had their designation changed to*
 10 *proprietary over the previous 5 years, including a descrip-*
 11 *tion of which parts were, or continue to be, produced by*
 12 *small businesses before the proprietary designation was ap-*
 13 *plied, and the justification for the changes in designation.*

14 ***TITLE LX—OTHER MATTERS***

15 ***Subtitle D—Counterterrorism***

16 ***SEC. 6031. ESTABLISHING A COORDINATOR FOR COUN-***
 17 ***TERING MEXICO’S CRIMINAL CARTELS.***

18 *(a) IN GENERAL.—Not later than 30 days after the*
 19 *date of the enactment of this Act, the President, in consulta-*
 20 *tion with the Secretary of Defense, the Secretary of State,*
 21 *the Secretary of Homeland Security, the Attorney General,*
 22 *and the Secretary of the Treasury, shall designate an exist-*
 23 *ing official within the executive branch to serve as senior-*
 24 *level coordinator to coordinate, in conjunction with other*
 25 *relevant agencies, all defense, diplomatic, intelligence, fi-*

1 nancial, and legal efforts to counter the drug- and human-
2 trafficking activities of Mexico's criminal cartels.

3 (b) *RETENTION OF AUTHORITY.*—The designation of
4 a coordinator under subsection (a) shall not deprive any
5 agency of any authority to independently perform functions
6 of that agency.

7 (c) *QUARTERLY REPORTS.*—

8 (1) *IN GENERAL.*—Not later than 180 days after
9 the date of the enactment of this Act, and every 90
10 days thereafter through January 31, 2029, the coordi-
11 nator designated under subsection (a) shall submit to
12 the appropriate committees of Congress a detailed re-
13 port on the following:

14 (A) *Efforts taken during the previous quar-*
15 *ter to bolster defense cooperation with the Gov-*
16 *ernment of Mexico against Mexico's criminal*
17 *cartels, and any other activities of the Depart-*
18 *ment of Defense with respect to countering the*
19 *cartels, including in cooperation with the Gov-*
20 *ernment of Mexico or interagency partners.*

21 (B) *Diplomatic efforts, including numbers*
22 *of demarches and meetings, taken during the*
23 *previous quarter to highlight and counter the*
24 *human rights abuses of Mexico's criminal cartels,*
25 *including human trafficking, sex trafficking,*

1 *other exploitation of migrants, endangerment of*
2 *children, and other abuses.*

3 *(C) Diplomatic efforts taken during the pre-*
4 *vious quarter to improve cooperation with the*
5 *Government of Mexico in countering Mexico's*
6 *criminal cartels, and a detailed list and assess-*
7 *ment of any actions that the Government of Mex-*
8 *ico has taken during the previous quarter to*
9 *counter the cartels.*

10 *(D) Diplomatic efforts taken during the pre-*
11 *vious quarter to improve cooperation with part-*
12 *ners and allies in countering Mexico's criminal*
13 *cartels.*

14 *(E) Efforts taken during the previous quar-*
15 *ter to bolster the screening process at ports of*
16 *entry to prevent members and associates of Mexi-*
17 *co's criminal cartels, and individuals who are*
18 *working for the cartels, from entering or traf-*
19 *ficking drugs, humans, and contraband into the*
20 *United States.*

21 *(F) Efforts taken during the previous quar-*
22 *ter to encourage the Government of Mexico to im-*
23 *prove its screening process along its own ports of*
24 *entry in order to prevent illicit cash, weapons,*

1 *and contraband that is destined for Mexico's*
2 *criminal cartels from entering Mexico.*

3 *(G) Efforts taken during the previous quar-*
4 *ter to investigate and prosecute members and as-*
5 *sociates of Mexico's criminal cartels, including*
6 *members and associates operating from within*
7 *the United States.*

8 *(H) Efforts taken during the previous quar-*
9 *ter to encourage the Government of Mexico to in-*
10 *crease its investigation and prosecution of lead-*
11 *ers, members, and associates of Mexico's criminal*
12 *cartels within Mexico.*

13 *(I) Efforts taken during the previous quar-*
14 *ter to initiate or improve the sharing of intel-*
15 *ligence with allies and partners, including the*
16 *Government of Mexico, for the purpose of coun-*
17 *tering Mexico's criminal cartels.*

18 *(J) Efforts taken during the previous quar-*
19 *ter to impose sanctions with respect to—*

20 *(i) leaders, members, and associates of*
21 *Mexico's criminal cartels; and*

22 *(ii) any companies, banks, or other in-*
23 *stitutions that facilitate the cartels' human-*
24 *trafficking, drug-trafficking, and other*
25 *criminal enterprises.*

1 (K) *The total number of personnel and re-*
 2 *sources in the Department of Defense, the De-*
 3 *partment of State, the Department of Homeland*
 4 *Security, the Department of Justice, and the De-*
 5 *partment of the Treasury focused on countering*
 6 *Mexico’s criminal cartels.*

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

10 (d) *DEFINITIONS.—In this section:*

11 (1) *APPROPRIATE COMMITTEES OF CONGRESS.—*
 12 *The term “appropriate committees of Congress”*
 13 *means—*

14 (A) *the Committee on Armed Services, the*
 15 *Committee on Foreign Relations, the Committee*
 16 *on the Judiciary, the Committee on Homeland*
 17 *Security and Governmental Affairs, and the*
 18 *Committee on Banking, Housing, and Urban Af-*
 19 *airs of the Senate; and*

20 (B) *the Committee on Armed Services, the*
 21 *Committee on Foreign Affairs, the Committee on*
 22 *the Judiciary, the Committee on Homeland Se-*
 23 *curity, and the Committee on Financial Services*
 24 *of the House of Representatives.*

(2) *MEXICO’S CRIMINAL CARTELS.*—*The term “Mexico’s criminal cartels” means the following:*

(A) *Criminal organizations the operations of which include human-trafficking, drug-trafficking, and other types of smuggling operations across the southwest border of the United States and take place largely within Mexico, including the following:*

(i) *The Sinaloa Cartel.*

(ii) *The Jalisco New Generation Cartel.*

(iii) *The Gulf Cartel.*

(iv) *The Los Zetas Cartel.*

(v) *The Northeast Cartel.*

(vi) *The Juarez Cartel.*

(vii) *The Tijuana Cartel.*

(viii) *The Beltran-Leyva Cartel.*

(ix) *The La Familia Michoacana, also known as the Knights Templar Cartel.*

(x) *Las Moicas.*

(xi) *La Empresa Nueva.*

(xii) *MS–13.*

(xiii) *The Medellin Cartel.*

(B) *Any successor organization to an organization described in subparagraph (A).*

1 ***Subtitle F—Studies and Reports***

2 ***SEC. 6051. REPORT ON FOOD PURCHASING BY THE DEPART-***
 3 ***MENT OF DEFENSE.***

4 *Not later than one year 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 and make publicly available on the*
 8 *website of the Department of Defense a report on the fol-*
 9 *lowing for each of fiscal years 2018, 2019, 2020, 2021, and*
 10 *2022:*

11 *(1) The total dollar amount spent by the Depart-*
 12 *ment of Defense on food service operations worldwide*
 13 *for all personnel, contractors, and families, including*
 14 *all food service provided at or through—*

15 *(A) all facilities, such as combat operations,*
 16 *military posts, medical facilities;*

17 *(B) all vessels (air, land, and sea);*

18 *(C) all entertainment and hosting oper-*
 19 *ations such as officers' clubs and other such fa-*
 20 *cilities; and*

21 *(D) all food programs provided to other*
 22 *Federal agencies, such as the Fresh Fruit and*
 23 *Vegetable Program of the Department of Agri-*
 24 *culture and the Department of Defense.*

1 (2) *The total dollar amount spent by the Depart-*
2 *ment for each category described in paragraph (1).*

3 (3) *The dollar amount spend by the Department*
4 *for each of—*

5 (A) *the 25 largest food service contractors or*
6 *operators; and*

7 (B) *the top 10 categories of food, such as*
8 *meat and poultry, seafood, eggs, dairy product,*
9 *produce (fruits, vegetables, and nuts), grains and*
10 *legumes, and processed and packaged foods.*

11 (4) *The percentage of all food purchased by the*
12 *Department that was a product of the United States,*
13 *pursuant to section 4862 of title 10, United States*
14 *Code.*

15 (5) *The dollar amount of third-party certified*
16 *and verified foods (such as USDA Organic, Equitable*
17 *Food Initiative, Fair Trade Certified, and other cat-*
18 *egories determined to be appropriate by the Sec-*
19 *retary) purchased by the Department.*

20 (6) *The dollar amount of contracts for food serv-*
21 *ice, food, or food products entered into by the Depart-*
22 *ment with woman-, minority-, and veteran-owned*
23 *businesses.*

Subtitle G—Other Matters

SEC. 6071. IMPROVEMENTS TO DEPARTMENT OF VETERANS AFFAIRS-DEPARTMENT OF DEFENSE JOINT EXECUTIVE COMMITTEE.

*(a) SHORT TITLE.—This section may be cited as the
“Ensuring Interagency Cooperation to Support Veterans
Act of 2023”.*

*(b) IN GENERAL.—Section 320 of title 38, United
States Code, is amended—*

(1) in subsection (a)—

(A) in paragraph (2)—

*(i) in subparagraph (A), by striking “;
and” and inserting a semicolon;*

*(ii) in subparagraph (B), by striking
the period at the end and inserting a semi-
colon; and*

*(iii) by adding at the end the following
new subparagraphs:*

*“(C) the Assistant Secretary of Labor for Vet-
erans’ Employment and Training and such other offi-
cers and employees of the Department of Labor as the
Secretary of Labor may designate; and*

*“(D) such officers and employees of other Execu-
tive agencies as the Secretary of Veterans Affairs and
the Secretary of Defense jointly determine, with the*

1 *consent of the heads of the Executive agencies of such*
 2 *officers and employees, necessary to carry out the*
 3 *goals and objectives of the Committee.”;*

4 *(B) by adding at the end the following new*
 5 *paragraph:*

6 *“(3) The co-chairs of the Committee are the Deputy*
 7 *Secretary of Veterans Affairs and the Under Secretary of*
 8 *Defense for Personnel and Readiness.”;*

9 *(2) in subsection (b)(2), by striking “Job Train-*
 10 *ing and Post-Service Placement Executive Com-*
 11 *mittee” and inserting “Transition Executive Com-*
 12 *mittee”;*

13 *(3) in subsection (d), by adding at the end the*
 14 *following new paragraph:*

15 *“(6) Develop, implement, and oversee such other*
 16 *joint actions, initiatives, programs, and policies as*
 17 *the two Secretaries determine appropriate and con-*
 18 *sistent with the purpose of the Committee.”; and*

19 *(4) in subsection (e)—*

20 *(A) in the subsection heading, by striking*

21 *“JOB TRAINING AND POST-SERVICE PLACE-*
 22 *MENT” and inserting “TRANSITION”;*

23 *(B) in the matter before paragraph (1)—*

1 (i) by striking “Job Training and
2 Post-Service Placement” and inserting
3 “Transition”;

4 (ii) by inserting “, in addition to such
5 other activities as may assigned to the com-
6 mittee under subsection (d)(6)” after
7 “shall”; and

8 (C) in paragraph (2), by inserting “, tran-
9 sition from life in the Armed Forces to civilian
10 life,” after “job training”.

11 **SEC. 6072. GRAVE MARKERS AT SANTA FE NATIONAL CEME-**
12 **TERY, NEW MEXICO.**

13 (a) *IN GENERAL.*—Section 612 of the Veterans Millen-
14 *nium Health Care and Benefits Act* (38 U.S.C. 2404 note;
15 *Public Law 106–117*) is repealed.

16 (b) *STUDY REQUIRED.*—The Secretary of Veterans Af-
17 *fairs* shall conduct a study on the cost to replace the flat
18 *grave markers that were provided under such section at the*
19 *Santa Fe National Cemetery, New Mexico, with upright*
20 *grave markers.*

1 **SEC. 6073. MODIFICATION OF COMPENSATION FOR MEM-**
 2 **BERS OF THE AFGHANISTAN WAR COMMIS-**
 3 **SION.**

4 *Section 1094(g)(1) of the National Defense Authoriza-*
 5 *tion Act for Fiscal Year 2022 (Public Law 117–81; 135*
 6 *Stat. 1942) is amended to read as follows:*

7 “(1) *COMPENSATION OF MEMBERS.*—

8 “(A) *NON-FEDERAL EMPLOYEES.*—A mem-
 9 *ber of the Commission who is not an officer or*
 10 *employee of the Federal Government shall be*
 11 *compensated at a rate equal to the daily equiva-*
 12 *lent of the annual rate of basic pay prescribed*
 13 *for level IV of the Executive Schedule under sec-*
 14 *tion 5315 of title 5, United States Code, for each*
 15 *day (including travel time) during which the*
 16 *member is engaged in the performance of the du-*
 17 *ties of the Commission.*

18 “(B) *FEDERAL EMPLOYEES.*—

19 “(i) *IN GENERAL.*—A member of the
 20 *Commission who is an employee of the Fed-*
 21 *eral Government may be compensated as*
 22 *provided for under subparagraph (a) for pe-*
 23 *riods of time during which the member is*
 24 *engaged in the performance of the duties of*
 25 *the Commission that fall outside of ordi-*

1 nary agency working hours, as determined
2 by the employing agency of such member.

3 “(ii) *RULE OF CONSTRUCTION.*—Noth-
4 ing in this paragraph shall be construed to
5 authorize dual pay for work performed on
6 behalf of the Commission and for a Federal
7 agency during the same hours of the same
8 day.”.

9 **SEC. 6074. RED HILL HEALTH IMPACTS.**

10 (a) *REGISTRY FOR IMPACTED INDIVIDUALS OF THE*
11 *RED HILL INCIDENT.*—

12 (1) *ESTABLISHMENT OF REGISTRY.*—The Sec-
13 retary of Health and Human Services (referred to in
14 this subsection as the “Secretary”) shall establish
15 within the Agency for Toxic Substances and Disease
16 Registry or the Centers for Disease Control and Pre-
17 vention or through an award of a grant or contract,
18 as the Secretary determines appropriate, a Red Hill
19 Incident exposure registry to collect data on health
20 implications of petroleum contaminated water for im-
21 pacted individuals on a voluntary basis. Such reg-
22 istry shall be complementary to, and not duplicative
23 of, the Red Hill Incident Report of the Defense Occu-
24 pational and Environmental Health Readiness Sys-
25 tem.

1 (2) *OTHER RESPONSIBILITIES.*—

2 (A) *IN GENERAL.*—*The Secretary, in coordi-*
3 *nation with the Director of the Centers for Dis-*
4 *ease Control and Prevention, and in consultation*
5 *with the Secretary of Defense, the Secretary of*
6 *Veterans Affairs, and such State and local au-*
7 *thorities or other partners as the Secretary of*
8 *Health and Human Services considers appro-*
9 *priate, shall—*

10 (i) *review the Federal programs and*
11 *services available to individuals exposed to*
12 *petroleum;*

13 (ii) *review current research on petro-*
14 *leum exposure in order to identify addi-*
15 *tional research needs; and*

16 (iii) *undertake any other review or ac-*
17 *tivities that the Secretary determines to be*
18 *appropriate.*

19 (B) *REPORT.*—*Not later than 1 year after*
20 *the date of enactment of this Act, and annually*
21 *thereafter for 6 additional years, the Secretary*
22 *shall submit to the appropriate congressional*
23 *committees a report on the review and activities*
24 *undertaken under subparagraph (A) that in-*
25 *cludes—*

1 (i) *strategies for communicating and*
2 *engaging with stakeholders on the Red Hill*
3 *Incident;*

4 (ii) *the number of impacted and poten-*
5 *tially impacted individuals enrolled in the*
6 *registry established under paragraph (1);*

7 (iii) *measures and frequency of follow-*
8 *up to collect data and specimens related to*
9 *exposure, health, and developmental mile-*
10 *stones as appropriate; and*

11 (iv) *a summary of data and analyses*
12 *on exposure, health, and developmental*
13 *milestones for impacted individuals.*

14 (C) *CONSULTATION.*—*In carrying out sub-*
15 *paragraphs (A) and (B), the Secretary shall con-*
16 *sult with non-Federal experts, including individ-*
17 *uals with certification in epidemiology, toxi-*
18 *cology, mental health, pediatrics, and environ-*
19 *mental health, and members of the impacted*
20 *community.*

21 (3) *FUNDING.*—*Without regard to section 2215 of*
22 *title 10, United States Code, the Secretary of the De-*
23 *fense is authorized to provide, from amounts made*
24 *available to such Secretary, such sums as may be nec-*
25 *essary for each of fiscal years 2024 through 2030 for*

1 *the Secretary of Health and Human Services to carry*
2 *out this subsection.*

3 **(b) RED HILL EPIDEMIOLOGICAL HEALTH OUTCOMES**
4 **STUDY.—**

5 **(1) CONTRACTS.—***The Secretary of Health and*
6 *Human Services may contract with independent re-*
7 *search institutes or consultants, nonprofit or public*
8 *entities, laboratories, or medical schools, as the Sec-*
9 *retary considers appropriate, that are not part of the*
10 *Federal Government to assist with the feasibility as-*
11 *essment required by paragraph (2).*

12 **(2) FEASIBILITY ASSESSMENT.—***Not later than*
13 *one year after the date of the enactment of this Act,*
14 *the Secretary of Health and Human Services shall*
15 *submit to the appropriate congressional committees*
16 *the results of a feasibility assessment to inform the de-*
17 *sign of the epidemiological study or studies to assess*
18 *health outcomes for impacted individuals, which may*
19 *include—*

20 **(A)** *a strategy to recruit impacted individ-*
21 *uals to participate in the study or studies, in-*
22 *cluding incentives for participation;*

23 **(B)** *a description of protocols and meth-*
24 *odologies to assess health outcomes from the Red*
25 *Hill Incident, including data management pro-*

1 *ocols to secure the privacy and security of the*
2 *personal information of impacted individuals;*
3 *and*

4 *(C) the periodicity for data collection that*
5 *takes into account the differences between health*
6 *care practices among impacted individuals who*
7 *are—*

8 *(i) members of the Armed Forces on ac-*
9 *tive duty or spouses or dependents of such*
10 *members;*

11 *(ii) members of the Armed Forces sepa-*
12 *rating from active duty or spouses or de-*
13 *pendents of such members;*

14 *(iii) veterans and other individuals*
15 *with access to health care from the Depart-*
16 *ment of Veterans Affairs; and*

17 *(iv) individuals without access to*
18 *health care from the Department of Defense*
19 *or the Department of Veterans Affairs;*

20 *(D) a description of methodologies to ana-*
21 *lyze data received from the study or studies to*
22 *determine possible connections between exposure*
23 *to water contaminated during the Red Hill Inci-*
24 *dent and adverse impacts to the health of im-*
25 *pacted individuals;*

1 (E) an identification of exposures resulting
 2 from the Red Hill Incident that may qualify in-
 3 dividuals to be eligible for participation in the
 4 study or studies as a result of those exposures;
 5 and

6 (F) steps that will be taken to provide indi-
 7 viduals impacted by the Red Hill Incident with
 8 information on available resources and services.

9 (3) NOTIFICATIONS; BRIEFINGS.—Not later than
 10 one year after the completion of the feasibility assess-
 11 ment under paragraph (2), the Secretary of Health
 12 and Human Services shall—

13 (A) notify impacted individuals on the in-
 14 terim findings of the study or studies; and

15 (B) brief the appropriate congressional com-
 16 mittees on the interim findings of the study or
 17 studies.

18 (c) DEFINITIONS.—In this section:

19 (1) APPROPRIATE CONGRESSIONAL COMMIT-
 20 TEES.—The term “appropriate congressional commit-
 21 tees” means—

22 (A) the Committee on Health, Education,
 23 Labor, and Pensions of the Senate;

1 (B) the Committee on Armed Services and
 2 the Subcommittee on Defense of the Committee
 3 on Appropriations of the Senate;

4 (C) the Committee on Veterans' Affairs of
 5 the Senate;

6 (D) the Committee on Energy and Com-
 7 merce of the House of Representatives;

8 (E) the Committee on Armed Services and
 9 the Subcommittee on Defense of the Committee
 10 on Appropriations of the House of Representa-
 11 tives; and

12 (F) the Committee on Veterans' Affairs of
 13 the House of Representatives.

14 (2) *IMPACTED INDIVIDUAL*.—The term “impacted
 15 individual” means an individual who, at the time of
 16 the Red Hill Incident, lived or worked in a building
 17 or residence served by the community water system at
 18 Joint Base Pearl Harbor-Hickam, Oahu, Hawaii.

19 (3) *RED HILL INCIDENT*.—The term “Red Hill
 20 Incident” means the release of fuel from the Red Hill
 21 Bulk Fuel Storage Facility, Oahu, Hawaii, into the
 22 sole-source basal aquifer located 100 feet below the fa-
 23 cility, contaminating the community water system at
 24 Joint Base Pearl Harbor-Hickam on November 20,
 25 2021.

1 **SEC. 6075. PERMANENT AUTHORIZATION OF**
 2 **UNDETECTABLE FIREARMS ACT OF 1988.**

3 *Section 2(f) of the Undetectable Firearms Act of 1988*
 4 *(18 U.S.C. 922 note; Public Law 100–649) is amended—*

5 *(1) by striking “EFFECTIVE DATE AND SUNSET*
 6 *PROVISION” and all that follows through “This Act*
 7 *and the amendments” and inserting the following:*
 8 *“EFFECTIVE DATE.—This Act and the amendments”;*
 9 *and*

10 *(2) by striking paragraph (2).*

11 **SEC. 6076. SENSE OF CONGRESS ON THE IMPORTANCE OF**
 12 **NON-GOVERNMENTAL RECOGNITION OF MILI-**
 13 **TARY ENLISTEES TO IMPROVE COMMUNITY**
 14 **SUPPORT FOR MILITARY RECRUITMENT.**

15 *(a) SENSE OF CONGRESS.—It is the sense of Congress*
 16 *that—*

17 *(1) publicly honoring and recognizing the young*
 18 *men and women who upon graduation from high-*
 19 *school enlist to serve in the Armed Forces is a mean-*
 20 *ingful way to indicate national and local support for*
 21 *those enlistees prior to initial accession training, ex-*
 22 *press gratitude to their families, and enhance the*
 23 *partnerships between military recruiters and high*
 24 *school administrators and guidance counselors;*

25 *(2) the intrinsic value of these community cere-*
 26 *monies should be formally recognized by the Office of*

1 *the Secretary of Defense and the various military*
 2 *service recruiting commands; and*

3 *(3) to the extent practicable, an appropriate level*
 4 *of joint military service support should be provided at*
 5 *these events, to include general officer and senior en-*
 6 *listed adviser participation, ceremonial unit involve-*
 7 *ment, musical support, and local recruiter presence.*

8 *(b) BRIEFING.—Not later than March 23, 2024, the*
 9 *Secretary of Defense shall brief the congressional defense*
 10 *committees on the extent of Department of Defense and*
 11 *military service coordination and support rendered for the*
 12 *recognition events described in subsection (a), which are ex-*
 13 *ecuted at no cost to the Federal Government under the inde-*
 14 *pendent, national direction of the “Our Community Sa-*
 15 *lutes” organization, a registered 501(c)(3) organization.*

16 **SEC. 6077. ADJUSTMENT OF THRESHOLD AMOUNT FOR**
 17 **MINOR MEDICAL FACILITY PROJECTS OF DE-**
 18 **PARTMENT OF VETERANS AFFAIRS.**

19 *(a) SHORT TITLE.—This section may be cited as the*
 20 *“Department of Veterans Affairs Minor Construction*
 21 *Threshold Adjustment Act of 2023”.*

22 *(b) ADJUSTMENT OF THRESHOLD AMOUNT.—Section*
 23 *8104(a) of title 38, United States Code, is amended—*

1 (1) in paragraph (3)(A), by striking
2 “\$20,000,000” each place it appears and inserting
3 “the amount specified in paragraph (4)”; and

4 (2) by adding at the end the following new para-
5 graph:

6 “(4)(A) The amount specified in this paragraph is
7 \$30,000,000, as adjusted pursuant to this paragraph.

8 “(B)(i) The Secretary shall develop, through regula-
9 tions, a mechanism to adjust the amount under subpara-
10 graph (A) to account for relevant factors relating to con-
11 struction, cost of land, real estate, economic conditions,
12 labor conditions, inflation, and other relevant factors the
13 Secretary considers necessary to ensure such amount keeps
14 pace with all economic conditions that impact the price of
15 construction projects, to include planning, management,
16 and delivery of the project.

17 “(ii) In developing the mechanism under clause (i),
18 the Secretary may—

19 “(I) use a mechanism or index already relied
20 upon by the Department for other relevant programs,
21 a mechanism or index used by another Federal agen-
22 cy, or a commercial mechanism or index if such
23 mechanism or index satisfactorily addresses the intent
24 of this subparagraph; or

1 “(II) create a new mechanism or index if the
2 Secretary considers it appropriate and necessary to
3 do so.

4 “(C)(i) Not less frequently than once every two years,
5 the Secretary shall—

6 “(I) adjust the amount under subparagraph (A);
7 or

8 “(II) publish a notice in the Federal Register in-
9 dicating that no adjustment is warranted.

10 “(ii) Not later than 30 days before adjusting an
11 amount pursuant to clause (i)(I) or publishing a notice
12 pursuant to clause (i)(II), the Secretary shall notify the
13 Committee on Veterans’ Affairs and the Committee on Ap-
14 propriations of the Senate and the Committee on Veterans’
15 Affairs and the Committee on Appropriations of the House
16 of Representatives.

17 “(D) The Secretary shall determine a logical schedule
18 for adjustments under this paragraph to take effect so that
19 the amounts for and types of construction projects requested
20 by the Department in the budget of the President under sec-
21 tion 1105(a) of title 31 are consistent with the threshold
22 for construction projects as so adjusted.”.

1 **SEC. 6078. DESIGNATION OF NATIONAL MUSEUM OF THE**
 2 **MIGHTY EIGHTH AIR FORCE.**

3 (a) *DESIGNATION.*—*The National Museum of the*
 4 *Mighty Eighth Air Force located at 175 Bourne Avenue,*
 5 *Pooler, Georgia (or any successor location), is designated*
 6 *as the official National Museum of the Mighty Eighth Air*
 7 *Force of the United States (referred to in this section as*
 8 *the “National Museum”).*

9 (b) *RELATION TO NATIONAL PARK SYSTEM.*—*The Na-*
 10 *tional Museum shall not be included as a unit of the Na-*
 11 *tional Park System.*

12 (c) *RULE OF CONSTRUCTION.*—*This section shall not*
 13 *be construed to appropriate, or authorize the appropriation*
 14 *of, Federal funds for any purpose related to the National*
 15 *Museum.*

16 **SEC. 6079. REVISION OF REQUIREMENT FOR TRANSFER OF**
 17 **CERTAIN AIRCRAFT TO STATE OF CALI-**
 18 **FORNIA FOR WILDFIRE SUPPRESSION PUR-**
 19 **POSES.**

20 (a) *TRANSFER OF EXCESS COAST GUARD HC-130H*
 21 *AIRCRAFT.*—

22 (1) *TRANSFER TO STATE OF CALIFORNIA.*—*If the*
 23 *Governor of the State of California submits to the*
 24 *Secretary of Homeland Security a written request to*
 25 *acquire, pursuant to this section, the Federal property*
 26 *described in this paragraph, the Secretary of Home-*

1 *land Security shall transfer to the State of California*
2 *without reimbursement—*

3 *(A) all right, title, and interest of the*
4 *United States in and to the seven HC–130H air-*
5 *craft specified in paragraph (2); and*

6 *(B) initial spares (calculated based on shelf*
7 *stock support for seven HC–130H aircraft each*
8 *flying 400 hours each year) and necessary*
9 *ground support equipment for such aircraft.*

10 *(2) AIRCRAFT SPECIFIED.—The aircraft specified*
11 *in this paragraph are the HC–130H Coast Guard*
12 *aircraft with serial numbers 1706, 1708, 1709, 1713,*
13 *1714, 1719, and 1721.*

14 *(3) TIMING; FAILURE TO SUBMIT REQUEST.—*

15 *(A) IN GENERAL.—The transfers under*
16 *paragraph (1) shall be made as soon as prac-*
17 *ticable after the date on which the Secretary of*
18 *Homeland Security receives a request under such*
19 *paragraph.*

20 *(B) FAILURE TO SUBMIT REQUEST.—If the*
21 *Governor of the State of California fails to sub-*
22 *mit a request under paragraph (1) before the*
23 *date that is 120 days after the date of the enact-*
24 *ment of this Act—*

1 (i) paragraph (1) shall have no force
2 or effect; and

3 (ii) the Secretary of Homeland Secu-
4 rity may retain title and disposition of the
5 Federal property described in paragraph
6 (1).

7 (4) MODIFICATIONS.—

8 (A) IN GENERAL.—Except as provided in
9 subparagraph (B), the transfers under para-
10 graph (1) may be carried out without further
11 modifications by the United States to the air-
12 craft transferred under such paragraph.

13 (B) DEMILITARIZED.—Before an aircraft
14 may be transferred under paragraph (1), the air-
15 craft shall be demilitarized as determined nec-
16 essary by the Secretary of Homeland Security.

17 (b) CONDITIONS OF TRANSFER.—Aircraft transferred
18 to the State of California under subsection (a)(1)—

19 (1) may be used only for wildfire suppression
20 purposes;

21 (2) may not be flown outside of, or otherwise re-
22 moved from, the United States unless dispatched by
23 the National Interagency Fire Center in support of
24 an international agreement to assist in wildfire sup-
25 pression efforts or for other disaster-related response

1 *purposes approved by the Governor of the State of*
2 *California in writing in advance;*

3 *(3) may be used for wildfire suppression pur-*
4 *poses only after the aircraft is modified to conform*
5 *with the standards and requirements for firefighting*
6 *aircraft set forth by the National Interagency Avia-*
7 *tion Committee and the Interagency Airtanker Board;*
8 *and*

9 *(4) may only be disposed of by the State of Cali-*
10 *fornia pursuant to the statutes and regulations gov-*
11 *erning disposal of aircraft provided to the State of*
12 *California through the Federal Excess Personal Prop-*
13 *erty Program.*

14 *(c) TRANSFER OF RESIDUAL KITS AND PARTS HELD*
15 *BY AIR FORCE.—The Secretary of the Air Force may trans-*
16 *fer to the State of California, without reimbursement, any*
17 *residual kits and parts held by the Secretary of the Air*
18 *Force that were procured in anticipation of the transfer to*
19 *the Secretary of the Air Force of the aircraft specified in*
20 *subsection (a)(2).*

21 *(d) COSTS AFTER TRANSFER.—Any costs of operation,*
22 *maintenance, sustainment, and disposal of aircraft, initial*
23 *spares, and ground support equipment transferred to the*
24 *Governor of the State of California under this section that*

1 *are incurred after the date of transfer shall be borne by the*
 2 *Governor of the State of California.*

3 *(e) CONFORMING AMENDMENTS.—*

4 *(1) SECTION 1098 OF FISCAL YEAR 2014 NDAA.—*
 5 *Section 1098 of the National Defense Authorization*
 6 *Act for Fiscal Year 2014 (Public Law 113–66; 127*
 7 *Stat. 881), as amended by section 1083 of the John*
 8 *S. McCain National Defense Authorization Act for*
 9 *Fiscal Year 2019 (Public Law 115–232; 132 Stat.*
 10 *1989), is amended—*

11 *(A) by striking subsection (a);*

12 *(B) in subsection (b)(1), in the matter pre-*
 13 *ceding subparagraph (A), by striking “and sub-*
 14 *ject to the certification requirement under sub-*
 15 *section (f),”;*

16 *(C) in subsection (c), by striking “or the*
 17 *Governor of California” each place it appears;*

18 *(D) in subsection (e), in the matter pre-*
 19 *ceding paragraph (1)—*

20 *(i) by striking “Promptly following the*
 21 *completion of the certification requirement*
 22 *under subsection (f) and notwithstanding”*
 23 *and inserting “Notwithstanding”; and*

24 *(ii) by striking “begin”; and*

25 *(E) by striking subsection (f).*

1 (2) *SECTION 1083 OF FISCAL YEAR 2019 NDAA.—*
 2 *Section 1083 of the John S. McCain National Defense*
 3 *Authorization Act for Fiscal Year 2019 (Public Law*
 4 *115–232; 132 Stat. 1989) is repealed.*

5 **SEC. 6080. EXTENSION OF ACTIVE DUTY TERM FOR ATTEND-**
 6 **ING PHYSICIAN AT UNITED STATES CAPITOL.**

7 *The present incumbent Attending Physician at the*
 8 *United States Capitol shall be continued on active duty*
 9 *until 10 years after the date of the enactment of this Act.*

10 **SEC. 6081. DISCLOSURES BY DIRECTORS, OFFICERS, AND**
 11 **PRINCIPAL STOCKHOLDERS.**

12 (a) *IN GENERAL.—Section 16(a)(1) of the Securities*
 13 *Exchange Act of 1934 (15 U.S.C. 78p(a)(1)) is amended*
 14 *by inserting “(including any such security of a foreign pri-*
 15 *vate issuer, as that term is defined in section 240.3b–4 of*
 16 *title 17, Code of Federal Regulations, or any successor regu-*
 17 *lation)” after “pursuant to section 12”.*

18 (b) *EFFECT ON REGULATION.—If any provision of sec-*
 19 *tion 240.3a12–3(b) of title 17, Code of Federal Regulations,*
 20 *or any successor regulation, is inconsistent with the amend-*
 21 *ment made by subsection (a), that provision of such section*
 22 *240.3a12–3(b) (or such successor) shall have no force or ef-*
 23 *fect.*

24 (c) *ISSUANCE OR AMENDMENT OF REGULATIONS.—*
 25 *Not later than 90 days after the date of enactment of this*

1 *Act, the Securities and Exchange Commission shall issue*
2 *final regulations (or amend existing regulations of the Com-*
3 *mission) to carry out the amendment made by subsection*
4 *(a).*

5 **SEC. 6082. PREVENTING CHILD SEX ABUSE.**

6 *(a) SHORT TITLE.—This section may be cited as the*
7 *“Preventing Child Sex Abuse Act of 2023”.*

8 *(b) SENSE OF CONGRESS.—The sense of Congress is*
9 *the following:*

10 *(1) The safety of children should be a top pri-*
11 *ority for public officials and communities in the*
12 *United States.*

13 *(2) According to the Rape, Abuse & Incest Na-*
14 *tional Network, an individual in the United States is*
15 *sexually assaulted every 68 seconds. And every 9 min-*
16 *utes, that victim is a child. Meanwhile, only 25 out*
17 *of every 1,000 perpetrators will end up in prison.*

18 *(3) The effects of child sexual abuse can be long-*
19 *lasting and affect the victim’s mental health.*

20 *(4) Victims are more likely than non-victims to*
21 *experience the following mental health challenges:*

22 *(A) Victims are about 4 times more likely*
23 *to develop symptoms of drug abuse.*

1 (B) Victims are about 4 times more likely
2 to experience post-traumatic stress disorder as
3 adults.

4 (C) Victims are about 3 times more likely
5 to experience a major depressive episode as
6 adults.

7 (5) The criminal justice system should and has
8 acted as an important line of defense to protect chil-
9 dren and hold perpetrators accountable.

10 (6) However, the horrific crimes perpetuated by
11 Larry Nassar demonstrate firsthand the loopholes that
12 still exist in the criminal justice system. While Larry
13 Nassar was found guilty of several State-level offenses,
14 he was not charged federally for his illicit sexual con-
15 tact with minors, despite crossing State and inter-
16 national borders to commit this conduct.

17 (7) The Department of Justice has also identified
18 a growing trend of Americans who use charitable or
19 missionary work in a foreign country as a cover for
20 sexual abuse of children.

21 (8) It is the intent of Congress to prohibit Amer-
22 icans from engaging in sexual abuse or exploitation
23 of minors under the guise of work, including volunteer
24 work, with an organization that affects interstate or
25 foreign commerce, such as an international charity.

1 (9) *Federal law does not require that an abuser’s*
2 *intention to engage in sexual abuse be a primary, sig-*
3 *nificant, dominant, or motivating purpose of the*
4 *travel.*

5 (10) *Child sexual abuse does not require physical*
6 *contact between the abuser and the child. This is espe-*
7 *cially true as perpetrators turn increasingly to inter-*
8 *net platforms, online chat rooms, and webcams to*
9 *commit child sexual abuse.*

10 (11) *However, a decision of the United States*
11 *Court of Appeals for the Seventh Circuit found the*
12 *use of a webcam to engage in sexually provocative ac-*
13 *tivity with a minor did not qualify as “sexual activ-*
14 *ity”.*

15 (12) *Congress can address this issue by amend-*
16 *ing the definition of the term “sexual activity” to*
17 *clarify that it does not require interpersonal, physical*
18 *contact.*

19 (13) *It is the duty of Congress to provide clearer*
20 *guidance to ensure that those who commit crimes*
21 *against children are prosecuted to the fullest extent of*
22 *the law.*

23 (c) *INTERSTATE CHILD SEXUAL ABUSE.—Section*
24 *2423 of title 18, United States Code, is amended—*

1 (1) *in subsection (b), by striking “with a moti-*
 2 *vating purpose of engaging in any illicit sexual con-*
 3 *duct with another person” and inserting “with intent*
 4 *to engage in any illicit sexual conduct with another*
 5 *person”;*

6 (2) *by redesignating subsections (d), (e), (f), and*
 7 *(g) as subsections (e), (f), (g), and (i), respectively;*

8 (3) *in subsection (e), as so redesignated, by strik-*
 9 *ing “with a motivating purpose of engaging in any*
 10 *illicit sexual conduct” and inserting “with intent to*
 11 *engage in any illicit sexual conduct”;* and

12 (4) *by inserting after subsection (g), as so redes-*
 13 *ignated, the following:*

14 “(h) *RULE OF CONSTRUCTION.*—*As used in this sec-*
 15 *tion, the term ‘intent’ shall be construed as any intention*
 16 *to engage in illicit sexual conduct at the time of the travel.”.*

17 (d) *ABUSE UNDER THE GUISE OF CHARITY.*—*Section*
 18 *2423 of title 18, United States Code, as amended by sub-*
 19 *section (c) of this section, is amended—*

20 (1) *by inserting after subsection (c) the fol-*
 21 *lowing:*

22 “(d) *ILLICIT SEXUAL CONDUCT IN CONNECTION WITH*
 23 *CERTAIN ORGANIZATIONS.*—*Any citizen of the United*
 24 *States or alien admitted for permanent residence who—*

1 “(1) is an officer, director, employee, or agent of
2 an organization that affects interstate or foreign com-
3 merce;

4 “(2) makes use of the mails or any means or in-
5 strumentality of interstate or foreign commerce
6 through the connection or affiliation of the person
7 with such organization; and

8 “(3) commits an act in furtherance of illicit sex-
9 ual conduct through the connection or affiliation of
10 the person with such organization,
11 shall be fined under this title, imprisoned for not more than
12 30 years, or both.”;

13 (2) in subsection (f), as so redesignated, by strik-
14 ing “or (d)” and inserting “(d), or (e)”; and

15 (3) in subsection (i), as so redesignated, by strik-
16 ing “(f)(2)” and inserting “(g)(2)”.

17 (e) *SEXUAL ACTIVITY WITH MINORS*.—Section 2427
18 of title 18, United States Code, is amended by inserting
19 “does not require interpersonal physical contact, and” be-
20 fore “includes”.

21 **SEC. 6083. SENATE NATIONAL SECURITY WORKING GROUP.**

22 (a) *IN GENERAL*.—Section 21 of Senate Resolution 64
23 (113th Congress), agreed to March 5, 2013, is amended by
24 striking subsection (d).

1 (b) *EFFECTIVE DATE.*—*The amendment made by sub-*
 2 *section (a) shall take effect as though enacted on December*
 3 *31, 2022.*

4 **SEC. 6084. RECOGNITION AS CORPORATION AND GRANT OF**
 5 **FEDERAL CHARTER FOR NATIONAL AMER-**
 6 **ICAN INDIAN VETERANS, INCORPORATED.**

7 (a) *IN GENERAL.*—*Part B of subtitle II of title 36,*
 8 *United States Code, is amended by inserting after chapter*
 9 *1503 the following:*

10 **“CHAPTER 1504—NATIONAL AMERICAN**
 11 **INDIAN VETERANS, INCORPORATED**

“Sec.

“150401. *Organization.*

“150402. *Purposes.*

“150403. *Membership.*

“150404. *Board of directors.*

“150405. *Officers.*

“150406. *Nondiscrimination.*

“150407. *Powers.*

“150408. *Exclusive right to name, seals, emblems, and badges.*

“150409. *Restrictions.*

“150410. *Duty to maintain tax-exempt status.*

“150411. *Records and inspection.*

“150412. *Service of process.*

“150413. *Liability for acts of officers and agents.*

“150414. *Failure to comply with requirements.*

“150415. *Annual report.*

12 **“§ 150401 Organization**

13 *“The National American Indian Veterans, Incor-*
 14 *porated, a nonprofit corporation organized in the United*
 15 *States (referred to in this chapter as the ‘corporation’), is*
 16 *a federally chartered corporation.*

1 **“§ 150402. Purposes**

2 *“The purposes of the corporation are those stated in*
3 *the articles of incorporation, constitution, and bylaws of the*
4 *corporation, and include a commitment—*

5 *“(1) to uphold and defend the Constitution of the*
6 *United States while respecting the sovereignty of the*
7 *American Indian Nations;*

8 *“(2) to unite under one body all American In-*
9 *dian veterans who served in the Armed Forces of*
10 *United States;*

11 *“(3) to be an advocate on behalf of all American*
12 *Indian veterans without regard to whether they served*
13 *during times of peace, conflict, or war;*

14 *“(4) to promote social welfare (including edu-*
15 *cational, economic, social, physical, and cultural val-*
16 *ues and traditional healing) in the United States by*
17 *encouraging the growth and development, readjust-*
18 *ment, self-respect, self-confidence, contributions, and*
19 *self-identity of American Indian veterans;*

20 *“(5) to serve as an advocate for the needs of*
21 *American Indian veterans and their families and sur-*
22 *vivors in their dealings with all Federal and State*
23 *government agencies;*

24 *“(6) to promote, support, and utilize research, on*
25 *a nonpartisan basis, pertaining to the relationship*

1 *between American Indian veterans and American so-*
 2 *ciety; and*

3 “(7) to provide technical assistance to the Bu-
 4 *reau of Indian Affairs regional areas that are not*
 5 *served by any veterans committee or organization or*
 6 *program by—*

7 “(A) providing outreach service to Indian
 8 *Tribes in need; and*

9 “(B) training and educating Tribal Vet-
 10 *erans Service Officers for Indian Tribes in need.*

11 **“§ 150403. Membership**

12 *“Subject to section 150406, eligibility for membership*
 13 *in the corporation, and the rights and privileges of mem-*
 14 *bers, shall be as provided in the constitution and bylaws*
 15 *of the corporation.*

16 **“§ 150404. Board of directors**

17 *“Subject to section 150406, the board of directors of*
 18 *the corporation, and the responsibilities of the board, shall*
 19 *be as provided in the constitution and bylaws of the cor-*
 20 *poration and in conformity with the laws under which the*
 21 *corporation is incorporated.*

22 **“§ 150405. Officers**

23 *“Subject to section 150406, the officers of the corpora-*
 24 *tion, and the election of such officers, shall be as provided*
 25 *in the constitution and bylaws of the corporation and in*

1 *conformity with the laws of the jurisdiction under which*
2 *the corporation is incorporated.*

3 **“§ 150406. Nondiscrimination**

4 *“In establishing the conditions of membership in the*
5 *corporation, and in determining the requirements for serv-*
6 *ing on the board of directors or as an officer of the corpora-*
7 *tion, the corporation may not discriminate on the basis of*
8 *race, color, religion, sex, national origin, handicap, or age.*

9 **“§ 150407. Powers**

10 *“The corporation shall have only those powers granted*
11 *the corporation through its articles of incorporation, con-*
12 *stitution, and bylaws, which shall conform to the laws of*
13 *the jurisdiction under which the corporation is incor-*
14 *porated.*

15 **“§ 150408. Exclusive right to name, seals, emblems,**
16 **and badges**

17 *“(a) IN GENERAL.—The corporation shall have the sole*
18 *and exclusive right to use the names ‘National American*
19 *Indian Veterans, Incorporated’ and ‘National American In-*
20 *dian Veterans’, and such seals, emblems, and badges as the*
21 *corporation may lawfully adopt.*

22 *“(b) EFFECT.—Nothing in this section interferes or*
23 *conflicts with any established or vested rights.*

1 **“§ 150409. Restrictions**

2 “(a) *STOCK AND DIVIDENDS.*—*The corporation may*
3 *not—*

4 “(1) *issue any shares of stock; or*

5 “(2) *declare or pay any dividends.*

6 “(b) *DISTRIBUTION OF INCOME OR ASSETS.*—

7 “(1) *IN GENERAL.*—*The income or assets of the*
8 *corporation may not—*

9 “(A) *inure to any person who is a member,*
10 *officer, or director of the corporation; or*

11 “(B) *be distributed to any such person dur-*
12 *ing the life of the charter granted by this chap-*
13 *ter.*

14 “(2) *EFFECT.*—*Nothing in this subsection pre-*
15 *vents the payment of reasonable compensation to the*
16 *officers of the corporation, or reimbursement for ac-*
17 *tual and necessary expenses, in amounts approved by*
18 *the board of directors.*

19 “(c) *LOANS.*—*The corporation may not make any loan*
20 *to any officer, director, member, or employee of the corpora-*
21 *tion.*

22 “(d) *NO FEDERAL ENDORSEMENT.*—*The corporation*
23 *may not claim congressional approval or Federal Govern-*
24 *ment authority by virtue of the charter granted by this*
25 *chapter for any of the activities of the corporation.*

1 **“§ 150410. Duty to maintain tax-exempt status**

2 *“The corporation shall maintain its status as an orga-*
 3 *nization exempt from taxation under the Internal Revenue*
 4 *Code of 1986.*

5 **“§ 150411. Records and inspection**

6 *“(a) RECORDS.—The corporation shall keep—*

7 *“(1) correct and complete books and records of*
 8 *accounts;*

9 *“(2) minutes of any proceeding of the corpora-*
 10 *tion involving any of member of the corporation, the*
 11 *board of directors, or any committee having authority*
 12 *under the board of directors; and*

13 *“(3) at the principal office of the corporation, a*
 14 *record of the names and addresses of all members of*
 15 *the corporation having the right to vote.*

16 *“(b) INSPECTION.—*

17 *“(1) IN GENERAL.—All books and records of the*
 18 *corporation may be inspected by any member having*
 19 *the right to vote, or by any agent or attorney of such*
 20 *a member, for any proper purpose, at any reasonable*
 21 *time.*

22 *“(2) EFFECT.—Nothing in this section con-*
 23 *travenes—*

24 *“(A) the laws of the jurisdiction under*
 25 *which the corporation is incorporated; or*

1 “(B) the laws of those jurisdictions within
 2 the United States and its territories within
 3 which the corporation carries out activities in
 4 furtherance of the purposes of the corporation.

5 **“§ 150412. Service of process**

6 “With respect to service of process, the corporation
 7 shall comply with the laws of—

8 “(1) the jurisdiction under which the corporation
 9 is incorporated; and

10 “(2) those jurisdictions within the United States
 11 and its territories within which the corporation car-
 12 ries out activities in furtherance of the purposes of the
 13 corporation.

14 **“§ 150413. Liability for acts of officers and agents**

15 “The corporation shall be liable for the acts of the offi-
 16 cers and agents of the corporation acting within the scope
 17 of their authority.

18 **“§ 150414. Failure to comply with requirements**

19 “If the corporation fails to comply with any of the re-
 20 quirements of this chapter, including the requirement under
 21 section 150410 to maintain its status as an organization
 22 exempt from taxation, the charter granted by this chapter
 23 shall expire.

1 **“§ 150415. Annual report**

2 “(a) *IN GENERAL.*—The corporation shall submit to
3 Congress an annual report describing the activities of the
4 corporation during the preceding fiscal year.

5 “(b) *SUBMITTAL DATE.*—Each annual report under
6 this section shall be submitted at the same time as the report
7 of the audit of the corporation required by section 10101(b).

8 “(c) *REPORT NOT PUBLIC DOCUMENT.*—No annual
9 report under this section shall be printed as a public docu-
10 ment.”.

11 (b) *CLERICAL AMENDMENT.*—The table of chapters for
12 subtitle II of title 36, United States Code, is amended by
13 inserting after the item relating to chapter 1503 the fol-
14 lowing:

“1504. National American Indian Veterans, Incorporated 150401”.

15 **Subtitle H—Granting Recognition**
16 **to Accomplished Talented Em-**
17 **ployees for Unwavering Loyalty**
18 **Act**

19 **SEC. 6091. SHORT TITLE.**

20 This subtitle may be cited as the “Granting Recogni-
21 tion to Accomplished Talented Employees for Unwavering
22 Loyalty Act” or “GRATEFUL Act”.

23 **SEC. 6092. FINDINGS; SENSE OF CONGRESS.**

24 (a) *FINDINGS.*—Congress makes the following findings:

1 (1) *In 1952, with the enactment of the Immigra-*
2 *tion and Nationality Act (8 U.S.C. 1101 et seq.),*
3 *Congress established an immigrant visa program to*
4 *reward foreign nationals who are United States Gov-*
5 *ernment employees for their service to the United*
6 *States (referred to in this Act as the “Government*
7 *Employee Immigrant Visa program”).*

8 (2) *For 71 years, the Government Employee Im-*
9 *migrant Visa program has allowed foreign nationals*
10 *with at least 15 years of exceptional service to the*
11 *United States to immigrate to the United States with*
12 *their families.*

13 (3) *Such foreign national employees of the*
14 *United States Government are the bulwark of United*
15 *States foreign policy, risking their lives year after*
16 *year through civil unrest, terrorism, natural disasters,*
17 *and war.*

18 (4) *The work of such foreign nationals—*

19 (A) *ensures the safety and well-being of*
20 *United States citizens;*

21 (B) *provides security and logistics for vis-*
22 *iting delegations; and*

23 (C) *supports United States Government op-*
24 *erations abroad.*

1 (5) *Such foreign nationals include employees of*
 2 *the Department of State, the United States Agency for*
 3 *International Development, the Department of De-*
 4 *fense, the Department of Homeland Security, the De-*
 5 *partment of Justice, the Department of Commerce,*
 6 *and the Department of Agriculture.*

7 (b) *SENSE OF CONGRESS.—It is the sense of Congress*
 8 *that the United States should preserve the immigrant visa*
 9 *program for foreign nationals who are employees of the*
 10 *United States Government abroad or of the American Insti-*
 11 *tute in Taiwan, and who have provided exceptional service*
 12 *over a long term to the United States, by providing a dedi-*
 13 *cated allocation of visas for such employees and their imme-*
 14 *diate family members when visas are not immediately*
 15 *available in the corresponding visa category.*

16 **SEC. 6093. VISA AVAILABILITY FOR GOVERNMENT EM-**
 17 **PLOYEE IMMIGRANT VISA PROGRAM.**

18 (a) *IN GENERAL.—Beginning in fiscal year 2024, sub-*
 19 *ject to subsection (b), visas shall be made available to a*
 20 *special immigrant described in section 101(a)(27)(D) of the*
 21 *Immigration and Nationality Act (8 U.S.C.*
 22 *1101(a)(27)(D)) if a visa is not immediately available for*
 23 *issuance to the special immigrant under section 203(b)(4)*
 24 *of that Act (8 U.S.C. 1153(b)(4)).*

25 (b) *NUMERICAL LIMITATIONS.—*

1 (1) *FISCAL YEAR 2024.*—For fiscal year 2024, not
 2 more than 3,500 visas shall be made available under
 3 subsection (a).

4 (2) *SUBSEQUENT FISCAL YEARS.*—For fiscal
 5 year 2025 and each fiscal year thereafter, not more
 6 than 3,000 visas shall be made available under sub-
 7 section (a).

8 (c) *TEMPORARY REDUCTION IN DIVERSITY VISAS.*—
 9 Section 203(d)(2) of the Nicaraguan Adjustment and Cen-
 10 tral America Relief Act (8 U.S.C. 1151 note; Public Law
 11 105–100) is amended—

12 (1) by amending paragraph (2) to read as fol-
 13 lows:

14 “(2) In no case shall the reduction under paragraph
 15 (1) for a fiscal year exceed the amount by which—

16 “(A) the sum of—

17 “(i) one-half of the total number of individ-
 18 uals described in subclauses (I), (II), (III), and
 19 (IV) of section 309(c)(5)(C)(i) of the Illegal Im-
 20 migration Reform and Immigrant Responsibility
 21 Act of 1996 (8 U.S.C. 1101 note; Public Law
 22 104–208) who have adjusted their status to that
 23 of aliens lawfully admitted for permanent resi-
 24 dence under section 202 of the Nicaraguan Ad-
 25 justment and Central American Relief Act (Pub-

1 *lic Law 105–100; 8 U.S.C. 1255 note) as of the*
 2 *end of the previous fiscal year; and*

3 “(ii) *the total number of individuals de-*
 4 *scribed in section 101(a)(27)(D) of the Immigra-*
 5 *tion and Nationality Act (8 U.S.C.*
 6 *1101(a)(27)(D)) for whom visas shall be made*
 7 *available for the applicable fiscal year under sec-*
 8 *tion 1093(b) of the Granting Recognition to Ac-*
 9 *complished Talented Employees for Unwavering*
 10 *Loyalty Act; exceeds*

11 “(B) *the total of the reductions in available visas*
 12 *under this subsection for all previous fiscal years.”;*
 13 *and*

14 (2) *by adding at the end the following:*

15 “(3)(A) *Paragraph (1) shall not apply in a fiscal year*
 16 *following a fiscal year for which the total number of aliens*
 17 *described in subparagraph (B) is zero.*

18 “(B) *For a fiscal year, the total number of aliens de-*
 19 *scribed in this subparagraph is the total number of individ-*
 20 *uals described in section 101(a)(27)(D) of the Immigration*
 21 *and Nationality Act (8 U.S.C. 1101(a)(27)(D)) who have*
 22 *been issued visas during the previous fiscal year under the*
 23 *Granting Recognition to Accomplished Talented Employees*
 24 *for Unwavering Loyalty Act.*

25 “(C) *Nothing in this paragraph may be construed—*

1 “(i) to repeal, modify, or render permanently in-
2 applicable paragraph (1); or

3 “(ii) to prevent the offsetting of the number of
4 visas described in that paragraph for the purpose of
5 providing visa availability for aliens described in
6 subparagraph (B).

7 “(4) In the event that the number of visas available
8 for a fiscal year under section 201(e) of the Immigration
9 and Nationality Act (8 U.S.C. 1151(e)) is reduced to a
10 number fewer than 50,000, not fewer than 3,000 visas shall
11 be made available for individuals described in section
12 1093(a) of the Granting Recognition to Accomplished Tal-
13 ented Employees for Unwavering Loyalty Act.”.

14 (d) *RULE OF CONSTRUCTION.*—Nothing in this section
15 or the amendments made by this section may be construed
16 to modify the number of visas available under section
17 203(b)(4) of the Immigration and Nationality Act (8
18 U.S.C. 1153(b)(4)) to special immigrants described in sec-
19 tion 101(a)(27)(D) of that Act (8 U.S.C. 1101(a)(27)(D)).

20 ***Subtitle I—Additional Matters***
21 ***Relating to Artificial Intelligence***

22 ***SEC. 6096. REPORT ON ARTIFICIAL INTELLIGENCE REGULA-***
23 ***TION IN FINANCIAL SERVICES INDUSTRY.***

24 (a) *IN GENERAL.*—Not later than 90 days after the
25 date of enactment of this Act, each of the Board of Gov-

1 *ernors of the Federal Reserve System, the Federal Deposit*
2 *Insurance Corporation, the Office of the Comptroller of the*
3 *Currency, the National Credit Union Administration, and*
4 *the Bureau of Consumer Financial Protection shall submit*
5 *to the Committee on Banking, Housing and Urban Affairs*
6 *of the Senate and the Committee on Financial Services of*
7 *the House of Representatives a report on its gap in knowl-*
8 *edge relating to artificial intelligence, including an anal-*
9 *ysis on—*

10 (1) *which tasks are most frequently being as-*
11 *sisted or completed with artificial intelligence in the*
12 *institutions the agency regulates;*

13 (2) *current governance standards in place for ar-*
14 *tificial intelligence use at the agency and current*
15 *standards in place for artificial intelligence oversight*
16 *by the agency;*

17 (3) *potentially additional regulatory authorities*
18 *required by the agency to continue to successfully exe-*
19 *cute its mission;*

20 (4) *where artificial intelligence may lead to over-*
21 *lapping regulatory issues between agencies that re-*
22 *quire clarification;*

23 (5) *how the agency is currently using artificial*
24 *intelligence, how the agency plans to use such artifi-*
25 *cial intelligence the next 3 years, and the expected*

1 *impact, including fiscal and staffing, of those plans;*
 2 *and*

3 *(6) what resources, monetary or other resources,*
 4 *if any, the agency requires to both adapt to the*
 5 *changes that artificial intelligence will bring to the*
 6 *regulatory landscape and to adequately adopt and*
 7 *oversee the use of artificial intelligence across its oper-*
 8 *ations described in paragraph (5).*

9 *(b) RULE OF CONSTRUCTION.—Nothing in this section*
 10 *may be construed to require an agency to include confiden-*
 11 *tial supervisory information or pre-decisional or delibera-*
 12 *tive non-public information in a report under this section.*

13 **SEC. 6097. ARTIFICIAL INTELLIGENCE BUG BOUNTY PRO-**
 14 **GRAMS.**

15 *(a) PROGRAM FOR FOUNDATIONAL ARTIFICIAL INTEL-*
 16 *LIGENCE PRODUCTS BEING INCORPORATED BY DEPART-*
 17 *MENT OF DEFENSE.—*

18 *(1) DEVELOPMENT REQUIRED.—Not later than*
 19 *180 days after the date of the enactment of this Act*
 20 *and subject to the availability of appropriations, the*
 21 *Chief Data and Artificial Intelligence Officer of the*
 22 *Department of Defense shall develop a bug bounty*
 23 *program for foundational artificial intelligence mod-*
 24 *els being integrated into Department of Defense mis-*
 25 *sions and operations.*

1 (2) *COLLABORATION.*—*In developing the pro-*
2 *gram required by paragraph (1), the Chief may col-*
3 *laborate with the heads of other government agencies*
4 *that have expertise in cybersecurity and artificial in-*
5 *telligence.*

6 (3) *IMPLEMENTATION AUTHORIZED.*—*The Chief*
7 *may carry out the program developed pursuant to*
8 *subsection (a).*

9 (4) *CONTRACTS.*—*The Secretary of Defense shall*
10 *ensure, as may be appropriate, that whenever the De-*
11 *partment of Defense enters into any contract, the con-*
12 *tract allows for participation in the bug bounty pro-*
13 *gram developed pursuant to paragraph (1).*

14 (5) *RULE OF CONSTRUCTION.*—*Nothing in this*
15 *subsection shall be construed to require—*

16 (A) *the use of any foundational artificial*
17 *intelligence model; or*

18 (B) *the implementation of the program de-*
19 *veloped pursuant to paragraph (1) in order for*
20 *the Department to incorporate a foundational*
21 *artificial intelligence model.*

22 (b) *BRIEFING.*—*Not later than one year after the date*
23 *of the enactment of this Act, the Chief shall provide the con-*
24 *gressional defense committees a briefing on—*

1 (1) *the development and implementation of bug*
 2 *bounty programs the Chief considers relevant to the*
 3 *matters covered by this section; and*

4 (2) *long-term plans of the Chief with respect to*
 5 *such bug bounty programs.*

6 (c) *DEFINITION OF FOUNDATIONAL ARTIFICIAL INTEL-*
 7 *LIGENCE MODEL.—In this section, the term “foundational*
 8 *artificial intelligence model” means an adaptive generative*
 9 *model that is trained on a broad set of unlabeled data sets*
 10 *that can be used for different tasks, with minimal fine-tun-*
 11 *ing.*

12 **SEC. 6098. VULNERABILITY ANALYSIS STUDY FOR ARTIFI-**
 13 **CIAL INTELLIGENCE-ENABLED MILITARY AP-**
 14 **PLICATIONS.**

15 (a) *STUDY REQUIRED.—Not later than one year after*
 16 *the date of the enactment of this Act, the Chief Digital and*
 17 *Artificial Intelligence Officer (CDAO) of the Department of*
 18 *Defense shall complete a study analyzing the vulnerabilities*
 19 *to the privacy, security, and accuracy of, and capacity to*
 20 *assess, artificial intelligence-enabled military applications,*
 21 *as well as research and development needs for such applica-*
 22 *tions.*

23 (b) *ELEMENTS.—The study required by subsection (a)*
 24 *shall cover the following:*

1 (1) *Research and development needs and transi-*
2 *tion pathways to advance explainable and interpret-*
3 *able artificial intelligence-enabled military applica-*
4 *tions, including the capability to assess the under-*
5 *lying algorithms and data models of such applica-*
6 *tions.*

7 (2) *Assessing the potential risks to the privacy,*
8 *security, and accuracy of underlying architectures*
9 *and algorithms of artificial intelligence-enabled mili-*
10 *tary applications, including the following:*

11 (A) *Individual foundational artificial intel-*
12 *ligence models, including the adequacy of exist-*
13 *ing testing, training, and auditing for such mod-*
14 *els to ensure models can be properly assessed over*
15 *time.*

16 (B) *The interactions of multiple artificial*
17 *intelligence-enabled military applications, and*
18 *the ability to detect and assess new, complex,*
19 *and emergent behavior amongst individual*
20 *agents, as well as the collective impact, including*
21 *how such changes may affect risk to privacy, se-*
22 *curity, and accuracy over time.*

23 (C) *The impact of increased agency in arti-*
24 *ficial intelligence-enabled military applications*
25 *and how such increased agency may affect the*

1 *ability to detect and assess new, complex, and*
2 *emergent behavior, as well risks to the privacy,*
3 *security, and accuracy of such applications over*
4 *time.*

5 *(3) Assessing the survivability and traceability*
6 *of decision support systems that are integrated with*
7 *artificial intelligence-enabled military applications*
8 *and used in a contested environment, including—*

9 *(A) potential benefits and risks to Depart-*
10 *ment of Defense missions and operations of im-*
11 *plementing such applications; and*

12 *(B) other technical or operational con-*
13 *straints to ensure such decision support systems*
14 *that are integrated with artificial intelligence-*
15 *enabled military applications are able to adhere*
16 *to the Department of Defense Ethical Principles*
17 *for Artificial Intelligence.*

18 *(4) Identification of existing artificial intel-*
19 *ligence metrics, developmental, testing and audit ca-*
20 *pabilities, personnel, and infrastructure within the*
21 *Department of Defense, including test and evaluation*
22 *facilities, needed to enable ongoing identification and*
23 *assessment under paragraphs (1) through (3), and*
24 *other factors such as—*

1 (A) *implications for deterrence systems*
2 *based on systems warfare; and*

3 (B) *vulnerability to systems confrontation*
4 *on the system and system-of-systems level.*

5 (5) *Identification of gaps or research needs to*
6 *sufficiently respond to the elements outlined in this*
7 *subsection that are not currently, or not sufficiently,*
8 *funded within the Department of Defense.*

9 (c) *COORDINATION.—In carrying out the study re-*
10 *quired by subsection (a), the Chief Digital and Artificial*
11 *Intelligence Officer shall coordinate with the following:*

12 (1) *The Director of the Defense Advanced Re-*
13 *search Projects Agency (DARPA).*

14 (2) *The Under Secretary of Defense for Research*
15 *and Evaluation.*

16 (3) *The Under Secretary of Defense for Policy.*

17 (4) *The Director for Operational Test and Eval-*
18 *uation (DOT&E) of the Department.*

19 (5) *As the Chief Digital and Artificial Intel-*
20 *ligence Officer considers appropriate, the following:*

21 (A) *The Secretary of Energy.*

22 (B) *The Director of the National Institute*
23 *of Standards and Technology.*

24 (C) *The Director of the National Science*
25 *Foundation.*

1 (D) *The head of the National Artificial In-*
2 *telligence Initiative Office of the Office of Science*
3 *and Technology Policy.*

4 (E) *Members and representatives of indus-*
5 *try.*

6 (F) *Members and representatives of aca-*
7 *demia.*

8 (d) *INTERIM BRIEFING.*—*Not later than 180 days after*
9 *the date of the enactment of this Act, the Chief Digital and*
10 *Artificial Intelligence Officer shall provide the congressional*
11 *defense committees a briefing on the interim findings of the*
12 *Chief Digital and Artificial Intelligence Officer with respect*
13 *to the study being conducted pursuant to subsection (a).*

14 (e) *FINAL REPORT.*—

15 (1) *IN GENERAL.*—*Not later than one year after*
16 *the date of the enactment of this Act, the Chief Digital*
17 *and Artificial Intelligence Officer shall submit to the*
18 *congressional defense committees a final report on the*
19 *findings of the Chief Digital and Artificial Intel-*
20 *ligence Officer with respect to the study conducted*
21 *pursuant to subsection (a).*

22 (2) *FORM.*—*The final report submitted pursuant*
23 *to paragraph (1) shall be submitted in unclassified*
24 *for, but may include a classified annex.*

1 (f) *DEFINITION OF FOUNDATIONAL ARTIFICIAL INTEL-*
 2 *LIGENCE MODEL.*—*In this section, the term “foundational*
 3 *artificial intelligence model” means an adaptive generative*
 4 *model that is trained on a broad set of unlabeled data sets*
 5 *that can be used for different tasks, with minimal fine-tun-*
 6 *ing.*

7 **SEC. 6099. REPORT ON DATA SHARING AND COORDINATION.**

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 ways to improve data sharing, interoperability, and*
 12 *quality, as may be appropriate, across the Department of*
 13 *Defense.*

14 (b) *CONTENTS.*—*The report submitted pursuant to*
 15 *subsection (a) shall include the following:*

16 (1) *A description of policies, practices, and cul-*
 17 *tural barriers that impede data sharing and inter-*
 18 *operability, and lead to data quality issues, among*
 19 *components of the Department.*

20 (2) *The impact a lack of appropriate levels of*
 21 *data sharing, interoperability, and quality has on*
 22 *Departmental collaboration, efficiency, interoper-*
 23 *ability, and joint-decisionmaking.*

1 (3) *A review of current efforts to promote appro-*
2 *priate data sharing, including to centralize data*
3 *management, such as the ADVANA program.*

4 (4) *A description of near-, mid-, and long-term*
5 *efforts that the Office of the Secretary of Defense plans*
6 *to implement to promote data sharing and interoper-*
7 *ability, including efforts to improve data quality.*

8 (5) *A detailed plan to implement a data sharing*
9 *and interoperability strategy that supports effective*
10 *development and employment of artificial intel-*
11 *ligence-enabled military applications.*

12 (6) *A detailed assessment of the implementation*
13 *of the Department of Defense Data Strategy issued in*
14 *2020, as well as the use of data decrees to improve*
15 *management rigor in the Department when it comes*
16 *to data sharing and interoperability.*

17 (7) *Any recommendations for Congress with re-*
18 *spect to assisting the Department in these efforts.*

1 ***TITLE LXII—MATTERS RELATING***
 2 ***TO FOREIGN NATIONS***

3 ***Subtitle C—Matters Relating to***
 4 ***Europe and the Russian Federation***

5 ***SEC. 6231. BLACK SEA SECURITY AND DEVELOPMENT***
 6 ***STRATEGY.***

7 (a) *SHORT TITLE.*—*This section may be cited as the*
 8 *“Black Sea Security Act of 2023”.*

9 (b) *SENSE OF CONGRESS ON BLACK SEA SECURITY.*—
 10 *It is the sense of Congress that—*

11 (1) *it is in the interest of the United States to*
 12 *support efforts to prevent the spread of further armed*
 13 *conflict in Europe by recognizing the Black Sea re-*
 14 *gion as an arena of Russian aggression;*

15 (2) *littoral states of the Black Sea are critical in*
 16 *countering aggression by the Government of the Rus-*
 17 *sian Federation and contributing to the collective se-*
 18 *curity of NATO;*

19 (3) *the repeated, illegal, unprovoked, and violent*
 20 *attempts of the Russian Federation to expand its ter-*
 21 *ritory and control access to the Mediterranean Sea*
 22 *through the Black Sea constitutes a threat to the na-*
 23 *tional security of the United States and NATO;*

24 (4) *the United States condemns attempts by the*
 25 *Russian Federation to change or alter boundaries in*

1 *the Black Sea region by force or any means contrary*
2 *to international law and to impose a sphere of influ-*
3 *ence across the region;*

4 *(5) the United States condemns Russia's illegit-*
5 *imate territorial claims, including those on the Cri-*
6 *mean Peninsula, along Ukraine's territorial waters in*
7 *the Black Sea and the Sea of Azov, in the Black Sea's*
8 *international waters, and in the territories it is ille-*
9 *gally occupying in Ukraine;*

10 *(6) the United States should continue to work*
11 *within NATO and with NATO allies to develop a*
12 *long-term strategy to enhance security, establish a*
13 *permanent, sustainable presence along NATO's east-*
14 *ern flank, and bolster the democratic resilience of its*
15 *allies and partners in the region;*

16 *(7) the United States should consider whether it*
17 *should work within NATO and with NATO allies to*
18 *develop a regular, rotational maritime presence in the*
19 *Black Sea;*

20 *(8) the United States should work with the Euro-*
21 *pean Union on coordinating a strategy to support*
22 *democratic initiatives and economic prosperity in the*
23 *region, which includes 2 European Union members*
24 *and 4 European Union aspirant nations;*

1 (9) *the United States should work to foster dia-*
2 *logue among countries within the Black Sea region to*
3 *improve communication and intelligence sharing and*
4 *increase cyber defense capabilities;*

5 (10) *countries with historic and economic ties to*
6 *Russia are looking to the United States and Europe*
7 *to provide a positive economic presence in the broader*
8 *region as a counterbalance to the Russian Federa-*
9 *tion's malign influence in the region;*

10 (11) *it is in the interest of the United States to*
11 *support and bolster the economic ties between the*
12 *United States and Black Sea states;*

13 (12) *the United States should support the initia-*
14 *tive undertaken by central and eastern European*
15 *states to advance the Three Seas Initiative Fund to*
16 *strengthen transport, energy, and digital infrastruc-*
17 *ture connectivity in the region between the Adriatic*
18 *Sea, Baltic Sea, and Black Sea;*

19 (13) *there are mutually beneficial opportunities*
20 *for increased investment and economic expansion,*
21 *particularly on energy and transport infrastructure*
22 *initiatives, between the United States and Black Sea*
23 *states and the broader region;*

1 (14) *improved economic ties between the United*
2 *States and the Black Sea states and the broader re-*
3 *gion can lead to a strengthened strategic partnership;*

4 (15) *the United States must seek to address the*
5 *food security challenges arising from disruption of*
6 *Ukraine's Black Sea and Azov Sea ports, as this glob-*
7 *al challenge will have critical national security impli-*
8 *cations for the United States, our partners, and allies;*

9 (16) *Turkey, in coordination with the United*
10 *Nations, has played an important role in alleviating*
11 *global food insecurity by negotiating two agreements*
12 *to allow grain exports from Ukrainian ports through*
13 *a safe corridor in the Black Sea;*

14 (17) *Russia has a brutal history of using hunger*
15 *as a weapon and must be stopped; and*

16 (18) *countering the PRC's coercive economic*
17 *pursuits remains an important policy imperative in*
18 *order to further integrate the Black Sea states into*
19 *western economies and improve regional stability.*

20 (c) *UNITED STATES POLICY.—It is the policy of the*
21 *United States—*

22 (1) *to actively deter the threat of Russia's further*
23 *escalation in the Black Sea region and defend freedom*
24 *of navigation in the Black Sea to prevent the spread*
25 *of further armed conflict in Europe;*

1 (2) to advocate within NATO, among NATO al-
2 lies, and within the European Union to develop a
3 long-term coordinated strategy to enhance security,
4 establish a sustainable presence in the eastern flank,
5 and bolster the democratic resilience of United States
6 allies and partners in the region;

7 (3) to consider whether to advocate within NATO
8 and among NATO allies to develop a regular, rota-
9 tional maritime presence in the Black Sea;

10 (4) to support and bolster the economic ties be-
11 tween the United States and Black Sea partners and
12 mobilize the Department of State, the Department of
13 Defense, and other relevant Federal departments and
14 agencies by enhancing the United States presence and
15 investment in Black Sea states;

16 (5) to provide economic alternatives to the PRC's
17 coercive economic options that destabilize and further
18 erode economic integration of the Black Sea states;

19 (6) to ensure that the United States continues to
20 support Black Sea states' efforts to strengthen their
21 democratic institutions to prevent corruption and ac-
22 celerate their advancement into the Euroatlantic com-
23 munity; and

24 (7) to encourage the initiative undertaken by
25 central and eastern European states to advance the

1 *Three Seas Initiative to strengthen transport, energy,*
 2 *and digital infrastructure connectivity in the region*
 3 *between the Adriatic Sea, Baltic Sea, and Black Sea.*

4 (d) *DEFINITIONS.—In this section:*

5 (1) *APPROPRIATE COMMITTEES OF CONGRESS.—*

6 *The term “appropriate committees of Congress”*
 7 *means—*

8 (A) *the Committee on Foreign Relations of*
 9 *the Senate;*

10 (B) *the Committee on Armed Services of the*
 11 *Senate;*

12 (C) *the Committee on Appropriations of the*
 13 *Senate;*

14 (D) *the Select Committee on Intelligence of*
 15 *the Senate;*

16 (E) *the Committee on Energy and Natural*
 17 *Resources of the Senate;*

18 (F) *the Committee on Foreign Affairs of the*
 19 *House of Representatives;*

20 (G) *the Committee on Armed Services of the*
 21 *House of Representatives;*

22 (H) *the Committee on Appropriations of the*
 23 *House of Representatives;*

24 (I) *the Permanent Select Committee on In-*
 25 *telligence of the House of Representatives; and*

1 *(J) the Committee on Energy and Com-*
2 *merce of the House of Representatives.*

3 *(2) BLACK SEA STATES.—The term “Black Sea*
4 *states” means Turkey, Romania, Bulgaria, Moldova,*
5 *Ukraine, and Georgia.*

6 *(3) PRC.—The term “PRC” means the People’s*
7 *Republic of China.*

8 *(e) BLACK SEA SECURITY AND DEVELOPMENT STRAT-*
9 *EGY.—Not later than 180 days after the date of the enact-*
10 *ment of this Act, the National Security Council, in coordi-*
11 *nation with the Department of State, the Department of*
12 *Defense, and other relevant Federal departments and agen-*
13 *cies, shall direct an interagency strategy with a classified*
14 *annex—*

15 *(1) to increase coordination with NATO and the*
16 *European Union;*

17 *(2) to deepen economic ties;*

18 *(3) to strengthen energy security;*

19 *(4) to support efforts to bolster their democratic*
20 *resilience; and*

21 *(5) to enhance security assistance with our re-*
22 *gional partners in accordance with the values and in-*
23 *terests of the United States.*

1 (f) *PURPOSE AND OBJECTIVES.*—*The strategy author-*
2 *ized under subsection (e) shall have the following goals and*
3 *objectives:*

4 (1) *Ensuring the efficient and effective delivery*
5 *of security assistance to regional partners in accord-*
6 *ance with the values and interests of the United*
7 *States, prioritizing assistance that will bolster de-*
8 *fenses and improve interoperability with NATO*
9 *forces.*

10 (2) *Bolstering United States support for the re-*
11 *gion's energy security and integration with Europe*
12 *and reducing their dependence on Russia while sup-*
13 *porting energy diversification.*

14 (3) *Mitigating the impact of economic coercion*
15 *by the Russian Federation and the PRC on Black Sea*
16 *states and identifying new opportunities for foreign*
17 *direct investment from the United States and cooper-*
18 *ating countries and the enhancement of United States*
19 *business ties with regional partners in accordance*
20 *with the values and interests of the United States.*

21 (4) *Increasing high-level engagement between the*
22 *United States and regional partners, and reinforcing*
23 *economic growth, financing quality infrastructure,*
24 *and reinforcing trade with a focus on improving*
25 *high-level economic cooperation.*

1 (5) *Increasing United States coordination with*
2 *the European Union and NATO to maximize effec-*
3 *tiveness and minimize duplication.*

4 (g) *ACTIVITIES.*—

5 (1) *SECURITY.*—*The strategy authorized under*
6 *subsection (e) should include the following elements*
7 *related to security:*

8 (A) *A plan to increase interagency coordi-*
9 *nation on the Black Sea region.*

10 (B) *An assessment of whether a United*
11 *States-led initiative with NATO allies to in-*
12 *crease coordination, presence, and regional en-*
13 *gagement among Black Sea states is advisable.*

14 (C) *An assessment of whether there is a*
15 *need to increase security assistance or security*
16 *cooperation with Black Sea states, focused on*
17 *Ukraine, Romania, Bulgaria, Moldova, and*
18 *Georgia.*

19 (D) *An assessment of the value of estab-*
20 *lishing a United States or multinational head-*
21 *quarters on the Black Sea, responsible for plan-*
22 *ning, readiness, exercises, and coordination of*
23 *military activity in the greater Black Sea re-*
24 *gion.*

1 (E) *An assessment of the challenges and op-*
 2 *portunities of establishing a regular, rotational*
 3 *NATO maritime presence in the Black Sea.*

4 (F) *An overview of Foreign Military Fi-*
 5 *nancing, International Military Education and*
 6 *Training, and other United States security as-*
 7 *sistance to the Black Sea region.*

8 (G) *A plan for combating Russian*
 9 *disinformation and propaganda in the Black*
 10 *Sea region that utilizes the resources of the*
 11 *United States Government.*

12 (H) *A plan to promote greater freedom of*
 13 *navigation to allow for greater security and eco-*
 14 *nomic Black Sea access.*

15 (2) *ECONOMIC PROSPERITY.—The strategy au-*
 16 *thorized under subsection (e) shall include the fol-*
 17 *lowing elements related to economic prosperity:*

18 (A) *A strategy to foster dialogue between ex-*
 19 *perts from the United States and from the Black*
 20 *Sea states on economic expansion, foreign direct*
 21 *investment, strengthening rule of law initiatives,*
 22 *and mitigating economic coercion by Russia and*
 23 *the PRC.*

24 (B) *A strategy for all the relevant Federal*
 25 *departments and agencies that contribute to*

1 *United States economic statecraft to expand*
2 *their presence and identify new opportunities for*
3 *private investment with regional partners in ac-*
4 *cordance with the values and interests of the*
5 *United States.*

6 *(C) Assessments on energy diversification,*
7 *focusing on the immediate need to replace energy*
8 *supplies from Russia, and recognizing the long-*
9 *term importance of broader energy diversifica-*
10 *tion.*

11 *(D) Assessments of potential food security*
12 *solutions, including sustainable, long-term ar-*
13 *rangements beyond the Black Sea Grain Initia-*
14 *tive.*

15 *(3) DEMOCRATIC RESILIENCE.—The strategy au-*
16 *thorized under subsection (e) shall include the fol-*
17 *lowing elements related to democratic resilience:*

18 *(A) A strategy to increase independent*
19 *media and United States-supported media ini-*
20 *tiatives to combat foreign malign influence in*
21 *the Black Sea region.*

22 *(B) Greater mobilization of initiatives*
23 *spearheaded by the Department of State and the*
24 *United States Agency for International Develop-*

1 *ment to counter Russian propaganda and*
2 *disinformation in the Black Sea region.*

3 (4) *REGIONAL CONNECTIVITY.*—*The strategy au-*
4 *thorized under subsection (e) shall promote regional*
5 *connectivity by sending high-level representatives of*
6 *the Department of State or other agency partners*
7 *to—*

8 (A) *the Black Sea region not less frequently*
9 *than twice per year; and*

10 (B) *major regional fora on infrastructure*
11 *and energy security, including the Three Seas*
12 *Initiative Summit.*

13 (h) *IDENTIFICATION OF NECESSARY PROGRAMS AND*
14 *RESOURCES.*—*Not later than 360 days after the date of the*
15 *enactment of this Act, the interagency strategy shall iden-*
16 *tify any necessary program, policy, or budgetary resources*
17 *required, by agency, to support the implementation of the*
18 *Black Sea Security Strategy for fiscal years 2024, 2025,*
19 *and 2026.*

20 (i) *RESPONSIBILITIES OF FEDERAL DEPARTMENTS*
21 *AND AGENCIES.*—*Nothing under this section may be con-*
22 *strued to authorize the National Security Council to assume*
23 *any of the responsibilities or authorities of the head of any*
24 *Federal department, agency, or office, including the foreign*
25 *affairs responsibilities and authorities of the Secretary of*

1 *State, to oversee the implementation of programs and poli-*
 2 *cies under this section.*

3 ***Subtitle D—Matters Relating to the***
 4 ***Indo-Pacific Region***

5 ***SEC. 6241. SENSE OF CONGRESS ON THE RENEWAL OF THE***
 6 ***COMPACTS OF FREE ASSOCIATION WITH THE***
 7 ***REPUBLIC OF PALAU, THE FEDERATED***
 8 ***STATES OF MICRONESIA, AND THE REPUBLIC***
 9 ***OF THE MARSHALL ISLANDS.***

10 *(a) FINDINGS.—Congress finds that—*

11 *(1) in 1947, the United Nations entrusted the*
 12 *United States with the defense and security of the re-*
 13 *gion that now comprises—*

14 *(A) the Republic of Palau;*

15 *(B) the Federated States of Micronesia; and*

16 *(C) the Republic of the Marshall Islands;*

17 *(2) in 1983, the United States signed Compacts*
 18 *of Free Association with the Federated States of Mi-*
 19 *cronesia and the Republic of the Marshall Islands;*

20 *(3) in 1985, the United States signed a Compact*
 21 *of Free Association with the Republic of Palau;*

22 *(4) in 1986, Congress—*

23 *(A) enacted the Compact of Free Association*
 24 *Act of 1985 (48 U.S.C. 1901 note; Public Law*
 25 *99–239), which approved the Compacts of Free*

1 *Association with the Federated States of Micro-*
 2 *nesia and the Republic of the Marshall Islands;*
 3 *and*

4 *(B) enacted Public Law 99–658 (48 U.S.C.*
 5 *1931 note), which approved the Compact of Free*
 6 *Association with the Republic of Palau;*

7 *(5) in 2003, Congress enacted the Compact of*
 8 *Free Association Amendments Act of 2003 (48 U.S.C.*
 9 *1921 note; Public Law 108–188), which approved and*
 10 *renewed the Compacts of Free Association with the*
 11 *Federated States of Micronesia and the Republic of*
 12 *the Marshall Islands;*

13 *(6) in 2010, the United States and the Republic*
 14 *of Palau agreed to terms for renewing the Compact of*
 15 *Free Association with the Republic of Palau in the*
 16 *Palau Compact Review Agreement, which was ap-*
 17 *proved by Congress in section 1259C of the National*
 18 *Defense Authorization Act for Fiscal Year 2018 (48*
 19 *U.S.C. 1931 note; Public Law 115–91);*

20 *(7) on January 11, 2023, the United States*
 21 *signed a Memorandum of Understanding with the Re-*
 22 *public of the Marshall Islands on funding priorities*
 23 *for the Compact of Free Association with the Republic*
 24 *of the Marshall Islands;*

1 (8) on May 22, 2023, the United States signed
 2 the U.S.-Palau 2023 Agreement, following the Com-
 3 pact of Free Association Section 432 Review;

4 (9) on May 23, 2023, the United States signed
 5 3 agreements relating to the U.S.-FSM Compact of
 6 Free Association, which included—

7 (A) an Agreement to Amend the Compact,
 8 as amended;

9 (B) a new fiscal procedures agreement; and

10 (C) a new trust fund agreement; and

11 (10) the United States is undergoing negotia-
 12 tions relating to the Compact of Free Association with
 13 the Republic of the Marshall Islands.

14 (b) *SENSE OF CONGRESS.*—It is the sense of Congress
 15 that—

16 (1) the close and strategic partnerships of the
 17 United States with the Republic of Palau, the Fed-
 18 erated States of Micronesia, and the Republic of the
 19 Marshall Islands are vital to international peace and
 20 security in the Indo-Pacific region;

21 (2) the Compacts of Free Association with the
 22 Republic of Palau, the Federated States of Micro-
 23 nesia, and the Republic of the Marshall Islands form
 24 the political, economic, and security architecture that
 25 bolsters and sustains security and drives regional de-

1 *velopment and the prosperity of the larger Indo-Pa-*
 2 *cific community of nations;*

3 *(3) certain provisions of the current Compacts of*
 4 *Free Association with the Federated States of Micro-*
 5 *nesia and the Republic of the Marshall Islands expire*
 6 *on September 30, 2023;*

7 *(4) certain provisions of the Compact of Free As-*
 8 *sociation with the Republic of Palau expire on Sep-*
 9 *tember 30, 2024;*

10 *(5) it is in the national interest of the United*
 11 *States to successfully renegotiate and renew the Com-*
 12 *pacts of Free Association with the Republic of Palau,*
 13 *the Federated States of Micronesia, and the Republic*
 14 *of the Marshall Islands; and*

15 *(6) enacting legislation to approve amended*
 16 *Compacts of Free Association with the Republic of*
 17 *Palau, the Federated States of Micronesia, and the*
 18 *Republic of the Marshall Islands is the most impor-*
 19 *tant way for Congress to support United States stra-*
 20 *tegic partnerships with the 3 countries.*

21 **SEC. 6242. ELIGIBILITY OF TAIWAN FOR THE STRATEGIC**
 22 **TRADE AUTHORIZATION EXCEPTION TO CER-**
 23 **TAIN EXPORT CONTROL LICENSING REQUIRE-**
 24 **MENTS.**

25 *(a) FINDINGS.—Congress makes the following findings:*

1 (1) *Taiwan has adopted high standards in the*
 2 *field of export controls.*

3 (2) *Taiwan has declared its unilateral adherence*
 4 *to the Missile Technology Control Regime, the*
 5 *Wassenaar Arrangement, the Australia Group, and*
 6 *the Nuclear Suppliers Group.*

7 (3) *At the request of President George W. Bush,*
 8 *section 1206 of the Foreign Relations Authorization*
 9 *Act, Fiscal Year 2003 (Public Law 107–228; 22*
 10 *U.S.C. 2321k note) required that Taiwan be treated*
 11 *as if it were designated as a major non-NATO ally*
 12 *(as defined in section 644(q) of the Foreign Assistance*
 13 *Act of 1961 (22 U.S.C. 2403(q)).*

14 (b) *ELIGIBILITY FOR STRATEGIC TRADE AUTHORIZA-*
 15 *TION.—The President, consistent with the commitments of*
 16 *the United States under international arrangements, shall*
 17 *take steps so that Taiwan may be treated as if it were in-*
 18 *cluded in the list of countries eligible for the strategic trade*
 19 *authorization exception under section 740.20(c)(1) of the*
 20 *Export Administration Regulations to the requirement for*
 21 *a license for the export, re-export, or in-country transfer*
 22 *of an item subject to controls under the Export Administra-*
 23 *tion Regulations.*

24 (c) *CRITERIA.—Before the President may treat Tai-*
 25 *wan as eligible for the exception described in subsection (b),*

1 *the President shall ensure that Taiwan satisfies any appli-*
 2 *cable criteria normally required for inclusion in the Coun-*
 3 *try Group A:5 list set forth in Supplement No. 1 to part*
 4 *740 of the Export Administration Regulations, particularly*
 5 *with respect to alignment of export control policies with*
 6 *such policies of the United States.*

7 (d) *EXPORT ADMINISTRATION REGULATIONS DE-*
 8 *FINED.*—*In this section, the term “Export Administration*
 9 *Regulations” has the meaning given that term in section*
 10 *1742 of the Export Control Reform Act of 2018 (50 U.S.C.*
 11 *4801).*

12 **SEC. 6243. AUDIT TO IDENTIFY DIVERSION OF DEPART-**
 13 **MENT OF DEFENSE FUNDING TO CHINA’S RE-**
 14 **SEARCH LABS.**

15 *Section 1263 is deemed to read as follows:*

16 **“SEC. 1263. AUDIT TO IDENTIFY DIVERSION OF DEPART-**
 17 **MENT OF DEFENSE FUNDING TO CHINA’S RE-**
 18 **SEARCH LABS.**

19 *“(a) IN GENERAL.—Not later than 180 days after the*
 20 *date of the enactment of this Act, the Department of Defense*
 21 *Office of Inspector General shall conduct a study, and sub-*
 22 *mit a report to Congress, regarding the amount of Federal*
 23 *funds awarded by the Department of Defense (whether di-*
 24 *rectly or indirectly) through grants, contracts, subgrants,*
 25 *subcontracts, or any other type of agreement or collabora-*

1 *tion, during the 10-year period immediately preceding such*
2 *date of enactment, that—*

3 “(1) *was provided, whether purposely or inad-*
4 *vertently, to—*

5 “(A) *the People’s Republic of China;*

6 “(B) *the Communist Party of China;*

7 “(C) *the Wuhan Institute of Virology or any*
8 *other organization administered by the Chinese*
9 *Academy of Sciences;*

10 “(D) *EcoHealth Alliance Inc., including*
11 *any subsidiaries and related organizations that*
12 *are directly controlled by EcoHealth Alliance,*
13 *Inc.;*

14 “(E) *the Academy of Military Medical*
15 *Sciences or any of its research institutes, includ-*
16 *ing the Beijing Institute of Microbiology and*
17 *Epidemiology; or*

18 “(F) *any other lab, agency, organization,*
19 *individual, or instrumentality that is owned,*
20 *controlled (directly or indirectly), or overseen*
21 *(officially or unofficially) by any of the entities*
22 *listed in subparagraphs (A) through (D); or*

23 “(2) *was used to fund research or experiments*
24 *that could have reasonably resulted in the enhance-*
25 *ment of any coronavirus, influenza, Nipah, Ebola, or*

1 *other pathogen of pandemic potential or chimeric*
 2 *versions of such a virus or pathogen in the People’s*
 3 *Republic of China or any other foreign country.*

4 “(b) *IDENTIFICATION OF COUNTRIES AND PATHO-*
 5 *GENS.—The report required under subsection (a) shall*
 6 *specify—*

7 *“(1) the countries in which the research or ex-*
 8 *periments described in subsection (a)(2) was con-*
 9 *ducted; and*

10 *“(2) the pathogens involved in such research or*
 11 *experiments.”.*

12 ***Subtitle G—Other Matters***

13 ***SEC. 6291. SENSE OF THE SENATE ON DIGITAL TRADE AND*** 14 ***THE DIGITAL ECONOMY.***

15 *(a) FINDINGS.—Congress makes the following findings:*

16 *(1) Over half of the world’s population, totaling*
 17 *more than 5,000,000,000 people, use the internet.*

18 *(2) The digital economy encompasses the eco-*
 19 *nomie and social activity from billions of online con-*
 20 *nections among people, businesses, devices, and data*
 21 *as a result of the internet, mobile technology, and the*
 22 *internet of things.*

23 *(3) The Bureau of Economic Analysis found that*
 24 *the digital economy contributed nearly 10.3 percent of*

1 *United States gross domestic product and supported*
2 *8,000,000 United States jobs in 2020.*

3 *(4) The digital sector added 1,400,000 new jobs*
4 *between 2019 and 2022.*

5 *(5) United States jobs supported by the digital*
6 *economy have sustained annual wage growth at a*
7 *rate of 5.9 percent since 2010, as compared to a 4.2*
8 *percent for all jobs.*

9 *(6) In 2021, United States exports of digital*
10 *services surpassed \$594,000,000,000, accounting for*
11 *more than half of all United States services exports*
12 *and generating a digital services trade surplus for the*
13 *United States of \$262,300,000,000.*

14 *(7) Digital trade bolsters the digital economy by*
15 *enabling the sale of goods on the internet and the sup-*
16 *ply of online services across borders and depends on*
17 *the free flow of data across borders to promote com-*
18 *merce, manufacturing, and innovation.*

19 *(8) Digital trade has become increasingly vital*
20 *to United States workers and businesses of all sizes,*
21 *including the countless small and medium-sized enter-*
22 *prises that use digital technology, data flows, and e-*
23 *commerce to export goods and services across the*
24 *world.*

1 (9) *Digital trade has advanced entrepreneurship*
2 *opportunities for women, people of color, and individ-*
3 *uals from otherwise underrepresented backgrounds*
4 *and enabled the formation of innovative start-ups.*

5 (10) *International supply chains are becoming*
6 *increasingly digitized and data driven and businesses*
7 *in a variety of industries, such as construction,*
8 *healthcare, transportation, and aerospace, invested*
9 *heavily in digital supply chain technologies in 2020.*

10 (11) *United States Trade Representative Kath-*
11 *erine Tai said, “[T]here is no bright line separating*
12 *digital trade from the digital economy—or the ‘tradi-*
13 *tional’ economy for that matter. Nearly every aspect*
14 *of our economy has been digitized to some degree.”.*

15 (12) *Industries outside of the technology sector,*
16 *such as manufacturing and agriculture, are inte-*
17 *grating digital technology into their businesses in*
18 *order to increase efficiency, improve safety, reach new*
19 *customers, and remain globally competitive.*

20 (13) *The increasing reliance on digital tech-*
21 *nologies has modernized legacy processes, accelerated*
22 *workflows, increased access to information and serv-*
23 *ices, and strengthened security in a variety of indus-*
24 *tries, leading to better health, environmental, and*
25 *safety outcomes.*

1 (14) *The COVID–19 pandemic has led to in-*
2 *creased uptake and reliance on digital technologies,*
3 *data flows, and e-commerce.*

4 (15) *Ninety percent of adults in the United*
5 *States say that the internet has been essential or im-*
6 *portant for them personally during the COVID–19*
7 *pandemic.*

8 (16) *United States families, workers, and busi-*
9 *ness owners have seen how vital access to the internet*
10 *has been to daily life, as work, education, medicine,*
11 *and communication with family and friends have*
12 *shifted increasingly online.*

13 (17) *Many individuals and families, especially*
14 *in rural and Tribal communities, struggle to partici-*
15 *pate in the digital economy because of a lack of access*
16 *to a reliable internet connection.*

17 (18) *New developments in technology must be de-*
18 *ployed with consideration to the unique access chal-*
19 *lenges of rural, urban underserved, and vulnerable*
20 *communities.*

21 (19) *Digital trade has the power to help level the*
22 *playing field and uplift those in traditionally unrepre-*
23 *sented or underrepresented communities.*

24 (20) *Countries have negotiated international*
25 *rules governing digital trade in various bilateral and*

1 *plurilateral agreements, but those rules remain frag-*
2 *mented, and no multilateral agreement on digital*
3 *trade exists within the World Trade Organization.*

4 *(21) The United States, through free trade agree-*
5 *ments or other digital agreements, has been a leader*
6 *in developing a set of rules and standards on digital*
7 *governance and e-commerce that has helped allies and*
8 *partners of the United States unlock the full economic*
9 *and social potential of digital trade.*

10 *(22) Congress recognizes the need for agreements*
11 *on digital trade, as indicated by its support for a ro-*
12 *bust digital trade chapter in the United States-Mex-*
13 *ico-Canada Agreement.*

14 *(23) Other countries are operating under their*
15 *own digital rules, some of which are contrary to*
16 *democratic values shared by the United States and*
17 *many allies and partners of the United States.*

18 *(24) Those countries are attempting to advance*
19 *their own digital rules on a global scale.*

20 *(25) Examples of the plethora of nontariff bar-*
21 *riers to digital trade that have emerged around the*
22 *globe include—*

23 *(A) overly restrictive data localization re-*
24 *quirements and limitations on cross border data*

1 *flows that do not achieve legitimate public policy*
 2 *objectives;*

3 *(B) intellectual property rights infringe-*
 4 *ment;*

5 *(C) policies that make market access contin-*
 6 *gent on forced technology transfers or voluntary*
 7 *transfers subject to coercive terms;*

8 *(D) web filtering;*

9 *(E) economic espionage;*

10 *(F) cybercrime exposure; and*

11 *(G) government-directed theft of trade se-*
 12 *crets.*

13 *(26) Certain countries are pursuing or have im-*
 14 *plemented digital policies that unfairly discriminate*
 15 *against innovative United States technology compa-*
 16 *nies and United States workers that create and de-*
 17 *liver digital products and services.*

18 *(27) The Government of the People's Republic of*
 19 *China is currently advancing a model for digital gov-*
 20 *ernance and the digital economy domestically and*
 21 *abroad through its Digital Silk Road Initiative that*
 22 *permits censorship, surveillance, human and worker*
 23 *rights abuses, forced technology transfers, and data*
 24 *flow restrictions at the expense of human and worker*

1 *rights, privacy, the free flow of data, and an open*
2 *internet.*

3 (28) *The 2022 Country Reports on Human*
4 *Rights Practices of the Department of State high-*
5 *lighted significant human rights issues committed by*
6 *the People’s Republic of China in the digital realm,*
7 *including “arbitrary interference with privacy in-*
8 *cluding pervasive and intrusive technical surveillance*
9 *and monitoring including the use of COVID–19*
10 *tracking apps for nonpublic-health purposes; punish-*
11 *ment of family members for offenses allegedly com-*
12 *mitted by an individual; serious restrictions on free*
13 *expression and media, including physical attacks on*
14 *and criminal prosecution of journalists, lawyers,*
15 *writers, bloggers, dissidents, petitioners, and others;*
16 *serious restrictions on internet freedom, including site*
17 *blocking”.*

18 (29) *The United States discourages digital*
19 *authoritarianism, including practices that undermine*
20 *human and worker rights and result in other social*
21 *and economic coercion.*

22 (30) *Allies and trading partners of the United*
23 *States in the Indo-Pacific region have urged the*
24 *United States to deepen economic engagement in the*

1 *region by negotiating rules on digital trade and tech-*
2 *nology standards.*

3 *(31) The digital economy has provided new op-*
4 *portunities for economic development, entrepreneur-*
5 *ship, and growth in developing countries around the*
6 *world.*

7 *(32) Negotiating strong digital trade principles*
8 *and commitments with allies and partners across the*
9 *globe enables the United States to unite like-minded*
10 *economies around common standards and ensure that*
11 *principles of democracy, rule of law, freedom of*
12 *speech, human and worker rights, privacy, and a free*
13 *and open internet are at the very core of digital gov-*
14 *ernance.*

15 *(33) United States leadership and substantive*
16 *engagement is necessary to ensure that global digital*
17 *rules reflect United States values so that workers are*
18 *treated fairly, small businesses can compete and win*
19 *in the global economy, and consumers are guaranteed*
20 *the right to privacy and security.*

21 *(34) The United States supports rules that re-*
22 *duce digital trade barriers, promote free expression*
23 *and the free flow of information, enhance privacy*
24 *protections, protect sensitive information, defend*

1 *human and worker rights, prohibit forced technology*
 2 *transfer, and promote digitally enabled commerce.*

3 *(35) The United States supports efforts to co-*
 4 *operate with allies and trading partners to mitigate*
 5 *the risks of cyberattacks, address potentially illegal or*
 6 *deceptive business activities online, promote financial*
 7 *inclusion and digital workforce skills, and develop*
 8 *rules to govern the use of artificial intelligence and*
 9 *other emerging and future technologies.*

10 *(b) SENSE OF THE SENATE.—It is the sense of the Sen-*
 11 *ate that—*

12 *(1) the United States should negotiate strong, in-*
 13 *clusive, forward-looking, and enforceable rules on dig-*
 14 *ital trade and the digital economy with like-minded*
 15 *countries as part of a broader trade and economic*
 16 *strategy to address digital barriers and ensure that*
 17 *the United States values of democracy, rule of law,*
 18 *freedom of speech, human and worker rights, privacy,*
 19 *and a free and open internet are at the very core of*
 20 *the digital world and advanced technology;*

21 *(2) in conducting such negotiations, the United*
 22 *States must—*

23 *(A) pursue digital trade rules that—*

1 (i) serve the best interests of workers,
 2 consumers, and small and medium-sized en-
 3 terprises;

4 (ii) empower United States workers;

5 (iii) fuel wage growth; and

6 (iv) lead to materially positive eco-
 7 nomic outcomes for all people in the United
 8 States;

9 (B) ensure that any future agreement pre-
 10 vents the adoption of non-democratic, coercive, or
 11 overly restrictive policies that would be obstacles
 12 to a free and open internet and harm the ability
 13 of the e-commerce marketplace to continue to
 14 grow and thrive;

15 (C) coordinate sufficient trade-related as-
 16 sistance to ensure that developing countries can
 17 improve their capacity and benefit from in-
 18 creased digital trade; and

19 (D) consult closely with all relevant stake-
 20 holders, including workers, consumers, small and
 21 medium-sized enterprises, civil society groups,
 22 and human rights advocates; and

23 (3) with respect to any negotiations for an agree-
 24 ment facilitating digital trade, the United States
 25 Trade Representative and the heads of other relevant

1 *Federal agencies must consult closely and on a timely*
 2 *basis with Congress.*

3 **SEC. 6292. ASSESSMENT OF CERTAIN UNITED STATES-ORI-**
 4 **GIN TECHNOLOGY USED BY FOREIGN ADVER-**
 5 **SARIES.**

6 *(a) IN GENERAL.—The Director of National Intel-*
 7 *ligence shall conduct an assessment to evaluate the top five*
 8 *technologies that originate in the United States and are not*
 9 *currently subject to export controls as prioritized by the Di-*
 10 *rector of National Intelligence, in order to identify and as-*
 11 *sess the risk from those specified technologies that could be*
 12 *or are being used by foreign adversaries in foreign espio-*
 13 *nage programs targeting the United States.*

14 *(b) REPORT REQUIRED.—Not later than 270 days*
 15 *after the date of the enactment of this Act, the Director shall*
 16 *submit a report on the assessment required by subsection*
 17 *(a) to—*

18 *(1) the Committee on Armed Services and the*
 19 *Select Committee on Intelligence of the Senate; and*

20 *(2) the Committee on Armed Services and the*
 21 *Permanent Select Committee on Intelligence of the*
 22 *House of Representatives.*

23 **SEC. 6293. VIRGINIA CLASS SUBMARINE TRANSFER CER-**
 24 **TIFICATION.**

25 *(a) CERTIFICATION REQUIRED.—*

1 (1) *IN GENERAL*.—Not less than 60 days prior to
2 transferring one or more Virginia class submarines
3 from the inventory of the United States Navy to the
4 Government of Australia, under section 21 of the
5 Arms Export Control Act (22 U.S.C. 2761), the Presi-
6 dent shall certify to the appropriate congressional
7 committees that—

8 (A) any submarine transferred under such
9 authority shall be used to support the joint secu-
10 rity interests and military operations of the
11 United States and Australia;

12 (B) Submarine Rotational Forces-West Full
13 Operational Capability to support 4 rotationally
14 deployed Virginia-class submarines and one As-
15 tute-class submarine has been achieved, includ-
16 ing the Government of Australia having dem-
17 onstrated the domestic capacity to fully perform
18 all the associated activities necessary for the safe
19 hosting and operation of nuclear-powered sub-
20 marines; and

21 (C) Australia Sovereign-Ready Initial
22 Operational Capability to support a Royal Aus-
23 tralian Navy Virginia-class submarine has been
24 achieved, including the Government of Australia

1 *having demonstrated the domestic capacity to*
2 *fully perform all the associated—*

3 *(i) activities necessary for the safe*
4 *hosting and operation of nuclear-powered*
5 *submarines;*

6 *(ii) crewing;*

7 *(iii) operations;*

8 *(iv) regulatory and emergency proce-*
9 *dures, including those specific to nuclear*
10 *power plants; and*

11 *(v) detailed planning for enduring Vir-*
12 *ginia-class submarine ownership, including*
13 *each significant event leading up to and in-*
14 *cluding nuclear defueling.*

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

16 **(1) ACTIVITIES NECESSARY FOR THE SAFE**
17 **HOSTING OR OPERATION OF NUCLEAR-POWERED SUB-**
18 **MARINES.—***The term “activities necessary for the safe*
19 *hosting and operation of nuclear-powered sub-*
20 *marines” means each of the following activities as it*
21 *relates to Virginia-class and Astute-class submarines,*
22 *as appropriate, and in accordance with applicable*
23 *United States Navy or other Government agency in-*
24 *structions, regulations, and standards:*

25 **(A) Maintenance.**

1 (B) *Training.*

2 (C) *Technical oversight.*

3 (D) *Safety certifications.*

4 (E) *Physical, communications, operational,*
5 *cyber, and other security measures.*

6 (F) *Port operations and infrastructure sup-*
7 *port.*

8 (G) *Storage, including spare parts, repair*
9 *parts, and munitions.*

10 (H) *Hazardous material handling and stor-*
11 *age.*

12 (I) *Information technology systems.*

13 (J) *Support functions, including those re-*
14 *lated to medical, quality-of-life, and family*
15 *needs.*

16 (K) *Such other related tasks as may be*
17 *specified by the Secretary of Defense.*

18 (2) *APPROPRIATE CONGRESSIONAL COMMIT-*
19 *TEES.—The term “appropriate congressional commit-*
20 *tees” means—*

21 (A) *the Committee on Foreign Relations, the*
22 *Committee on Armed Services, and the Com-*
23 *mittee on Appropriations of the Senate; and*

24 (B) *the Committee on Foreign Affairs, the*
25 *Committee on Armed Services, and the Com-*

1 *mittee on Appropriations of the House of Rep-*
 2 *resentatives.*

3 ***TITLE LXV—SPACE ACTIVITIES,***
 4 ***STRATEGIC PROGRAMS, AND***
 5 ***INTELLIGENCE MATTERS***
 6 ***Subtitle B—Nuclear Forces***

7 ***SEC. 6511. ANNUAL REPORT ON DEVELOPMENT OF LONG-***
 8 ***RANGE STAND-OFF WEAPON.***

9 *(a) REPORT REQUIRED.—Not later than March 1,*
 10 *2024, and annually thereafter until the date on which long-*
 11 *range stand-off weapon reaches initial operational capa-*
 12 *bility, the Administrator for Nuclear Security, in coordina-*
 13 *tion with the Secretary of the Air Force and the Chairman*
 14 *of the Nuclear Weapons Council, shall submit to the congres-*
 15 *sional defense committees a report on the joint development*
 16 *of the long-range stand-off weapon, including the missile*
 17 *developed by the Air Force and the W80–4 warhead life ex-*
 18 *tension program conducted by the National Nuclear Secu-*
 19 *rity Administration.*

20 *(b) ELEMENTS.—The report under subsection (a) shall*
 21 *include the following:*

22 *(1) An estimate of the date on which the long-*
 23 *range stand-off weapon will reach initial operational*
 24 *capability.*

1 (2) *A description of any development milestones*
2 *for the missile developed by the Air Force or the war-*
3 *head developed by the National Nuclear Security Ad-*
4 *ministration that depend on corresponding progress*
5 *at the other agency.*

6 (3) *A description of coordination efforts between*
7 *the Air Force and the National Nuclear Security Ad-*
8 *ministration during the period covered by the report.*

9 (4) *A description of any schedule delays pro-*
10 *jected by the Air Force or the National Nuclear Secu-*
11 *rity Administration and the anticipated effect such*
12 *delays would have on the schedule of work of the other*
13 *agency.*

14 (5) *Plans to mitigate the effects of any delays de-*
15 *scribed in paragraph (4).*

16 (6) *A description of any ways, including through*
17 *the availability of additional funding or authorities,*
18 *in which the development milestones described in*
19 *paragraph (2) or the estimated date of initial oper-*
20 *ational capability referred to in paragraph (1), could*
21 *be achieved more quickly.*

22 (7) *An estimate of the acquisition costs for the*
23 *long-range stand-off weapon and the W80–4 warhead*
24 *life extension program.*

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 ***TITLE LXVIII—FEND OFF***
 5 ***FENTANYL ACT***

6 ***SEC. 6801. SHORT TITLE.***

7 This title may be cited as the “Fentanyl Eradication
 8 and Narcotics Deterrence Off Fentanyl Act” or the “FEND
 9 Off Fentanyl Act”.

10 ***SEC. 6802. SENSE OF CONGRESS.***

11 *It is the sense of Congress that—*

12 (1) *the proliferation of fentanyl is causing an*
 13 *unprecedented surge in overdose deaths in the United*
 14 *States, fracturing families and communities, and ne-*
 15 *cessitating a comprehensive policy response to combat*
 16 *its lethal flow and to mitigate the drug’s devastating*
 17 *consequences;*

18 (2) *the trafficking of fentanyl into the United*
 19 *States is a national security threat that has killed*
 20 *hundreds of thousands of United States citizens;*

21 (3) *transnational criminal organizations, in-*
 22 *cluding cartels primarily based in Mexico, are the*
 23 *main purveyors of fentanyl into the United States*
 24 *and must be held accountable;*

1 (4) precursor chemicals sourced from the People's
2 *Republic of China* are—

3 (A) shipped from the People's Republic of
4 *China* by legitimate and illegitimate means;

5 (B) transformed through various synthetic
6 processes to produce different forms of fentanyl;
7 and

8 (C) crucial to the production of illicit
9 fentanyl by transnational criminal organiza-
10 tions, contributing to the ongoing opioid crisis;

11 (5) the United States Government must remain
12 vigilant to address all new forms of fentanyl precur-
13 sors and drugs used in combination with fentanyl,
14 such as Xylazine, which attribute to overdose deaths
15 of people in the United States;

16 (6) to increase the cost of fentanyl trafficking,
17 the United States Government should work collabo-
18 ratively across agencies and should surge analytic ca-
19 pability to impose sanctions and other remedies with
20 respect to transnational criminal organizations (in-
21 cluding cartels), including foreign nationals who fa-
22 cilitate the trade in illicit fentanyl and its precursors
23 from the People's Republic of China; and

24 (7) the Department of the Treasury should focus
25 on fentanyl trafficking and its facilitators as one of

1 *the top national security priorities for the Depart-*
 2 *ment.*

3 **SEC. 6803. DEFINITIONS.**

4 *In this title:*

5 (1) *APPROPRIATE CONGRESSIONAL COMMIT-*
 6 *TEES.—The term “appropriate congressional commit-*
 7 *tees” means—*

8 (A) *the Committee on Banking, Housing,*
 9 *and Urban Affairs and the Committee on For-*
 10 *eign Relations of the Senate; and*

11 (B) *the Committee on Foreign Affairs and*
 12 *the Committee on Financial Services of the*
 13 *House of Representatives.*

14 (2) *FOREIGN PERSON.—The term “foreign per-*
 15 *son”—*

16 (A) *means—*

17 (i) *any citizen or national of a foreign*
 18 *country; or*

19 (ii) *any entity not organized under the*
 20 *laws of the United States or a jurisdiction*
 21 *within the United States; and*

22 (B) *does not include the government of a*
 23 *foreign country.*

24 (3) *KNOWINGLY.—The term “knowingly”, with*
 25 *respect to conduct, a circumstance, or a result, means*

1 *that a person has actual knowledge, or should have*
 2 *known, of the conduct, the circumstance, or the result.*

3 (4) *TRAFFICKING.*—*The term “trafficking”, with*
 4 *respect to fentanyl, fentanyl precursors, or other re-*
 5 *lated opioids, has the meaning given the term “opioid*
 6 *trafficking” in section 7203 of the Fentanyl Sanctions*
 7 *Act (21 U.S.C. 2302).*

8 (5) *TRANSNATIONAL CRIMINAL ORGANIZATION.*—
 9 *The term “transnational criminal organization” in-*
 10 *cludes—*

11 (A) *any organization designated as a sig-*
 12 *nificant transnational criminal organization*
 13 *under part 590 of title 31, Code of Federal Regu-*
 14 *lations;*

15 (B) *any of the organizations known as—*

16 (i) *the Sinaloa Cartel;*

17 (ii) *the Jalisco New Generation Cartel;*

18 (iii) *the Gulf Cartel;*

19 (iv) *the Los Zetas Cartel;*

20 (v) *the Juarez Cartel;*

21 (vi) *the Tijuana Cartel;*

22 (vii) *the Beltran-Leyva Cartel; or*

23 (viii) *La Familia Michoacana; or*

1 (C) any other organization that the Presi-
 2 dent determines is a transnational criminal or-
 3 ganization; or

4 (D) any successor organization to an orga-
 5 nization described in subparagraph (B) or as
 6 otherwise determined by the President.

7 (6) UNITED STATES PERSON.—The term “United
 8 States person” means—

9 (A) a United States citizen or an alien law-
 10 fully admitted for permanent residence to the
 11 United States;

12 (B) an entity organized under the laws of
 13 the United States or of any jurisdiction within
 14 the United States, including a foreign branch of
 15 such an entity; or

16 (C) any person in the United States.

17 ***Subtitle A—Sanctions Matters***

18 ***PART I—SANCTIONS IN RESPONSE TO NATIONAL*** 19 ***EMERGENCY RELATING TO FENTANYL TRAF-*** 20 ***FICKING***

21 ***SEC. 6811. FINDING; POLICY.***

22 (a) FINDING.—Congress finds that international traf-
 23 ficking of fentanyl, fentanyl precursors, or other related
 24 opioids constitutes an unusual and extraordinary threat to

1 *the national security, foreign policy, and economy of the*
 2 *United States, and is a national emergency.*

3 (b) *POLICY.—It shall be the policy of the United States*
 4 *to apply economic and other financial sanctions to those*
 5 *who engage in the international trafficking of fentanyl,*
 6 *fentanyl precursors, or other related opioids to protect the*
 7 *national security, foreign policy, and economy of the United*
 8 *States.*

9 **SEC. 6812. USE OF NATIONAL EMERGENCY AUTHORITIES;**
 10 **REPORTING.**

11 (a) *IN GENERAL.—The President may exercise all au-*
 12 *thorities provided under sections 203 and 205 of the Inter-*
 13 *national Emergency Economic Powers Act (50 U.S.C. 1702*
 14 *and 1704) to carry out this part.*

15 (b) *REPORT REQUIRED.—*

16 (1) *IN GENERAL.—Not later than 180 days after*
 17 *the date of the enactment of this Act, and annually*
 18 *thereafter, the President shall submit to the appro-*
 19 *priate congressional committees a report on actions*
 20 *taken by the executive branch pursuant to this part*
 21 *and any national emergency declared with respect to*
 22 *the trafficking of fentanyl and trade in other illicit*
 23 *drugs, including—*

24 (A) *the issuance of any new or revised regu-*
 25 *lations, policies, or guidance;*

1 (B) the imposition of sanctions;

2 (C) the collection of relevant information
3 from outside parties;

4 (D) the issuance or closure of general li-
5 censes, specific licenses, and statements of licens-
6 ing policy by the Office of Foreign Assets Con-
7 trol;

8 (E) a description of any pending enforce-
9 ment cases; or

10 (F) the implementation of mitigation proce-
11 dures.

12 (2) *FORM OF REPORT.*—Each report required by
13 paragraph (1) shall be submitted in unclassified form,
14 but may include the matters required by subpara-
15 graphs (C), (D), (E), and (F) of that paragraph in
16 a classified annex.

17 **SEC. 6813. CODIFICATION OF EXECUTIVE ORDER IMPOSING**
18 **SANCTIONS WITH RESPECT TO FOREIGN PER-**
19 **SONS INVOLVED IN GLOBAL ILLICIT DRUG**
20 **TRADE.**

21 United States sanctions provided for in Executive
22 Order 14059 (50 U.S.C. 1701 note; relating to imposing
23 sanctions on foreign persons involved in the global illicit
24 drug trade), and any amendments to or directives issued

1 *pursuant to such Executive order before the date of the en-*
 2 *actment of this Act, shall remain in effect.*

3 **SEC. 6814. IMPOSITION OF SANCTIONS WITH RESPECT TO**
 4 **FENTANYL TRAFFICKING BY TRANSNATIONAL**
 5 **CRIMINAL ORGANIZATIONS.**

6 *(a) IN GENERAL.—The President shall impose the*
 7 *sanctions described in subsection (b) with respect to any*
 8 *foreign person the President determines—*

9 *(1) is knowingly involved in the significant traf-*
 10 *ficking of fentanyl, fentanyl precursors, or other re-*
 11 *lated opioids, including such trafficking by a*
 12 *transnational criminal organization; or*

13 *(2) otherwise is knowingly involved in signifi-*
 14 *cant activities of a transnational criminal organiza-*
 15 *tion relating to the trafficking of fentanyl, fentanyl*
 16 *precursors, or other related opioids.*

17 *(b) SANCTIONS DESCRIBED.—The President may, pur-*
 18 *suant to the International Emergency Economic Powers Act*
 19 *(50 U.S.C. 1701 et seq.), block and prohibit all transactions*
 20 *in property and interests in property of a foreign person*
 21 *described in subsection (a) if such property and interests*
 22 *in property are in the United States, come within the*
 23 *United States, or are or come within the possession or con-*
 24 *trol of a United States person.*

1 (c) *REPORT REQUIRED.*—Not later than 180 days
 2 after the date of the enactment of this Act, and annually
 3 thereafter, the President shall submit to the appropriate
 4 congressional committees a report on actions taken by the
 5 executive branch with respect to the foreign persons identi-
 6 fied under subsection (a).

7 **SEC. 6815. PENALTIES; WAIVERS; EXCEPTIONS.**

8 (a) *PENALTIES.*—A person that violates, attempts to
 9 violate, conspires to violate, or causes a violation of this
 10 part or any regulation, license, or order issued to carry out
 11 this part shall be subject to the penalties set forth in sub-
 12 sections (b) and (c) of section 206 of the International
 13 Emergency Economic Powers Act (50 U.S.C. 1705) to the
 14 same extent as a person that commits an unlawful act de-
 15 scribed in subsection (a) of that section.

16 (b) *NATIONAL SECURITY WAIVER.*—The President
 17 may waive the application of sanctions under this part
 18 with respect to a foreign person if the President determines
 19 that the waiver is in the national security interest of the
 20 United States.

21 (c) *EXCEPTIONS.*—

22 (1) *EXCEPTION FOR INTELLIGENCE ACTIVI-*
 23 *TIES.*—This part shall not apply with respect to ac-
 24 tivities subject to the reporting requirements under
 25 title V of the National Security Act of 1947 (50

1 *U.S.C. 3091 et seq.) or any authorized intelligence ac-*
2 *tivities of the United States.*

3 (2) *EXCEPTION FOR COMPLIANCE WITH INTER-*
4 *NATIONAL OBLIGATIONS AND LAW ENFORCEMENT AC-*
5 *TIVITIES.—Sanctions under this part shall not apply*
6 *with respect to an alien if admitting or paroling the*
7 *alien into the United States is necessary—*

8 (A) *to permit the United States to comply*
9 *with the Agreement regarding the Headquarters*
10 *of the United Nations, signed at Lake Success on*
11 *June 26, 1947, and entered into force November*
12 *21, 1947, between the United Nations and the*
13 *United States, or other applicable international*
14 *obligations of the United States; or*

15 (B) *to carry out or assist law enforcement*
16 *activity of the United States.*

17 (3) *HUMANITARIAN EXEMPTION.—The President*
18 *may not impose sanctions under this part with re-*
19 *spect to any person for conducting or facilitating a*
20 *transaction for the sale of agricultural commodities,*
21 *food, medicine, or medical devices or for the provision*
22 *of humanitarian assistance.*

1 **SEC. 6816. TREATMENT OF FORFEITED PROPERTY OF**
 2 **TRANSNATIONAL CRIMINAL ORGANIZATIONS.**

3 (a) *TRANSFER OF FORFEITED PROPERTY TO FOR-*
 4 *FEITURE FUNDS.—*

5 (1) *IN GENERAL.—Any covered forfeited property*
 6 *shall be deposited into the Department of the Treas-*
 7 *ury Forfeiture Fund established under section 9705 of*
 8 *title 31, United States Code, or the Department of*
 9 *Justice Assets Forfeiture Fund established under sec-*
 10 *tion 524(c) of title 28, United States Code.*

11 (2) *REPORT REQUIRED.—Not later than 180*
 12 *days after the date of the enactment of this Act, and*
 13 *every 180 days thereafter, the President shall submit*
 14 *to the appropriate congressional committees a report*
 15 *on any deposits made under paragraph (1) during*
 16 *the 180-day period preceding submission of the re-*
 17 *port.*

18 (3) *COVERED FORFEITED PROPERTY DEFINED.—*
 19 *In this subsection, the term “covered forfeited prop-*
 20 *erty” means property—*

21 (A) *forfeited to the United States under*
 22 *chapter 46 or section 1963 of title 18, United*
 23 *States Code; and*

24 (B) *that belonged to or was possessed by an*
 25 *individual affiliated with or connected to a*

transnational criminal organization subject to
sanctions under—

(i) this part;

(ii) the *Fentanyl Sanctions Act* (21
U.S.C. 2301 et seq.); or

(iii) *Executive Order 14059* (50 U.S.C.
1701 note; relating to imposing sanctions
on foreign persons involved in the global il-
licit drug trade).

(b) *BLOCKED ASSETS UNDER TERRORISM RISK IN-
SURANCE ACT OF 2002*.—Nothing in this part affects the
treatment of blocked assets of a terrorist party described in
subsection (a) of section 201 of the *Terrorism Risk Insur-
ance Act of 2002* (28 U.S.C. 1610 note).

PART II—OTHER MATTERS

**SEC. 6821. TEN-YEAR STATUTE OF LIMITATIONS FOR VIOLA-
TIONS OF SANCTIONS.**

(a) *INTERNATIONAL EMERGENCY ECONOMIC POWERS
ACT*.—Section 206 of the *International Emergency Eco-
nomic Powers Act* (50 U.S.C. 1705) is amended by adding
at the end the following:

“(d) *STATUTE OF LIMITATIONS*.—

“(1) *TIME FOR COMMENCING PROCEEDINGS*.—

“(A) *IN GENERAL*.—An action, suit, or pro-
ceeding for the enforcement of any civil fine,

1 *penalty, or forfeiture, pecuniary or otherwise,*
 2 *under this section shall not be entertained unless*
 3 *commenced within ten years after the latest date*
 4 *of the violation upon which the civil fine, pen-*
 5 *alty, or forfeiture is based.*

6 “(B) COMMENCEMENT.—For purposes of
 7 *this paragraph, the commencement of an action,*
 8 *suit, or proceeding includes the issuance of a*
 9 *pre-penalty notice or finding of violation.*

10 “(2) TIME FOR INDICTMENT.—No person shall be
 11 *prosecuted, tried, or punished for any offense under*
 12 *subsection (c) unless the indictment is found or the*
 13 *information is instituted within ten years after the*
 14 *latest date of the violation upon which the indictment*
 15 *or information is based.”.*

16 (b) TRADING WITH THE ENEMY ACT.—Section 16 of
 17 *the Trading with the Enemy Act (50 U.S.C. 4315) is*
 18 *amended by adding at the end the following:*

19 “(d) STATUTE OF LIMITATIONS.—

20 “(1) TIME FOR COMMENCING PROCEEDINGS.—

21 “(A) IN GENERAL.—An action, suit, or pro-
 22 *ceeding for the enforcement of any civil fine,*
 23 *penalty, or forfeiture, pecuniary or otherwise,*
 24 *under this section shall not be entertained unless*
 25 *commenced within ten years after the latest date*

1 *of the violation upon which the civil fine, pen-*
2 *alty, or forfeiture is based.*

3 “(B) *COMMENCEMENT.*—*For purposes of*
4 *this paragraph, the commencement of an action,*
5 *suit, or proceeding includes the issuance of a*
6 *pre-penalty notice or finding of violation.*

7 “(2) *TIME FOR INDICTMENT.*—*No person shall be*
8 *prosecuted, tried, or punished for any offense under*
9 *subsection (a) unless the indictment is found or the*
10 *information is instituted within ten years after the*
11 *latest date of the violation upon which the indictment*
12 *or information is based.”.*

13 ***SEC. 6822. CLASSIFIED REPORT AND BRIEFING ON STAFF-***
14 ***ING OF OFFICE OF FOREIGN ASSETS CON-***
15 ***TROL.***

16 *Not later than 180 days after the date of the enactment*
17 *of this Act, the Director of the Office of Foreign Assets Con-*
18 *trol shall provide to the appropriate congressional commit-*
19 *tees a classified report and briefing on the staffing of the*
20 *Office of Foreign Assets Control, disaggregated by staffing*
21 *dedicated to each sanctions program and each country or*
22 *issue.*

1 **SEC. 6823. REPORT ON DRUG TRANSPORTATION ROUTES**
2 **AND USE OF VESSELS WITH MISLABELED**
3 **CARGO.**

4 *Not later than 180 days after the date of the enactment*
5 *of this Act, the Secretary of the Treasury, in conjunction*
6 *with the heads of other relevant Federal agencies, shall pro-*
7 *vide to the appropriate congressional committees a classi-*
8 *fied report and briefing on efforts to target drug transpor-*
9 *tation routes and modalities, including an assessment of the*
10 *prevalence of false cargo labeling and shipment of precursor*
11 *chemicals without accurate tracking of the customers pur-*
12 *chasing the chemicals.*

13 **SEC. 6824. REPORT ON ACTIONS OF PEOPLE'S REPUBLIC OF**
14 **CHINA WITH RESPECT TO PERSONS IN-**
15 **VOLVED IN FENTANYL SUPPLY CHAIN.**

16 *Not later than 180 days after the date of the enactment*
17 *of this Act, the Secretary of the Treasury, in conjunction*
18 *with the heads of other relevant Federal agencies, shall pro-*
19 *vide to the appropriate congressional committees a classi-*
20 *fied report and briefing on actions taken by the Government*
21 *of the People's Republic of China with respect to persons*
22 *involved in the shipment of fentanyl, fentanyl analogues,*
23 *fentanyl precursors, precursors for fentanyl analogues, and*
24 *equipment for the manufacturing of fentanyl and fentanyl-*
25 *laced counterfeit pills.*

1 ***Subtitle B—Anti-Money Laundering***
 2 ***Matters***

3 ***SEC. 6831. DESIGNATION OF ILLICIT FENTANYL TRANS-***
 4 ***ACTIONS OF SANCTIONED PERSONS AS OF***
 5 ***PRIMARY MONEY LAUNDERING CONCERN.***

6 *Subtitle A of the Fentanyl Sanctions Act (21 U.S.C.*
 7 *2311 et seq.) is amended by inserting after section 7213*
 8 *the following:*

9 ***“SEC. 7213A. DESIGNATION OF TRANSACTIONS OF SANC-***
 10 ***TIONED PERSONS AS OF PRIMARY MONEY***
 11 ***LAUNDERING CONCERN.***

12 *“(a) IN GENERAL.—If the Secretary of the Treasury*
 13 *determines that reasonable grounds exist for concluding that*
 14 *one or more financial institutions operating outside of the*
 15 *United States, 1 or more classes of transactions within, or*
 16 *involving, a jurisdiction outside of the United States, or*
 17 *1 or more types of accounts within, or involving, a jurisdic-*
 18 *tion outside of the United States, is of primary money laun-*
 19 *dering concern in connection with illicit opioid trafficking,*
 20 *the Secretary of the Treasury may, by order, regulation,*
 21 *or otherwise as permitted by law—*

22 *“(1) require domestic financial institutions and*
 23 *domestic financial agencies to take 1 or more of the*
 24 *special measures provided for in section 9714(a)(1) of*
 25 *the National Defense Authorization Act for Fiscal*

1 *Year 2021 (Public Law 116–283; 31 U.S.C. 5318A*
2 *note); or*

3 “(2) *prohibit, or impose conditions upon, certain*
4 *transmittals of funds (to be defined by the Secretary)*
5 *by any domestic financial institution or domestic fi-*
6 *nancial agency, if such transmittal of funds involves*
7 *any such institution, class of transaction, or type of*
8 *accounts.*

9 “(b) *CLASSIFIED INFORMATION.—In any judicial re-*
10 *view of a finding of the existence of a primary money laun-*
11 *dering concern, or of the requirement for 1 or more special*
12 *measures with respect to a primary money laundering con-*
13 *cern made under this section, if the designation or imposi-*
14 *tion, or both, were based on classified information (as de-*
15 *finied in section 1(a) of the Classified Information Proce-*
16 *dures Act (18 U.S.C. App.)), such information may be sub-*
17 *mitted by the Secretary to the reviewing court ex parte and*
18 *in camera. This subsection does not confer or imply any*
19 *right to judicial review of any finding made or any require-*
20 *ment imposed under this section.*

21 “(c) *AVAILABILITY OF INFORMATION.—The exemptions*
22 *from, and prohibitions on, search and disclosure referred*
23 *to in section 9714(c) of the National Defense Authorization*
24 *Act for Fiscal Year 2021 (Public Law 116–283; 31 U.S.C.*
25 *5318A note) shall apply to any report or record of report*

1 *filed pursuant to a requirement imposed under subsection*
 2 *(a). For purposes of section 552 of title 5, United States*
 3 *Code, this subsection shall be considered a statute described*
 4 *in subsection (b)(3)(B) of that section.*

5 “(d) *PENALTIES.*—*The penalties referred to in section*
 6 *9714(d) of the National Defense Authorization Act for Fis-*
 7 *cal Year 2021 (Public Law 116–283; 31 U.S.C. 5318A note)*
 8 *shall apply to violations of any order, regulation, special*
 9 *measure, or other requirement imposed under subsection*
 10 *(a), in the same manner and to the same extent as described*
 11 *in such section 9714(d).*

12 “(e) *INJUNCTIONS.*—*The Secretary of the Treasury*
 13 *may bring a civil action to enjoin a violation of any order,*
 14 *regulation, special measure, or other requirement imposed*
 15 *under subsection (a) in the same manner and to the same*
 16 *extent as described in section 9714(e) of the National De-*
 17 *fense Authorization Act for Fiscal Year 2021 (Public Law*
 18 *116–283; 31 U.S.C. 5318A note).”.*

19 **SEC. 6832. TREATMENT OF TRANSNATIONAL CRIMINAL OR-**
 20 **GANIZATIONS IN SUSPICIOUS TRANSACTIONS**
 21 **REPORTS OF THE FINANCIAL CRIMES EN-**
 22 **FORCEMENT NETWORK.**

23 (a) *FILING INSTRUCTIONS.*—*Not later than 180 days*
 24 *after the date of the enactment of this Act, the Director of*
 25 *the Financial Crimes Enforcement Network shall issue*

1 *guidance or instructions to United States financial institu-*
 2 *tions for filing reports on suspicious transactions required*
 3 *by section 1010.320 of title 31, Code of Federal Regulations,*
 4 *related to suspected fentanyl trafficking by transnational*
 5 *criminal organizations.*

6 (b) *PRIORITIZATION OF REPORTS RELATING TO*
 7 *FENTANYL TRAFFICKING OR TRANSNATIONAL CRIMINAL*
 8 *ORGANIZATIONS.—The Director shall prioritize research*
 9 *into reports described in subsection (a) that indicate a con-*
 10 *nection to trafficking of fentanyl or related synthetic*
 11 *opioids or financing of suspected transnational criminal or-*
 12 *ganizations.*

13 **SEC. 6833. REPORT ON TRADE-BASED MONEY LAUNDERING**
 14 **IN TRADE WITH MEXICO, THE PEOPLE’S RE-**
 15 **PUBLIC OF CHINA, AND BURMA.**

16 (a) *IN GENERAL.—In the first update to the national*
 17 *strategy for combating the financing of terrorism and re-*
 18 *lated forms of illicit finance submitted to Congress after the*
 19 *date of the enactment of this Act, the Secretary of the Treas-*
 20 *ury shall include a report on trade-based money laundering*
 21 *originating in Mexico or the People’s Republic of China and*
 22 *involving Burma.*

23 (b) *DEFINITION.—In this section, the term “national*
 24 *strategy for combating the financing of terrorism and re-*
 25 *lated forms of illicit finance” means the national strategy*

1 *for combating the financing of terrorism and related forms*
 2 *of illicit finance required by section 261 of the Countering*
 3 *America’s Adversaries Through Sanctions Act (Public Law*
 4 *115–44; 131 Stat. 934), as amended by section 6506 of the*
 5 *National Defense Authorization Act for Fiscal Year 2022*
 6 *(Public Law 117–81; 135 Stat. 2428).*

7 ***Subtitle C—Exception Relating to***
 8 ***Importation of Goods***

9 ***SEC. 6841. EXCEPTION RELATING TO IMPORTATION OF***
 10 ***GOODS.***

11 (a) *IN GENERAL.*—*The authority or a requirement to*
 12 *block and prohibit all transactions in all property and in-*
 13 *terests in property under this title shall not include the au-*
 14 *thority or a requirement to impose sanctions on the impor-*
 15 *tation of goods.*

16 (b) *GOOD DEFINED.*—*In this section, the term “good”*
 17 *means any article, natural or manmade substance, mate-*
 18 *rial, supply or manufactured product, including inspection*
 19 *and test equipment, and excluding technical data.*

1 **TITLE LXXVIII—MILITARY CON-**
 2 **STRUCTION AND GENERAL**
 3 **PROVISIONS**

4 ***Subtitle B—Military Housing***

5 **PART III—OTHER HOUSING MATTERS**

6 **SEC. 7851. REPORT ON PLAN TO REPLACE HOUSES AT FORT**
 7 **LEONARD WOOD.**

8 *Not later than 90 days after the date of the enactment*
 9 *of this Act, the Secretary of the Army shall submit to Con-*
 10 *gress an unclassified report on the plan of the Army to re-*
 11 *place all 1,142 houses at Fort Leonard Wood that the Army*
 12 *has designated as being in need of repair.*

13 ***Subtitle D—Other Matters***

14 **SEC. 7881. STUDY ON IMPACT ON MEMBERS OF THE ARMED**
 15 **FORCES AND DEPENDENTS OF CONSTRUC-**
 16 **TION PROJECTS THAT AFFECT QUALITY OF**
 17 **LIFE.**

18 *(a) IN GENERAL.—The Secretary of Defense shall con-*
 19 *duct a study, through the use of an independent and objec-*
 20 *tive organization outside the Department of Defense, on the*
 21 *correlation between military construction projects and fa-*
 22 *cilities sustainment, restoration, and modernization*
 23 *projects at installations of the Department of Defense that*
 24 *affect the quality of life of members of the Armed Forces*
 25 *and their dependents and the following:*

1 (1) *Retention of members of the Armed Forces on*
2 *active duty.*

3 (2) *Physical health of members of the Armed*
4 *Forces, including an identification of whether the age,*
5 *condition, and deferred maintenance of a dormitory*
6 *or barracks is in any way related to the frequency of*
7 *sexual assaults and other crimes at installations of*
8 *the Department.*

9 (3) *Mental health of members of the Armed*
10 *Forces.*

11 (b) *REPORT.*—*Not later than one year after the date*
12 *of the enactment of this Act, the Secretary shall submit to*
13 *the Committee on Armed Services of the Senate and the*
14 *Committee on Armed Services of the House of Representa-*
15 *tives a report on the study conducted under subsection (a).*

16 **SEC. 7882. MODIFICATION OF PILOT PROGRAM ON ESTAB-**
17 **LISHMENT OF ACCOUNT FOR REIMBURSE-**
18 **MENT FOR USE OF TESTING FACILITIES AT**
19 **INSTALLATIONS OF THE DEPARTMENT OF**
20 **THE AIR FORCE.**

21 (a) *IN GENERAL.*—*Section 2862 of the Military Con-*
22 *struction Authorization Act for Fiscal Year 2022 (division*
23 *B of Public Law 117–81; 10 U.S.C. 9771 note prec.) is*
24 *amended—*

1 (1) in subsection (a), by striking “testing” and
 2 inserting “Major Range and Test Facility Base
 3 (MRTFB)”;

4 (2) in subsection (b), by inserting “, have Major
 5 Range and Test Facility Base facilities,” after “con-
 6 struct”;

7 (3) by amending subsection (c) to read as fol-
 8 lows:

9 “(c) OVERSIGHT OF FUNDS.—

10 “(1) USE OF AMOUNTS.—The commander of an
 11 installation selected to participate in the pilot pro-
 12 gram may obligate or expend amounts reimbursed
 13 under the pilot program for projects at the installa-
 14 tion.

15 “(2) DESIGNATION OF MAINTENANCE COSTS.—

16 “(A) IN GENERAL.—The commander of an
 17 installation selected to participate in the pilot
 18 program may designate the appropriate amount
 19 of maintenance costs to be charged to users of
 20 Major Range and Test Facility Base facilities
 21 under the pilot program.

22 “(B) USE OF MAINTENANCE COST REIM-
 23 BURSEMENTS.—Maintenance cost reimburse-
 24 ments under subparagraph (A) for an installa-
 25 tion may be used either singly or in combination

1 *with appropriated funds to satisfy the costs of*
 2 *maintenance projects at the installation.*

3 “(3) *OVERSIGHT.*—*The commander of an instal-*
 4 *lation selected for the pilot program shall have direct*
 5 *oversight over amounts reimbursed to the installation*
 6 *under the pilot program for Facility, Sustainment,*
 7 *Restoration, and Modernization.”;*

8 (4) *by redesignating subsection (e) as subsection*
 9 *(f);*

10 (5) *by inserting after subsection (d) the following*
 11 *new subsection (e):*

12 “(e) *NO REDUCTION OF APPROPRIATION.*—*In order to*
 13 *allow full assessment of the viability of the pilot program,*
 14 *appropriations to installations selected to participate in the*
 15 *pilot program for Facility, Sustainment, Restoration, and*
 16 *Modernization shall not be reduced on the basis of partici-*
 17 *pation in the pilot program or usage of the pilot program*
 18 *reimbursements and realized reimbursements from cus-*
 19 *tomers under the pilot program shall not be used as a basis*
 20 *for reduction of such appropriations.”; and*

21 (6) *in subsection (f) as redesignated by para-*
 22 *graph (2), by striking “December 1, 2026” and in-*
 23 *serting “December 1, 2027”.*

24 (b) *CLERICAL AMENDMENTS.*—

1 (1) *SECTION HEADER.*—*The header for such sec-*
 2 *tion is amended to read as follows:*

3 **“SEC. 2862. PILOT PROGRAM TO AUGMENT APPROPRIATED**
 4 **AMOUNTS WITH MAINTENANCE REIMBURSE-**
 5 **MENTS FROM MAJOR RANGE AND TEST FA-**
 6 **CILITY BASE USERS AT INSTALLATIONS OF**
 7 **THE DEPARTMENT OF THE AIR FORCE.”.**

8 (2) *TABLE OF CONTENTS.*—*The table of contents*
 9 *for the National Defense Authorization Act for Fiscal*
 10 *Year 2022 (Public Law 117–81) and the Military*
 11 *Construction Authorization Act for Fiscal Year 2022*
 12 *(division B of Public Law 117–81) are each amended*
 13 *by striking the item relating to section 2862 and in-*
 14 *serting the following new item:*

 “Sec. 2862. Pilot program to augment appropriated amounts with maintenance
 reimbursements from Major Range and Test Facility Base users
 at installations of the Department of the Air Force.”.

15 **TITLE LXXXI—DEPARTMENT OF**
 16 **ENERGY NATIONAL SECURITY**
 17 **PROGRAMS**

18 **Subtitle D—Other Matters**

19 **SEC. 8141. ACCELERATING DEPLOYMENT OF VERSATILE,**
 20 **ADVANCED NUCLEAR FOR CLEAN ENERGY.**

21 (a) *SHORT TITLE.*—*This section may be cited as the*
 22 *“Accelerating Deployment of Versatile, Advanced Nuclear*
 23 *for Clean Energy Act of 2023” or the “ADVANCE Act of*
 24 *2023”.*

1 (b) *DEFINITIONS.—In this section:*

2 (1) *ACCIDENT TOLERANT FUEL.—The term “ac-*
3 *cident tolerant fuel” has the meaning given the term*
4 *in section 107(a) of the Nuclear Energy Innovation*
5 *and Modernization Act (Public Law 115–439; 132*
6 *Stat. 5577).*

7 (2) *ADMINISTRATOR.—The term “Adminis-*
8 *trator” means the Administrator of the Environ-*
9 *mental Protection Agency.*

10 (3) *ADVANCED NUCLEAR FUEL.—The term “ad-*
11 *vanced nuclear fuel” means—*

12 (A) *advanced nuclear reactor fuel; and*

13 (B) *accident tolerant fuel.*

14 (4) *ADVANCED NUCLEAR REACTOR.—The term*
15 *“advanced nuclear reactor” has the meaning given the*
16 *term in section 3 of the Nuclear Energy Innovation*
17 *and Modernization Act (42 U.S.C. 2215 note; Public*
18 *Law 115–439).*

19 (5) *ADVANCED NUCLEAR REACTOR FUEL.—The*
20 *term “advanced nuclear reactor fuel” has the meaning*
21 *given the term in section 3 of the Nuclear Energy In-*
22 *novation and Modernization Act (42 U.S.C. 2215*
23 *note; Public Law 115–439).*

1 (6) *APPROPRIATE COMMITTEES OF CONGRESS.*—

2 *The term “appropriate committees of Congress”*
 3 *means—*

4 (A) *the Committee on Environment and*
 5 *Public Works of the Senate; and*

6 (B) *the Committee on Energy and Com-*
 7 *merce of the House of Representatives.*

8 (7) *COMMISSION.*—*The term “Commission”*
 9 *means the Nuclear Regulatory Commission.*

10 (8) *INSTITUTION OF HIGHER EDUCATION.*—*The*
 11 *term “institution of higher education” has the mean-*
 12 *ing given the term in section 101(a) of the Higher*
 13 *Education Act of 1965 (20 U.S.C. 1001(a)).*

14 (9) *NATIONAL LABORATORY.*—*The term “Na-*
 15 *tional Laboratory” has the meaning given the term in*
 16 *section 2 of the Energy Policy Act of 2005 (42 U.S.C.*
 17 *15801).*

18 (c) *INTERNATIONAL NUCLEAR REACTOR EXPORT AND*
 19 *INNOVATION ACTIVITIES.*—

20 (1) *COORDINATION.*—

21 (A) *IN GENERAL.*—*The Commission shall—*

22 (i) *coordinate all work of the Commis-*
 23 *sion relating to—*

24 (I) *nuclear reactor import and ex-*
 25 *port licensing; and*

1 (ii) international regulatory co-
2 operation and assistance relating to
3 nuclear reactors, including with coun-
4 tries that are members of—

5 (aa) the Organisation for
6 Economic Co-operation and De-
7 velopment; or

8 (bb) the Nuclear Energy
9 Agency; and

10 (ii) support interagency and inter-
11 national coordination with respect to—

12 (I) the consideration of inter-
13 national technical standards to estab-
14 lish the licensing and regulatory basis
15 to assist the design, construction, and
16 operation of nuclear systems;

17 (II) efforts to help build competent
18 nuclear regulatory organizations and
19 legal frameworks in countries seeking
20 to develop nuclear power; and

21 (III) exchange programs and
22 training provided, in coordination
23 with the Secretary of State, to other
24 countries relating to nuclear regulation
25 and oversight to improve nuclear tech-

1 *nology licensing, in accordance with*
 2 *subparagraph (B).*

3 (B) *EXCHANGE PROGRAMS AND TRAIN-*
 4 *ING.—With respect to the exchange programs*
 5 *and training described in subparagraph*
 6 *(A)(ii)(III), the Commission shall coordinate, as*
 7 *applicable, with—*

8 *(i) the Secretary of Energy;*
 9 *(ii) the Secretary of State;*
 10 *(iii) National Laboratories;*
 11 *(iv) the private sector; and*
 12 *(v) institutions of higher education.*

13 (2) *AUTHORITY TO ESTABLISH BRANCH.—The*
 14 *Commission may establish within the Office of Inter-*
 15 *national Programs a branch, to be known as the*
 16 *“International Nuclear Reactor Export and Innova-*
 17 *tion Branch”, to carry out such international nuclear*
 18 *reactor export and innovation activities as the Com-*
 19 *mission determines to be appropriate and within the*
 20 *mission of the Commission.*

21 (3) *EXCLUSION OF INTERNATIONAL ACTIVITIES*
 22 *FROM THE FEE BASE.—*

23 (A) *IN GENERAL.—Section 102 of the Nu-*
 24 *clear Energy Innovation and Modernization Act*
 25 *(42 U.S.C. 2215) is amended—*

1 (i) in subsection (a), by adding at the
2 end the following:

3 “(4) *INTERNATIONAL NUCLEAR REACTOR EXPORT*
4 *AND INNOVATION ACTIVITIES.*—The Commission shall
5 identify in the annual budget justification inter-
6 national nuclear reactor export and innovation ac-
7 tivities described in subsection (c)(1) of the *AD-*
8 *VANCE Act of 2023.*”; and

9 (ii) in subsection (b)(1)(B), by adding
10 at the end the following:

11 “(iv) *Costs for international nuclear*
12 *reactor export and innovation activities de-*
13 *scribed in subsection (c)(1) of the AD-*
14 *VANCE Act of 2023.*”.

15 (B) *EFFECTIVE DATE.*—The amendments
16 made by subparagraph (A) shall take effect on
17 October 1, 2024.

18 (4) *COORDINATION.*—The Commission shall co-
19 ordinate all international activities under this sub-
20 section with the Secretary of State and other applica-
21 ble agencies, as appropriate.

22 (5) *SAVINGS CLAUSE.*—Nothing in this sub-
23 section alters the authority of the Commission to li-
24 cense and regulate the civilian use of radioactive ma-
25 terials.

1 (d) *DENIAL OF CERTAIN DOMESTIC LICENSES FOR*
 2 *NATIONAL SECURITY PURPOSES.—*

3 (1) *DEFINITION OF COVERED FUEL.—In this*
 4 *subsection, the term “covered fuel” means enriched*
 5 *uranium that is fabricated into fuel assemblies for*
 6 *nuclear reactors by an entity that—*

7 (A) *is owned or controlled by the Govern-*
 8 *ment of the Russian Federation or the Govern-*
 9 *ment of the People’s Republic of China; or*

10 (B) *is organized under the laws of, or other-*
 11 *wise subject to the jurisdiction of, the Russian*
 12 *Federation or the People’s Republic of China.*

13 (2) *PROHIBITION ON UNLICENSED POSSESSION*
 14 *OR OWNERSHIP OF COVERED FUEL.—Unless specifi-*
 15 *cally authorized by the Commission in a license*
 16 *issued under section 53 of the Atomic Energy Act of*
 17 *1954 (42 U.S.C. 2073) and part 70 of title 10, Code*
 18 *of Federal Regulations (or successor regulations), no*
 19 *person subject to the jurisdiction of the Commission*
 20 *may possess or own covered fuel.*

21 (3) *LICENSE TO POSSESS OR OWN COVERED*
 22 *FUEL.—*

23 (A) *CONSULTATION REQUIRED PRIOR TO*
 24 *ISSUANCE.—The Commission shall not issue a li-*
 25 *cense to possess or own covered fuel under section*

1 *53 of the Atomic Energy Act of 1954 (42 U.S.C.*
 2 *2073) and part 70 of title 10, Code of Federal*
 3 *Regulations (or successor regulations), unless the*
 4 *Commission has first consulted with the Sec-*
 5 *retary of Energy and the Secretary of State be-*
 6 *fore issuing the license.*

7 *(B) PROHIBITION ON ISSUANCE OF LI-*
 8 *CENSE.—*

9 *(i) IN GENERAL.—Subject to clause*
 10 *(iii), a license to possess or own covered fuel*
 11 *shall not be issued if the Secretary of En-*
 12 *ergy and the Secretary of State make the*
 13 *determination described in clause*
 14 *(ii)(I)(aa).*

15 *(ii) DETERMINATION.—*

16 *(I) IN GENERAL.—The determina-*
 17 *tion referred to in clause (i) is a deter-*
 18 *mination that possession or ownership,*
 19 *as applicable, of covered fuel—*

20 *(aa) poses a threat to the na-*
 21 *tional security of the United*
 22 *States, including because of an*
 23 *adverse impact on the physical*
 24 *and economic security of the*
 25 *United States; or*

1 (bb) does not pose a threat to
2 the national security of the
3 United States.

4 (II) *JOINT DETERMINATION.*—A
5 determination described in subclause
6 (I) shall be jointly made by the Sec-
7 retary of Energy and the Secretary of
8 State.

9 (III) *TIMELINE.*—

10 (aa) *NOTICE OF APPLICA-*
11 *TION.*—Not later than 30 days
12 after the date on which the Com-
13 mission receives an application
14 for a license to possess or own cov-
15 ered fuel, the Commission shall
16 notify the Secretary of Energy
17 and the Secretary of State of the
18 application.

19 (bb) *DETERMINATION.*—The
20 Secretary of Energy and the Sec-
21 retary of State shall have a period
22 of 180 days, beginning on the date
23 on which the Commission notifies
24 the Secretary of Energy and the
25 Secretary of State under item

1 (aa) of an application for a li-
2 cense to possess or own covered
3 fuel, in which to make the deter-
4 mination described in subclause
5 (I).

6 (cc) COMMISSION NOTIFICA-
7 TION.—On making the determina-
8 tion described in subclause (I), the
9 Secretary of Energy and the Sec-
10 retary of State shall immediately
11 notify the Commission.

12 (dd) CONGRESSIONAL NOTIFI-
13 CATION.—Not later than 30 days
14 after the date on which the Sec-
15 retary of Energy and the Sec-
16 retary of State notify the Com-
17 mission under item (cc), the Com-
18 mission shall notify the appro-
19 priate committees of Congress, the
20 Committee on Foreign Relations
21 of the Senate, the Committee on
22 Energy and Natural Resources of
23 the Senate, and the Committee on
24 Foreign Affairs of the House of

1 *Representatives of the determina-*
 2 *tion.*

3 *(ee) PUBLIC NOTICE.—Not*
 4 *later than 15 days after the date*
 5 *on which the Commission notifies*
 6 *Congress under item (dd) of a de-*
 7 *termination made under subclause*
 8 *(I), the Commission shall make*
 9 *that determination publicly avail-*
 10 *able.*

11 *(iii) EFFECT OF NO DETERMINA-*
 12 *TION.—The Commission shall not issue a li-*
 13 *cense if the Secretary of Energy and the*
 14 *Secretary of State have not made a deter-*
 15 *mination described in clause (ii).*

16 *(4) SAVINGS CLAUSE.—Nothing in this sub-*
 17 *section alters any treaty or international agreement*
 18 *in effect on the date of enactment of this Act or that*
 19 *enters into force after the date of enactment of this*
 20 *Act.*

21 *(e) EXPORT LICENSE REQUIREMENTS.—*

22 *(1) DEFINITION OF LOW-ENRICHED URANIUM.—*
 23 *In this subsection, the term “low-enriched uranium”*
 24 *means uranium enriched to less than 20 percent of*
 25 *the uranium-235 isotope.*

1 (2) *REQUIREMENT.*—*The Commission shall not*
 2 *issue an export license for the transfer of any item de-*
 3 *scribed in paragraph (4) to a country described in*
 4 *paragraph (3) unless the Commission, in consultation*
 5 *with the Secretary of State and any other relevant*
 6 *agencies, makes a determination that such transfer*
 7 *will not be inimical to the common defense and secu-*
 8 *rity of the United States.*

9 (3) *COUNTRIES DESCRIBED.*—*A country referred*
 10 *to in paragraph (2) is a country that—*

11 (A) *has not concluded and ratified an Addi-*
 12 *tional Protocol to its safeguards agreement with*
 13 *the International Atomic Energy Agency; or*

14 (B) *has not ratified or acceded to the*
 15 *amendment to the Convention on the Physical*
 16 *Protection of Nuclear Material, adopted at Vi-*
 17 *enna October 26, 1979, and opened for signature*
 18 *at New York March 3, 1980 (TIAS 11080), de-*
 19 *scribed in the information circular of the Inter-*
 20 *national Atomic Energy Agency numbered*
 21 *INFCIRC/274/Rev.1/Mod.1 and dated May 9,*
 22 *2016 (TIAS 16–508).*

23 (4) *ITEMS DESCRIBED.*—*An item referred to in*
 24 *paragraph (2) includes—*

1 (A) unirradiated nuclear fuel containing
2 special nuclear material (as defined in section
3 11 of the Atomic Energy Act of 1954 (42 U.S.C.
4 2014)), excluding low-enriched uranium;

5 (B) a nuclear reactor that uses nuclear fuel
6 described in subparagraph (A); and

7 (C) any plant or component listed in Ap-
8 pendix I to part 110 of title 10, Code of Federal
9 Regulations (or successor regulations), that is in-
10 volved in—

11 (i) the reprocessing of irradiated nu-
12 clear reactor fuel elements;

13 (ii) the separation of plutonium; or

14 (iii) the separation of the uranium-233
15 isotope.

16 (5) NOTIFICATION.—If the Commission, in con-
17 sultation with the Secretary of State and any other
18 relevant agencies, makes a determination, in accord-
19 ance with applicable laws and regulations, under
20 paragraph (2) that the transfer of any item described
21 in paragraph (4) to a country described in paragraph
22 (3) will not be inimical to the common defense and
23 security of the United States, the Commission shall
24 notify the appropriate committees of Congress, the
25 Committee on Foreign Relations of the Senate, the

1 *Committee on Energy and Natural Resources of the*
 2 *Senate, and the Committee on Foreign Affairs of the*
 3 *House of Representatives.*

4 *(f) FEES FOR ADVANCED NUCLEAR REACTOR APPLI-*
 5 *CATION REVIEW.—*

6 *(1) DEFINITIONS.—Section 3 of the Nuclear En-*
 7 *ergy Innovation and Modernization Act (42 U.S.C.*
 8 *2215 note; Public Law 115–439) is amended—*

9 *(A) by redesignating paragraphs (2)*
 10 *through (15) as paragraphs (3), (6), (7), (8), (9),*
 11 *(10), (12), (15), (16), (17), (18), (19), (20), and*
 12 *(21), respectively;*

13 *(B) by inserting after paragraph (1) the fol-*
 14 *lowing:*

15 *“(2) ADVANCED NUCLEAR REACTOR APPLI-*
 16 *CANT.—The term ‘advanced nuclear reactor appli-*
 17 *cant’ means an entity that has submitted to the Com-*
 18 *mission an application to receive a license for an ad-*
 19 *vanced nuclear reactor under the Atomic Energy Act*
 20 *of 1954 (42 U.S.C. 2011 et seq.).”;*

21 *(C) by inserting after paragraph (3) (as so*
 22 *redesignated) the following:*

23 *“(4) ADVANCED NUCLEAR REACTOR PRE-APPLI-*
 24 *CANT.—The term ‘advanced nuclear reactor pre-appli-*
 25 *cant’ means an entity that has submitted to the Com-*

1 *mission a licensing project plan for the purposes of*
 2 *submitting a future application to receive a license*
 3 *for an advanced nuclear reactor under the Atomic*
 4 *Energy Act of 1954 (42 U.S.C. 2011 et seq.).*

5 “(5) *AGENCY SUPPORT.*—*The term ‘agency sup-*
 6 *port’ means the resources of the Commission that are*
 7 *located in executive, administrative, and other sup-*
 8 *port offices of the Commission, as described in the*
 9 *document of the Commission entitled ‘FY 2023 Final*
 10 *Fee Rule Work Papers’ (or a successor document).”;*

11 *(D) by inserting after paragraph (10) (as so*
 12 *redesignated) the following:*

13 “(11) *HOURLY RATE FOR MISSION-DIRECT PRO-*
 14 *GRAM SALARIES AND BENEFITS FOR THE NUCLEAR*
 15 *REACTOR SAFETY PROGRAM.*—*The term ‘hourly rate*
 16 *for mission-direct program salaries and benefits for*
 17 *the Nuclear Reactor Safety Program’ means the*
 18 *quotient obtained by dividing—*

19 *“(A) the full-time equivalent rate (within*
 20 *the meaning of the document of the Commission*
 21 *entitled ‘FY 2023 Final Fee Rule Work Papers’*
 22 *(or a successor document)) for mission-direct*
 23 *program salaries and benefits for the Nuclear*
 24 *Reactor Safety Program (as determined by the*
 25 *Commission) for a fiscal year; by*

1 “(B) the productive hours assumption for
 2 that fiscal year, determined in accordance with
 3 the formula established in the document referred
 4 to in subparagraph (A) (or a successor docu-
 5 ment).”; and

6 (E) by inserting after paragraph (12) (as so
 7 redesignated) the following:

8 “(13) MISSION-DIRECT PROGRAM SALARIES AND
 9 BENEFITS FOR THE NUCLEAR REACTOR SAFETY PRO-
 10 GRAM.—The term ‘mission-direct program salaries
 11 and benefits for the Nuclear Reactor Safety Program’
 12 means the resources of the Commission that are allo-
 13 cated to the Nuclear Reactor Safety Program (as de-
 14 termined by the Commission) to perform core work
 15 activities committed to fulfilling the mission of the
 16 Commission, as described in the document of the
 17 Commission entitled ‘FY 2023 Final Fee Rule Work
 18 Papers’ (or a successor document).

19 “(14) MISSION-INDIRECT PROGRAM SUPPORT.—
 20 The term ‘mission-indirect program support’ means
 21 the resources of the Commission that support the core
 22 mission-direct activities for the Nuclear Reactor Safe-
 23 ty Program of the Commission (as determined by the
 24 Commission), as described in the document of the

1 *Commission entitled ‘FY 2023 Final Fee Rule Work*
 2 *Papers’ (or a successor document).’.*

3 (2) *EXCLUDED ACTIVITIES.—Section*
 4 *102(b)(1)(B) of the Nuclear Energy Innovation and*
 5 *Modernization Act (42 U.S.C. 2215(b)(1)(B)) (as*
 6 *amended by subsection (c)(3)(A)(ii)) is amended by*
 7 *adding at the end the following:*

8 “(v) *The total costs of mission-indirect*
 9 *program support and agency support that,*
 10 *under paragraph (2)(B), may not be in-*
 11 *cluded in the hourly rate charged for fees*
 12 *assessed to advanced nuclear reactor appli-*
 13 *cants.*

14 “(vi) *The total costs of mission-indirect*
 15 *program support and agency support that,*
 16 *under paragraph (2)(C), may not be in-*
 17 *cluded in the hourly rate charged for fees*
 18 *assessed to advanced nuclear reactor pre-ap-*
 19 *plicants.’.*

20 (3) *FEEES FOR SERVICE OR THING OF VALUE.—*
 21 *Section 102(b) of the Nuclear Energy Innovation and*
 22 *Modernization Act (42 U.S.C. 2215(b)) is amended by*
 23 *striking paragraph (2) and inserting the following:*

24 “(2) *FEEES FOR SERVICE OR THING OF VALUE.—*

1 “(A) *IN GENERAL.*—*In accordance with sec-*
2 *tion 9701 of title 31, United States Code, the*
3 *Commission shall assess and collect fees from*
4 *any person who receives a service or thing of*
5 *value from the Commission to cover the costs to*
6 *the Commission of providing the service or thing*
7 *of value.*

8 “(B) *ADVANCED NUCLEAR REACTOR APPLI-*
9 *CANTS.*—*The hourly rate charged for fees assessed*
10 *to advanced nuclear reactor applicants under*
11 *this paragraph relating to the review of a sub-*
12 *mitted application described in section 3(1) shall*
13 *not exceed the hourly rate for mission-direct pro-*
14 *gram salaries and benefits for the Nuclear Reac-*
15 *tor Safety Program.*

16 “(C) *ADVANCED NUCLEAR REACTOR PRE-AP-*
17 *PLICANTS.*—*The hourly rate charged for fees as-*
18 *essed to advanced nuclear reactor pre-applicants*
19 *under this paragraph relating to the review of*
20 *submitted materials as described in the licensing*
21 *project plan of an advanced nuclear reactor pre-*
22 *applicant shall not exceed the hourly rate for*
23 *mission-direct program salaries and benefits for*
24 *the Nuclear Reactor Safety Program.”.*

1 (4) *SUNSET*.—Section 102 of the Nuclear Energy
 2 Innovation and Modernization Act (42 U.S.C. 2215)
 3 is amended by adding at the end the following:

4 “(g) *CESSATION OF EFFECTIVENESS*.—Paragraphs
 5 (1)(B)(vi) and (2)(C) of subsection (b) shall cease to be effec-
 6 tive on September 30, 2029.”.

7 (5) *EFFECTIVE DATE*.—The amendments made
 8 by this subsection shall take effect on October 1, 2024.

9 (g) *ADVANCED NUCLEAR REACTOR PRIZES*.—Section
 10 103 of the Nuclear Energy Innovation and Modernization
 11 Act (Public Law 115–439; 132 Stat. 5571) is amended by
 12 adding at the end the following:

13 “(f) *PRIZES FOR ADVANCED NUCLEAR REACTOR LI-*
 14 *CENSING*.—

15 “(1) *DEFINITION OF ELIGIBLE ENTITY*.—In this
 16 subsection, the term ‘eligible entity’ means—

17 “(A) a non-Federal entity; and

18 “(B) the Tennessee Valley Authority.

19 “(2) *PRIZE FOR ADVANCED NUCLEAR REACTOR*
 20 *LICENSING*.—

21 “(A) *IN GENERAL*.—Notwithstanding sec-
 22 tion 169 of the Atomic Energy Act of 1954 (42
 23 U.S.C. 2209) and subject to the availability of
 24 appropriations, the Secretary is authorized to
 25 make, with respect to each award category de-

1 *scribed in subparagraph (C), an award in an*
2 *amount described in subparagraph (B) to the*
3 *first eligible entity—*

4 *“(i) to which the Commission issues an*
5 *operating license for an advanced nuclear*
6 *reactor under part 50 of title 10, Code of*
7 *Federal Regulations (or successor regula-*
8 *tions), for which an application has not*
9 *been approved by the Commission as of the*
10 *date of enactment of this subsection; or*

11 *“(ii) for which the Commission makes*
12 *a finding described in section 52.103(g) of*
13 *title 10, Code of Federal Regulations (or*
14 *successor regulations), with respect to a*
15 *combined license for an advanced nuclear*
16 *reactor—*

17 *“(I) that is issued under subpart*
18 *C of part 52 of that title (or successor*
19 *regulations); and*

20 *“(II) for which an application*
21 *has not been approved by the Commis-*
22 *sion as of the date of enactment of this*
23 *subsection.*

24 *“(B) AMOUNT OF AWARD.—An award under*
25 *subparagraph (A) shall be in an amount equal*

1 *to the total amount assessed by the Commission*
 2 *and collected under section 102(b)(2) from the el-*
 3 *igible entity receiving the award for costs relat-*
 4 *ing to the issuance of the license described in*
 5 *that subparagraph, including, as applicable,*
 6 *costs relating to the issuance of an associated*
 7 *construction permit described in section 50.23 of*
 8 *title 10, Code of Federal Regulations (or suc-*
 9 *cessor regulations), or early site permit (as de-*
 10 *finied in section 52.1 of that title (or successor*
 11 *regulations)).*

12 “(C) *AWARD CATEGORIES.*—*An award*
 13 *under subparagraph (A) may be made for—*

14 “(i) *the first advanced nuclear reactor*
 15 *for which the Commission—*

16 “(I) *issues a license in accordance*
 17 *with clause (i) of subparagraph (A); or*

18 “(II) *makes a finding in accord-*
 19 *ance with clause (ii) of that subpara-*
 20 *graph;*

21 “(ii) *an advanced nuclear reactor*
 22 *that—*

23 “(I) *uses isotopes derived from*
 24 *spent nuclear fuel (as defined in sec-*
 25 *tion 2 of the Nuclear Waste Policy Act*

1 *of 1982 (42 U.S.C. 10101)) or depleted*
2 *uranium as fuel for the advanced nu-*
3 *clear reactor; and*

4 *“(II) is the first advanced nuclear*
5 *reactor described in subclause (I) for*
6 *which the Commission—*

7 *“(aa) issues a license in ac-*
8 *cordance with clause (i) of sub-*
9 *paragraph (A); or*

10 *“(bb) makes a finding in ac-*
11 *cordance with clause (ii) of that*
12 *subparagraph;*

13 *“(iii) an advanced nuclear reactor*
14 *that—*

15 *“(I) is a nuclear integrated en-*
16 *ergy system—*

17 *“(aa) that is composed of 2*
18 *or more co-located or jointly oper-*
19 *ated subsystems of energy genera-*
20 *tion, energy storage, or other tech-*
21 *nologies;*

22 *“(bb) in which not fewer*
23 *than 1 subsystem described in*
24 *item (aa) is a nuclear energy sys-*
25 *tem; and*

1 “(cc) the purpose of which
2 is—

3 “(AA) to reduce green-
4 house gas emissions in both
5 the power and nonpower sec-
6 tors; and

7 “(BB) to maximize en-
8 ergy production and effi-
9 ciency; and

10 “(II) is the first advanced nuclear
11 reactor described in subclause (I) for
12 which the Commission—

13 “(aa) issues a license in ac-
14 cordance with clause (i) of sub-
15 paragraph (A); or

16 “(bb) makes a finding in ac-
17 cordance with clause (ii) of that
18 subparagraph;

19 “(iv) an advanced reactor that—

20 “(I) operates flexibly to generate
21 electricity or high temperature process
22 heat for nonelectric applications; and

23 “(II) is the first advanced nuclear
24 reactor described in subclause (I) for
25 which the Commission—

1 “(aa) issues a license in ac-
2 cordance with clause (i) of sub-
3 paragraph (A); or

4 “(bb) makes a finding in ac-
5 cordance with clause (ii) of that
6 subparagraph; and

7 “(v) the first advanced nuclear reactor
8 for which the Commission grants approval
9 to load nuclear fuel pursuant to the tech-
10 nology-inclusive regulatory framework es-
11 tablished under subsection (a)(4).

12 “(3) *FEDERAL FUNDING LIMITATIONS.*—

13 “(A) *EXCLUSION OF TVA FUNDS.*—In this
14 paragraph, the term ‘Federal funds’ does not in-
15 clude funds received under the power program of
16 the Tennessee Valley Authority.

17 “(B) *LIMITATION ON AMOUNTS EX-*
18 *PENDED.*—An award under this subsection shall
19 not exceed the total amount expended (excluding
20 any expenditures made with Federal funds re-
21 ceived for the applicable project and an amount
22 equal to the minimum cost-share required under
23 section 988 of the Energy Policy Act of 2005 (42
24 U.S.C. 16352)) by the eligible entity receiving

1 *the award for licensing costs relating to the*
 2 *project for which the award is made.*

3 “(C) *REPAYMENT AND DIVIDENDS NOT RE-*
 4 *QUIRED.—Notwithstanding section 9104(a)(4) of*
 5 *title 31, United States Code, or any other provi-*
 6 *sion of law, an eligible entity that receives an*
 7 *award under this subsection shall not be re-*
 8 *quired—*

9 “(i) *to repay that award or any part*
 10 *of that award; or*

11 “(ii) *to pay a dividend, interest, or*
 12 *other similar payment based on the sum of*
 13 *that award.”.*

14 (h) *REPORT ON UNIQUE LICENSING CONSIDERATIONS*
 15 *RELATING TO THE USE OF NUCLEAR ENERGY FOR NON-*
 16 *ELECTRIC APPLICATIONS.—*

17 (1) *IN GENERAL.—Not later than 270 days after*
 18 *the date of enactment of this Act, the Commission*
 19 *shall submit to the appropriate committees of Con-*
 20 *gress a report (referred to in this subsection as the*
 21 *“report”)* *addressing any unique licensing issues or*
 22 *requirements relating to—*

23 (A) *the flexible operation of nuclear reac-*
 24 *tors, such as ramping power output and switch-*

ing between electricity generation and nonelectric applications;

(B) the use of advanced nuclear reactors exclusively for nonelectric applications; and

(C) the colocation of nuclear reactors with industrial plants or other facilities.

(2) *STAKEHOLDER INPUT*.—In developing the report, the Commission shall seek input from—

(A) the Secretary of Energy;

(B) the nuclear energy industry;

(C) technology developers;

(D) the industrial, chemical, and medical sectors;

(E) nongovernmental organizations; and

(F) other public stakeholders.

(3) *CONTENTS*.—

(A) *IN GENERAL*.—The report shall describe—

(i) any unique licensing issues or requirements relating to the matters described in subparagraphs (A) through (C) of paragraph (1), including, with respect to the nonelectric applications referred to in subparagraphs (A) and (B) of that paragraph,

1 *any licensing issues or requirements relat-*
2 *ing to the use of nuclear energy in—*

3 *(I) hydrogen or other liquid and*
4 *gaseous fuel or chemical production;*

5 *(II) water desalination and*
6 *wastewater treatment;*

7 *(III) heat for industrial processes;*

8 *(IV) district heating;*

9 *(V) energy storage;*

10 *(VI) industrial or medical isotope*
11 *production; and*

12 *(VII) other applications, as iden-*
13 *tified by the Commission;*

14 *(ii) options for addressing those issues*
15 *or requirements—*

16 *(I) within the existing regulatory*
17 *framework of the Commission;*

18 *(II) as part of the technology-in-*
19 *clusive regulatory framework required*
20 *under subsection (a)(4) of section 103*
21 *of the Nuclear Energy Innovation and*
22 *Modernization Act (42 U.S.C. 2133*
23 *note; Public Law 115–439) or de-*
24 *scribed in the report required under*

1 subsection (e) of that section (Public
 2 Law 115–439; 132 Stat. 5575); or
 3 (III) through a new rulemaking;
 4 and
 5 (iii) the extent to which Commission
 6 action is needed to implement any matter
 7 described in the report.

8 (B) *COST ESTIMATES, BUDGETS, AND TIME-*
 9 *FRAMES.*—The report shall include cost esti-
 10 mates, proposed budgets, and proposed time-
 11 frames for implementing risk-informed and per-
 12 formance-based regulatory guidance in the li-
 13 censing of nuclear reactors for nonelectric appli-
 14 cations.

15 (i) *ENABLING PREPARATIONS FOR THE DEMONSTRA-*
 16 *TION OF ADVANCED NUCLEAR REACTORS ON DEPARTMENT*
 17 *OF ENERGY SITES OR CRITICAL NATIONAL SECURITY IN-*
 18 *FRAStructure SITES.*—

19 (1) *IN GENERAL.*—Section 102(b)(1)(B) of the
 20 Nuclear Energy Innovation and Modernization Act
 21 (42 U.S.C. 2215(b)(1)(B)) (as amended by subsection
 22 (f)(2)) is amended by adding at the end the following:
 23 “(vii) Costs for—
 24 “(I) activities to review and ap-
 25 prove or disapprove an application for

1 *an early site permit (as defined in sec-*
 2 *tion 52.1 of title 10, Code of Federal*
 3 *Regulations (or a successor regula-*
 4 *tion)) to demonstrate an advanced nu-*
 5 *clear reactor on a Department of En-*
 6 *ergy site or critical national security*
 7 *infrastructure (as defined in section*
 8 *327(d) of the John S. McCain National*
 9 *Defense Authorization Act for Fiscal*
 10 *Year 2019 (Public Law 115–232; 132*
 11 *Stat. 1722)) site; and*

12 *“(II) pre-application activities re-*
 13 *lating to an early site permit (as de-*
 14 *finied in section 52.1 of title 10, Code*
 15 *of Federal Regulations (or a successor*
 16 *regulation)) to demonstrate an ad-*
 17 *vanced nuclear reactor on a Depart-*
 18 *ment of Energy site or critical na-*
 19 *tional security infrastructure (as de-*
 20 *finied in section 327(d) of the John S.*
 21 *McCain National Defense Authoriza-*
 22 *tion Act for Fiscal Year 2019 (Public*
 23 *Law 115–232; 132 Stat. 1722)) site.”.*

24 *(2) EFFECTIVE DATE.—The amendment made by*
 25 *paragraph (1) shall take effect on October 1, 2024.*

1 (j) *CLARIFICATION ON FUSION REGULATION.*—Section
 2 103(a)(4) of the Nuclear Energy Innovation and Mod-
 3 ernization Act (42 U.S.C. 2133 note; Public Law 115–439)
 4 is amended—

5 (1) by striking “Not later” and inserting the fol-
 6 lowing:

7 “(A) *IN GENERAL.*—Not later”; and

8 (2) by adding at the end the following:

9 “(B) *EXCLUSION OF FUSION REACTORS.*—
 10 For purposes of subparagraph (A), the term ‘ad-
 11 vanced reactor applicant’ does not include an
 12 applicant seeking a license for a fusion reactor.”.

13 (k) *REGULATORY ISSUES FOR NUCLEAR FACILITIES*
 14 *AT BROWNFIELD SITES.*—

15 (1) *DEFINITIONS.*—

16 (A) *BROWNFIELD SITE.*—The term
 17 “brownfield site” has the meaning given the term
 18 in section 101 of the Comprehensive Environ-
 19 mental Response, Compensation, and Liability
 20 Act of 1980 (42 U.S.C. 9601).

21 (B) *PRODUCTION FACILITY.*—The term
 22 “production facility” has the meaning given the
 23 term in section 11 of the Atomic Energy Act of
 24 1954 (42 U.S.C. 2014).

1 (C) *RETIRED FOSSIL FUEL SITE.*—The term
2 “retired fossil fuel site” means the site of 1 or
3 more fossil fuel electric generation facilities that
4 are retired or scheduled to retire, including
5 multi-unit facilities that are partially shut
6 down.

7 (D) *UTILIZATION FACILITY.*—The term
8 “utilization facility” has the meaning given the
9 term in section 11 of the Atomic Energy Act of
10 1954 (42 U.S.C. 2014).

11 (2) *IDENTIFICATION OF REGULATORY ISSUES.*—

12 (A) *IN GENERAL.*—Not later than 1 year
13 after the date of enactment of this Act, the Com-
14 mission shall evaluate the extent to which modi-
15 fication of regulations, guidance, or policy is
16 needed to enable timely licensing reviews for,
17 and to support the oversight of, production fa-
18 cilities or utilization facilities at brownfield
19 sites.

20 (B) *REQUIREMENT.*—In carrying out sub-
21 paragraph (A), the Commission shall consider
22 how licensing reviews for production facilities or
23 utilization facilities at brownfield sites may be
24 expedited by considering matters relating to
25 siting and operating a production facility or a

utilization facility at or near a retired fossil fuel site to support—

(i) the reuse of existing site infrastructure, including—

(I) electric switchyard components and transmission infrastructure;

(II) heat-sink components;

(III) steam cycle components;

(IV) roads;

(V) railroad access; and

(VI) water availability;

(ii) the use of early site permits;

(iii) the utilization of plant parameter envelopes or similar standardized site parameters on a portion of a larger site; and

(iv) the use of a standardized application for similar sites.

(C) *REPORT.*—Not later than 14 months after the date of enactment of this Act, the Commission shall submit to the appropriate committees of Congress a report describing any regulations, guidance, and policies identified under subparagraph (A).

(3) *LICENSING.*—

1 (A) *IN GENERAL.*—Not later than 2 years
2 after the date of enactment of this Act, the Com-
3 mission shall—

4 (i) develop and implement strategies to
5 enable timely licensing reviews for, and to
6 support the oversight of, production facili-
7 ties or utilization facilities at brownfield
8 sites, including retired fossil fuel sites; or

9 (ii) initiate a rulemaking to enable
10 timely licensing reviews for, and to support
11 the oversight of, of production facilities or
12 utilization facilities at brownfield sites, in-
13 cluding retired fossil fuel sites.

14 (B) *REQUIREMENTS.*—In carrying out sub-
15 paragraph (A), consistent with the mission of the
16 Commission, the Commission shall consider mat-
17 ters relating to—

18 (i) the use of existing site infrastruc-
19 ture;

20 (ii) existing emergency preparedness
21 organizations and planning;

22 (iii) the availability of historical site-
23 specific environmental data;

24 (iv) previously approved environ-
25 mental reviews required by the National

1 *Environmental Policy Act of 1969 (42*
 2 *U.S.C. 4321 et seq.);*

3 *(v) activities associated with the poten-*
 4 *tial decommissioning of facilities or decon-*
 5 *tamination and remediation at brownfield*
 6 *sites; and*

7 *(vi) community engagement and his-*
 8 *torical experience with energy production.*

9 (4) *REPORT.*—*Not later than 3 years after the*
 10 *date of enactment of this Act, the Commission shall*
 11 *submit to the appropriate committees of Congress a*
 12 *report describing the actions taken by the Commission*
 13 *under paragraph (3).*

14 (l) *APPALACHIAN REGIONAL COMMISSION NUCLEAR*
 15 *ENERGY DEVELOPMENT.*—

16 (1) *IN GENERAL.*—*Subchapter I of chapter 145*
 17 *of subtitle IV of title 40, United States Code, is*
 18 *amended by adding at the end the following:*

19 **“§ 14512. Appalachian Regional Commission nuclear**
 20 **energy development**

21 “(a) *DEFINITIONS.*—*In this section:*

22 “(1) *BROWNFIELD SITE.*—*The term ‘brownfield*
 23 *site’ has the meaning given the term in section 101*
 24 *of the Comprehensive Environmental Response, Com-*

1 *pensation, and Liability Act of 1980 (42 U.S.C.*
2 *9601).*

3 “(2) *PRODUCTION FACILITY.*—*The term ‘produc-*
4 *tion facility’ has the meaning given the term in sec-*
5 *tion 11 of the Atomic Energy Act of 1954 (42 U.S.C.*
6 *2014).*

7 “(3) *RETIRED FOSSIL FUEL SITE.*—*The term ‘re-*
8 *tired fossil fuel site’ means the site of 1 or more fossil*
9 *fuel electric generation facilities that are retired or*
10 *scheduled to retire, including multi-unit facilities that*
11 *are partially shut down.*

12 “(4) *UTILIZATION FACILITY.*—*The term ‘utiliza-*
13 *tion facility’ has the meaning given the term in sec-*
14 *tion 11 of the Atomic Energy Act of 1954 (42 U.S.C.*
15 *2014).*

16 “(b) *AUTHORITY.*—*The Appalachian Regional Com-*
17 *mission may provide technical assistance to, make grants*
18 *to, enter into contracts with, or otherwise provide amounts*
19 *to individuals or entities in the Appalachian region for*
20 *projects and activities—*

21 “(1) *to conduct research and analysis regarding*
22 *the economic impact of siting, constructing, and oper-*
23 *ating a production facility or a utilization facility at*
24 *a brownfield site, including a retired fossil fuel site;*

1 “(2) to assist with workforce training or retrain-
2 ing to perform activities relating to the siting and op-
3 eration of a production facility or a utilization facil-
4 ity at a brownfield site, including a retired fossil fuel
5 site; and

6 “(3) to engage with the Nuclear Regulatory Com-
7 mission, the Department of Energy, and other Federal
8 agencies with expertise in civil nuclear energy.

9 “(c) *LIMITATION ON AVAILABLE AMOUNTS.*—Of the
10 cost of any project or activity eligible for a grant under
11 this section—

12 “(1) except as provided in paragraphs (2) and
13 (3), not more than 50 percent may be provided from
14 amounts made available to carry out this section;

15 “(2) in the case of a project or activity to be car-
16 ried out in a county for which a distressed county
17 designation is in effect under section 14526, not more
18 than 80 percent may be provided from amounts made
19 available to carry out this section; and

20 “(3) in the case of a project or activity to be car-
21 ried out in a county for which an at-risk county des-
22 ignation is in effect under section 14526, not more
23 than 70 percent may be provided from amounts made
24 available to carry out this section.

1 “(d) *SOURCES OF ASSISTANCE*.—Subject to subsection
 2 (c), a grant provided under this section may be provided
 3 from amounts made available to carry out this section, in
 4 combination with amounts made available—

5 “(1) under any other Federal program; or

6 “(2) from any other source.

7 “(e) *FEDERAL SHARE*.—Notwithstanding any provi-
 8 sion of law limiting the Federal share under any other Fed-
 9 eral program, amounts made available to carry out this sec-
 10 tion may be used to increase that Federal share, as the Ap-
 11 palachian Regional Commission determines to be appro-
 12 priate.”.

13 (2) *AUTHORIZATION OF APPROPRIATIONS*.—Sec-
 14 tion 14703 of title 40, United States Code, is amend-
 15 ed—

16 (A) by redesignating subsections (e) and (f)
 17 as subsections (f) and (g), respectively; and

18 (B) by inserting after subsection (d) the fol-
 19 lowing:

20 “(e) *APPALACHIAN REGIONAL COMMISSION NUCLEAR*
 21 *ENERGY DEVELOPMENT*.—Of the amounts made available
 22 under subsection (a), \$5,000,000 may be used to carry out
 23 section 14512 for each of fiscal years 2023 through 2026.”.

24 (3) *CLERICAL AMENDMENT*.—The analysis for
 25 subchapter I of chapter 145 of subtitle IV of title 40,

1 *United States Code, is amended by striking the item*
 2 *relating to section 14511 and inserting the following:*

“14511. Appalachian regional energy hub initiative.

“14512. Appalachian Regional Commission nuclear energy development.”.

3 *(m) FOREIGN OWNERSHIP.—*

4 *(1) IN GENERAL.—The prohibitions against*
 5 *issuing certain licenses for utilization facilities to cer-*
 6 *tain corporations and other entities described in the*
 7 *second sentence of section 103 d. of the Atomic Energy*
 8 *Act of 1954 (42 U.S.C. 2133(d)) and the second sen-*
 9 *tence of section 104 d. of that Act (42 U.S.C. 2134(d))*
 10 *shall not apply to an entity described in paragraph*
 11 *(2) if the Commission determines that issuance of the*
 12 *applicable license to that entity is not inimical to—*

13 *(A) the common defense and security; or*

14 *(B) the health and safety of the public.*

15 *(2) ENTITIES DESCRIBED.—*

16 *(A) IN GENERAL.—An entity referred to in*
 17 *paragraph (1) is a corporation or other entity*
 18 *that is owned, controlled, or dominated by—*

19 *(i) the government of—*

20 *(I) a country that is a member of*
 21 *the Organisation for Economic Co-op-*
 22 *eration and Development on the date of*
 23 *enactment of this Act, subject to sub-*
 24 *paragraph (B); or*

1 (II) *the Republic of India;*

2 (ii) *a corporation that is incorporated*
 3 *in a country described in subclause (I) or*
 4 *(II) of clause (i); or*

5 (iii) *an alien who is a national of a*
 6 *country described in subclause (I) or (II) of*
 7 *clause (i).*

8 (B) *EXCLUSION.*—*An entity described in*
 9 *subparagraph (A)(i)(I) is not an entity referred*
 10 *to in paragraph (1), and paragraph (1) shall*
 11 *not apply to that entity, if, on the date of enact-*
 12 *ment of this Act—*

13 (i) *the entity (or any department,*
 14 *agency, or instrumentality of the entity) is*
 15 *a person subject to sanctions under section*
 16 *231 of the Countering America’s Adver-*
 17 *saries Through Sanctions Act (22 U.S.C.*
 18 *9525); or*

19 (ii) *any citizen of the entity, or any*
 20 *entity organized under the laws of, or other-*
 21 *wise subject to the jurisdiction of, the entity,*
 22 *is a person subject to sanctions under that*
 23 *section.*

24 (3) *TECHNICAL AMENDMENT.*—*Section 103 d. of*
 25 *the Atomic Energy Act of 1954 (42 U.S.C. 2133(d))*

1 *is amended, in the second sentence, by striking “any*
 2 *any” and inserting “any”.*

3 (4) *SAVINGS CLAUSE.—Nothing in this sub-*
 4 *section affects the requirements of section 721 of the*
 5 *Defense Production Act of 1950 (50 U.S.C. 4565).*

6 (n) *EXTENSION OF THE PRICE-ANDERSON ACT.—*

7 (1) *EXTENSION.—Section 170 of the Atomic En-*
 8 *ergy Act of 1954 (42 U.S.C. 2210) (commonly known*
 9 *as the “Price-Anderson Act”)* *is amended by striking*
 10 *“December 31, 2025” each place it appears and in-*
 11 *serting “December 31, 2045”.*

12 (2) *LIABILITY.—Section 170 of the Atomic En-*
 13 *ergy Act of 1954 (42 U.S.C. 2210) (commonly known*
 14 *as the “Price-Anderson Act”)* *is amended—*

15 (A) *in subsection d. (5), by striking*
 16 *“\$500,000,000” and inserting “\$2,000,000,000”;*
 17 *and*

18 (B) *in subsection e. (4), by striking*
 19 *“\$500,000,000” and inserting “\$2,000,000,000”.*

20 (3) *REPORT.—Section 170 p. of the Atomic En-*
 21 *ergy Act of 1954 (42 U.S.C. 2210(p)) (commonly*
 22 *known as the “Price-Anderson Act”)* *is amended by*
 23 *striking “December 31, 2021” and inserting “Decem-*
 24 *ber 31, 2041”.*

1 (4) *DEFINITION OF NUCLEAR INCIDENT.*—Section
 2 11 *q. of the Atomic Energy Act of 1954 (42 U.S.C.*
 3 2014(*q*)) *is amended, in the second proviso, by strik-*
 4 *ing “if such occurrence” and all that follows through*
 5 *“United States:” and inserting a colon.*

6 (o) *REPORT ON ADVANCED METHODS OF MANUFAC-*
 7 *TURING AND CONSTRUCTION FOR NUCLEAR ENERGY APPLI-*
 8 *CATIONS.*—

9 (1) *IN GENERAL.*—Not later than 180 days after
 10 the date of enactment of this Act, the Commission
 11 shall submit to the appropriate committees of Con-
 12 gress a report (referred to in this subsection as the
 13 “report”) on manufacturing and construction for nu-
 14 clear energy applications.

15 (2) *STAKEHOLDER INPUT.*—In developing the re-
 16 port, the Commission shall seek input from—

17 (A) *the Secretary of Energy;*

18 (B) *the nuclear energy industry;*

19 (C) *National Laboratories;*

20 (D) *institutions of higher education;*

21 (E) *nuclear and manufacturing technology*
 22 *developers;*

23 (F) *the manufacturing and construction in-*
 24 *dustries, including manufacturing and construc-*

tion companies with operating facilities in the
United States;

(G) standards development organizations;

(H) labor unions;

(I) nongovernmental organizations; and

(J) other public stakeholders.

(3) CONTENTS.—

(A) IN GENERAL.—The report shall—

(i) examine any unique licensing
issues or requirements relating to the use of
innovative—

(I) advanced manufacturing proc-
esses;

(II) advanced construction tech-
niques; and

(III) rapid improvement or
iterative innovation processes;

(ii) examine—

(I) the requirements for nuclear-
grade components in manufacturing
and construction for nuclear energy
applications;

(II) opportunities to use standard
materials, parts, or components in

1 *manufacturing and construction for*
2 *nuclear energy applications;*

3 *(III) opportunities to use stand-*
4 *ard materials that are in compliance*
5 *with existing codes to provide accept-*
6 *able approaches to support or encap-*
7 *sulate new materials that do not yet*
8 *have applicable codes; and*

9 *(IV) requirements relating to the*
10 *transport of a fueled advanced nuclear*
11 *reactor core from a manufacturing li-*
12 *censee to a licensee that holds a license*
13 *to construct and operate a facility at a*
14 *particular site;*

15 *(iii) identify any safety aspects of in-*
16 *novative advanced manufacturing processes*
17 *and advanced construction techniques that*
18 *are not addressed by existing codes and*
19 *standards, so that generic guidance may be*
20 *updated or created, as necessary;*

21 *(iv) identify options for addressing the*
22 *issues, requirements, and opportunities ex-*
23 *amined under clauses (i) and (ii)—*

24 *(I) within the existing regulatory*
25 *framework; or*

1 (II) through a new rulemaking;

2 (v) identify how addressing the issues,
3 requirements, and opportunities examined
4 under clauses (i) and (ii) will impact op-
5 portunities for domestic nuclear manufac-
6 turing and construction developers; and

7 (vi) describe the extent to which Com-
8 mission action is needed to implement any
9 matter described in the report.

10 (B) *COST ESTIMATES, BUDGETS, AND TIME-*
11 *FRAMES.*—The report shall include cost esti-
12 mates, proposed budgets, and proposed time-
13 frames for implementing risk-informed and per-
14 formance-based regulatory guidance for manu-
15 facturing and construction for nuclear energy
16 applications.

17 (p) *NUCLEAR ENERGY TRAINEESHIP.*—Section 313 of
18 division C of the Omnibus Appropriations Act, 2009 (42
19 U.S.C. 16274a), is amended—

20 (1) in subsection (a), by striking “Nuclear Regu-
21 latory”;

22 (2) in subsection (b)(1), in the matter preceding
23 subparagraph (A), by inserting “and subsection (c)”
24 after “paragraph (2)”;

25 (3) in subsection (c)—

1 (A) by redesignating paragraph (2) as
2 paragraph (5); and

3 (B) by striking paragraph (1) and inserting
4 the following:

5 “(1) *ADVANCED NUCLEAR REACTOR*.—The term
6 ‘advanced nuclear reactor’ has the meaning given the
7 term in section 951(b) of the Energy Policy Act of
8 2005 (42 U.S.C. 16271(b)).

9 “(2) *COMMISSION*.—The term ‘Commission’
10 means the Nuclear Regulatory Commission.

11 “(3) *INSTITUTION OF HIGHER EDUCATION*.—The
12 term ‘institution of higher education’ has the meaning
13 given the term in section 2 of the Energy Policy Act
14 of 2005 (42 U.S.C. 15801).

15 “(4) *NATIONAL LABORATORY*.—The term ‘Na-
16 tional Laboratory’ has the meaning given the term in
17 section 951(b) of the Energy Policy Act of 2005 (42
18 U.S.C. 16271(b)).”;

19 (4) in subsection (d)(2), by striking “Nuclear
20 Regulatory”;

21 (5) by redesignating subsections (c) and (d) as
22 subsections (d) and (e), respectively; and

23 (6) by inserting after subsection (b) the fol-
24 lowing:

1 “(c) *NUCLEAR ENERGY TRAINEESHIP SUBPRO-*
2 *GRAM.*—

3 “(1) *IN GENERAL.*—*The Commission shall estab-*
4 *lish, as a subprogram of the Program, a nuclear en-*
5 *ergy traineeship subprogram under which the Com-*
6 *mission, in coordination with institutions of higher*
7 *education and trade schools, shall competitively*
8 *award traineeships that provide focused training to*
9 *meet critical mission needs of the Commission and*
10 *nuclear workforce needs, including needs relating to*
11 *the nuclear tradecraft workforce.*

12 “(2) *REQUIREMENTS.*—*In carrying out the nu-*
13 *clear energy traineeship subprogram described in*
14 *paragraph (1), the Commission shall—*

15 “(A) *coordinate with the Secretary of En-*
16 *ergy to prioritize the funding of traineeships that*
17 *focus on—*

18 “(i) *nuclear workforce needs; and*

19 “(ii) *critical mission needs of the Com-*
20 *mission;*

21 “(B) *encourage appropriate partnerships*
22 *among—*

23 “(i) *National Laboratories;*

24 “(ii) *institutions of higher education;*

25 “(iii) *trade schools;*

1 “(iv) the nuclear energy industry; and

2 “(v) other entities, as the Commission

3 determines to be appropriate; and

4 “(C) on an annual basis, evaluate nuclear

5 workforce needs for the purpose of implementing

6 traineeships in focused topical areas that—

7 “(i) address the workforce needs of the

8 nuclear energy community; and

9 “(ii) support critical mission needs of

10 the Commission.”.

11 (q) REPORT ON COMMISSION READINESS AND CAPAC-

12 ITY TO LICENSE ADDITIONAL CONVERSION AND ENRICH-

13 MENT CAPACITY TO REDUCE RELIANCE ON URANIUM FROM

14 RUSSIA.—

15 (1) IN GENERAL.—Not later than 180 days after

16 the date of enactment of this Act, the Commission

17 shall submit to the appropriate committees of Con-

18 gress, the Committee on Foreign Relations of the Sen-

19 ate, the Committee on Energy and Natural Resources

20 of the Senate, and the Committee on Foreign Affairs

21 of the House of Representatives a report on the readi-

22 ness and capacity of the Commission to license addi-

23 tional conversion and enrichment capacity at existing

24 and new fuel cycle facilities to reduce reliance on nu-

1 *clear fuel that is recovered, converted, enriched, or*
 2 *fabricated by an entity that—*

3 *(A) is owned or controlled by the Govern-*
 4 *ment of the Russian Federation; or*

5 *(B) is organized under the laws of, or other-*
 6 *wise subject to the jurisdiction of, the Russian*
 7 *Federation.*

8 *(2) CONTENTS.—The report required under*
 9 *paragraph (1) shall analyze how the capacity of the*
 10 *Commission to license additional conversion and en-*
 11 *richment capacity at existing and new fuel cycle fa-*
 12 *cilities may conflict with or restrict the readiness of*
 13 *the Commission to review advanced nuclear reactor*
 14 *applications.*

15 *(r) ANNUAL REPORT ON THE SPENT NUCLEAR FUEL*
 16 *AND HIGH-LEVEL RADIOACTIVE WASTE INVENTORY IN THE*
 17 *UNITED STATES.—*

18 *(1) DEFINITIONS.—In this subsection:*

19 *(A) HIGH-LEVEL RADIOACTIVE WASTE.—*
 20 *The term “high-level radioactive waste” has the*
 21 *meaning given the term in section 2 of the Nu-*
 22 *clear Waste Policy Act of 1982 (42 U.S.C.*
 23 *10101).*

24 *(B) SPENT NUCLEAR FUEL.—The term*
 25 *“spent nuclear fuel” has the meaning given the*

1 *term in section 2 of the Nuclear Waste Policy*
2 *Act of 1982 (42 U.S.C. 10101).*

3 (C) *STANDARD CONTRACT.—The term*
4 *“standard contract” has the meaning given the*
5 *term “contract” in section 961.3 of title 10, Code*
6 *of Federal Regulations (or a successor regula-*
7 *tion).*

8 (2) *REPORT.—Not later than January 1, 2025,*
9 *and annually thereafter, the Secretary of Energy shall*
10 *submit to Congress a report that describes—*

11 (A) *the annual and cumulative amount of*
12 *payments made by the United States to the hold-*
13 *er of a standard contract due to a partial breach*
14 *of contract under the Nuclear Waste Policy Act*
15 *of 1982 (42 U.S.C. 10101 et seq.) resulting in fi-*
16 *nancial damages to the holder;*

17 (B) *the cumulative amount spent by the De-*
18 *partment of Energy since fiscal year 2008 to re-*
19 *duce future payments projected to be made by*
20 *the United States to any holder of a standard*
21 *contract due to a partial breach of contract*
22 *under the Nuclear Waste Policy Act of 1982 (42*
23 *U.S.C. 10101 et seq.);*

24 (C) *the cumulative amount spent by the De-*
25 *partment of Energy to store, manage, and dis-*

1 *pose of spent nuclear fuel and high-level radio-*
2 *active waste in the United States as of the date*
3 *of the report;*

4 *(D) the projected lifecycle costs to store,*
5 *manage, transport, and dispose of the projected*
6 *inventory of spent nuclear fuel and high-level ra-*
7 *dioactive waste in the United States, including*
8 *spent nuclear fuel and high-level radioactive*
9 *waste expected to be generated from existing re-*
10 *actors through 2050;*

11 *(E) any mechanisms for better accounting*
12 *of liabilities for the lifecycle costs of the spent*
13 *nuclear fuel and high-level radioactive waste in-*
14 *ventory in the United States;*

15 *(F) any recommendations for improving the*
16 *methods used by the Department of Energy for*
17 *the accounting of spent nuclear fuel and high-*
18 *level radioactive waste costs and liabilities;*

19 *(G) any actions taken in the previous fiscal*
20 *year by the Department of Energy with respect*
21 *to interim storage; and*

22 *(H) any activities taken in the previous fis-*
23 *cal year by the Department of Energy to develop*
24 *and deploy nuclear technologies and fuels that*
25 *enhance the safe transportation or storage of*

1 *spent nuclear fuel or high-level radioactive waste,*
 2 *including technologies to protect against seismic,*
 3 *flooding, and other extreme weather events.*

4 (s) *AUTHORIZATION OF APPROPRIATIONS FOR SUPER-*
 5 *FUND ACTIONS AT ABANDONED MINING SITES ON TRIBAL*
 6 *LAND.—*

7 (1) *DEFINITIONS.—In this subsection:*

8 (A) *ELIGIBLE NON-NPL SITE.—The term*
 9 *“eligible non-NPL site” means a site—*

10 (i) *that is not on the National Prior-*
 11 *ities List; but*

12 (ii) *with respect to which the Adminis-*
 13 *trator determines that—*

14 (I) *the site would be eligible for*
 15 *listing on the National Priorities List*
 16 *based on the presence of hazards from*
 17 *contamination at the site, applying the*
 18 *hazard ranking system described in*
 19 *section 105(c) of the Comprehensive*
 20 *Environmental Response, Compensa-*
 21 *tion, and Liability Act of 1980 (42*
 22 *U.S.C. 9605(c)); and*

23 (II) *for removal site evaluations,*
 24 *engineering evaluations/cost analyses,*
 25 *remedial planning activities, remedial*

1 *investigations and feasibility studies,*
 2 *and other actions taken pursuant to*
 3 *section 104(b) of that Act (42 U.S.C.*
 4 *9604), the site—*

5 *(aa) has undergone a pre-*
 6 *CERCLA screening; and*

7 *(bb) is included in the*
 8 *Superfund Enterprise Manage-*
 9 *ment System.*

10 *(B) INDIAN TRIBE.—The term “Indian*
 11 *Tribe” has the meaning given the term in section*
 12 *4 of the Indian Self-Determination and Edu-*
 13 *cation Assistance Act (25 U.S.C. 5304).*

14 *(C) NATIONAL PRIORITIES LIST.—The term*
 15 *“National Priorities List” means the National*
 16 *Priorities List developed by the President in ac-*
 17 *cordance with section 105(a)(8)(B) of the Com-*
 18 *prehensive Environmental Response, Compensa-*
 19 *tion, and Liability Act of 1980 (42 U.S.C.*
 20 *9605(a)(8)(B)).*

21 *(D) REMEDIAL ACTION; REMOVAL; RE-*
 22 *SPONSE.—The terms “remedial action”, “re-*
 23 *moval”, and “response” have the meanings given*
 24 *those terms in section 101 of the Comprehensive*

1 *Environmental Response, Compensation, and Li-*
 2 *ability Act of 1980 (42 U.S.C. 9601).*

3 (E) *TRIBAL LAND.*—*The term “Tribal*
 4 *land” has the meaning given the term “Indian*
 5 *country” in section 1151 of title 18, United*
 6 *States Code.*

7 (2) *AUTHORIZATION OF APPROPRIATIONS.*—
 8 *There are authorized to be appropriated for each of*
 9 *fiscal years 2023 through 2032, to remain available*
 10 *until expended—*

11 (A) *\$97,000,000 to the Administrator to*
 12 *carry out this subsection (except for paragraph*
 13 *(4)); and*

14 (B) *\$3,000,000 to the Administrator of the*
 15 *Agency for Toxic Substances and Disease Reg-*
 16 *istry to carry out paragraph (4).*

17 (3) *USES OF AMOUNTS.*—*Amounts appropriated*
 18 *under paragraph (2)(A) shall be used by the Adminis-*
 19 *trator—*

20 (A) *to carry out removal actions on aban-*
 21 *doned mine land located on Tribal land;*

22 (B) *to carry out response actions, including*
 23 *removal and remedial planning activities, re-*
 24 *moval and remedial studies, remedial actions,*
 25 *and other actions taken pursuant to section*

1 *104(b) of the Comprehensive Environmental Re-*
 2 *sponse, Compensation, and Liability Act of 1980*
 3 *(42 U.S.C. 9604(b)) on abandoned mine land lo-*
 4 *cated on Tribal land at—*

5 *(i) eligible non-NPL sites; and*

6 *(ii) sites listed on the National Prior-*
 7 *ities List; and*

8 *(C) to make grants under paragraph (5).*

9 *(4) HEALTH ASSESSMENTS.—Subject to the*
 10 *availability of appropriations, the Agency for Toxic*
 11 *Substances and Disease Registry, in coordination*
 12 *with Tribal health authorities, shall perform 1 or*
 13 *more health assessments at each eligible non-NPL site*
 14 *that is located on Tribal land, in accordance with sec-*
 15 *tion 104(i)(6) of the Comprehensive Environmental*
 16 *Response, Compensation, and Liability Act of 1980*
 17 *(42 U.S.C. 9604(i)(6)).*

18 *(5) TRIBAL GRANTS.—*

19 *(A) IN GENERAL.—The Administrator may*
 20 *use amounts appropriated under paragraph*
 21 *(2)(A) to make grants to eligible entities de-*
 22 *scribed in subparagraph (B) for the purposes de-*
 23 *scribed in subparagraph (C).*

1 (B) *ELIGIBLE ENTITIES DESCRIBED.*—An
2 eligible entity referred to in subparagraph (A)
3 is—

4 (i) *the governing body of an Indian*
5 *Tribe; or*

6 (ii) *a legally established organization*
7 *of Indians that—*

8 (I) *is controlled, sanctioned, or*
9 *chartered by the governing bodies of 2*
10 *or more Indian Tribes to be served, or*
11 *that is democratically elected by the*
12 *adult members of the Indian commu-*
13 *nity to be served, by that organization;*
14 *and*

15 (II) *includes the maximum par-*
16 *ticipation of Indians in all phases of*
17 *the activities of that organization.*

18 (C) *USE OF GRANT FUNDS.*—A grant under
19 this paragraph shall be used—

20 (i) *in accordance with the second sen-*
21 *tence of section 117(e)(1) of the Comprehen-*
22 *sive Environmental Response, Compensa-*
23 *tion, and Liability Act of 1980 (42 U.S.C.*
24 *9617(e)(1));*

1 (ii) for obtaining technical assistance
2 in carrying out response actions under
3 clause (iii); or

4 (iii) for carrying out response actions,
5 if the Administrator determines that the In-
6 dian Tribe has the capability to carry out
7 any or all of those response actions in ac-
8 cordance with the criteria and priorities es-
9 tablished pursuant to section 105(a)(8) of
10 the Comprehensive Environmental Re-
11 sponse, Compensation, and Liability Act of
12 1980 (42 U.S.C. 9605(a)(8)).

13 (D) APPLICATIONS.—An eligible entity de-
14 siring a grant under this paragraph shall submit
15 to the Administrator an application at such
16 time, in such manner, and containing such in-
17 formation as the Administrator may require.

18 (E) LIMITATIONS.—A grant under this
19 paragraph shall be governed by the rules, proce-
20 dures, and limitations described in section
21 117(e)(2) of the Comprehensive Environmental
22 Response, Compensation, and Liability Act of
23 1980 (42 U.S.C. 9617(e)(2)), except that—

24 (i) “Administrator of the Environ-
25 mental Protection Agency” shall be sub-

stituted for “President” each place it appears in that section; and

(ii) in the first sentence of that section, “under subsection (s) of the ADVANCE Act of 2023” shall be substituted for “under this subsection”.

(6) *STATUTE OF LIMITATIONS.*—If a remedial action described in paragraph (3)(B) is scheduled at an eligible non-NPL site, no action may be commenced for damages (as defined in section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601)) with respect to that eligible non-NPL site unless the action is commenced within the timeframe provided for such actions with respect to facilities on the National Priorities List in the first sentence of the matter following subparagraph (B) of section 113(g)(1) of that Act (42 U.S.C. 9613(g)(1)).

(7) *COORDINATION.*—The Administrator shall coordinate with the Indian Tribe on whose land the applicable site is located in—

(A) selecting and prioritizing sites for response actions under subparagraphs (A) and (B) of paragraph (3); and

(B) carrying out those response actions.

1 (t) *DEVELOPMENT, QUALIFICATION, AND LICENSING*
2 *OF ADVANCED NUCLEAR FUEL CONCEPTS.*—

3 (1) *IN GENERAL.*—*The Commission shall estab-*
4 *lish an initiative to enhance preparedness and coordi-*
5 *nation with respect to the qualification and licensing*
6 *of advanced nuclear fuel.*

7 (2) *AGENCY COORDINATION.*—*Not later than 180*
8 *days after the date of enactment of this Act, the Com-*
9 *mission and the Secretary of Energy shall enter into*
10 *a memorandum of understanding—*

11 (A) *to share technical expertise and knowl-*
12 *edge through—*

13 (i) *enabling the testing and demonstra-*
14 *tion of accident tolerant fuels for existing*
15 *commercial nuclear reactors and advanced*
16 *nuclear reactor fuel concepts to be proposed*
17 *and funded, in whole or in part, by the pri-*
18 *rate sector;*

19 (ii) *operating a database to store and*
20 *share data and knowledge relevant to nu-*
21 *clear science and engineering between Fed-*
22 *eral agencies and the private sector;*

23 (iii) *leveraging expertise with respect*
24 *to safety analysis and research relating to*
25 *advanced nuclear fuel; and*

1 (iv) enabling technical staff to actively
2 observe and learn about technologies, with
3 an emphasis on identification of additional
4 information needed with respect to ad-
5 vanced nuclear fuel; and

6 (B) to ensure that—

7 (i) the Department of Energy has suffi-
8 cient technical expertise to support the
9 timely research, development, demonstra-
10 tion, and commercial application of ad-
11 vanced nuclear fuel;

12 (ii) the Commission has sufficient tech-
13 nical expertise to support the evaluation of
14 applications for licenses, permits, and de-
15 sign certifications and other requests for
16 regulatory approval for advanced nuclear
17 fuel;

18 (iii)(I) the Department of Energy
19 maintains and develops the facilities nec-
20 essary to enable the timely research, devel-
21 opment, demonstration, and commercial ap-
22 plication by the civilian nuclear industry of
23 advanced nuclear fuel; and

1 (ii) the Commission has access to the
2 facilities described in subclause (I), as need-
3 ed; and

4 (iv) the Commission consults, as ap-
5 propriate, with the modeling and simula-
6 tion experts at the Office of Nuclear Energy
7 of the Department of Energy, at the Na-
8 tional Laboratories, and within industry
9 fuel vendor teams in cooperative agreements
10 with the Department of Energy to leverage
11 physics-based computer modeling and sim-
12 ulation capabilities.

13 (3) *REPORT.*—

14 (A) *IN GENERAL.*—Not later than 1 year
15 after the date of enactment of this Act, the Com-
16 mission shall submit to the appropriate commit-
17 tees of Congress a report describing the efforts of
18 the Commission under paragraph (1), includ-
19 ing—

20 (i) an assessment of the preparedness
21 of the Commission to review and qualify for
22 use—

23 (I) accident tolerant fuel;

24 (II) ceramic cladding materials;

1 (III) *fuels containing silicon car-*
2 *bide;*

3 (IV) *high-assay, low-enriched ura-*
4 *nium fuels;*

5 (V) *molten-salt based liquid fuels;*

6 (VI) *fuels derived from spent nu-*
7 *clear fuel or depleted uranium; and*

8 (VII) *other related fuel concepts,*
9 *as determined by the Commission;*

10 (ii) *activities planned or undertaken*
11 *under the memorandum of understanding*
12 *described in paragraph (2);*

13 (iii) *an accounting of the areas of re-*
14 *search needed with respect to advanced nu-*
15 *clear fuel; and*

16 (iv) *any other challenges or consider-*
17 *ations identified by the Commission.*

18 (B) *CONSULTATION.*—*In developing the re-*
19 *port under subparagraph (A), the Commission*
20 *shall seek input from—*

21 (i) *the Secretary of Energy;*

22 (ii) *National Laboratories;*

23 (iii) *the nuclear energy industry;*

24 (iv) *technology developers;*

1 (v) nongovernmental organizations;

2 and

3 (vi) other public stakeholders.

4 (u) COMMISSION WORKFORCE.—

5 (1) DEFINITION OF CHAIRMAN.—In this sub-
6 section, the term “Chairman” means the Chairman of
7 the Commission.

8 (2) HIRING BONUS AND APPOINTMENT AUTHOR-
9 ITY.—

10 (A) IN GENERAL.—Notwithstanding section
11 161 d. of the Atomic Energy Act of 1954 (42
12 U.S.C. 2201(d)), any provision of Reorganiza-
13 tion Plan No. 1 of 1980 (94 Stat. 3585; 5 U.S.C.
14 app.), and any provision of title 5, United
15 States Code, governing appointments and Gen-
16 eral Schedule classification and pay rates, the
17 Chairman may, subject to the limitations de-
18 scribed in subparagraph (C), and without regard
19 to the civil service laws—

20 (i) establish the positions described in
21 subparagraph (B); and

22 (ii) appoint persons to the positions es-
23 tablished under clause (i).

24 (B) POSITIONS DESCRIBED.—The positions
25 referred to in subparagraph (A)(i) are—

- 1 (i) *permanent or term-limited posi-*
2 *tions with highly specialized scientific, engi-*
3 *neering, and technical competencies to ad-*
4 *dress a critical licensing or regulatory over-*
5 *sight need for the Commission, including—*
6 *(I) health physicist;*
7 *(II) reactor operations engineer;*
8 *(III) human factors analyst or en-*
9 *gineer;*
10 *(IV) risk and reliability analyst*
11 *or engineer;*
12 *(V) licensing project manager;*
13 *(VI) reactor engineer for severe*
14 *accidents;*
15 *(VII) geotechnical engineer;*
16 *(VIII) structural engineer;*
17 *(IX) reactor systems engineer;*
18 *(X) reactor engineer;*
19 *(XI) radiation scientist;*
20 *(XII) seismic engineer; and*
21 *(XIII) electronics engineer; or*
22 (ii) *permanent or term-limited posi-*
23 *tions to be filled by exceptionally well-quali-*
24 *fied individuals that the Chairman, subject*

1 to paragraph (5), determines are necessary
2 to fulfill the mission of the Commission.

3 (C) *LIMITATIONS.*—

4 (i) *IN GENERAL.*—Appointments under
5 subparagraph (A)(ii) may be made to not
6 more than—

7 (I)(aa) 15 permanent positions
8 described in subparagraph (B)(i) dur-
9 ing fiscal year 2024; and

10 (bb) 10 permanent positions de-
11 scribed in subparagraph (B)(i) during
12 each fiscal year thereafter;

13 (II)(aa) 15 term-limited positions
14 described in subparagraph (B)(i) dur-
15 ing fiscal year 2024; and

16 (bb) 10 term-limited positions de-
17 scribed in subparagraph (B)(i) during
18 each fiscal year thereafter;

19 (III)(aa) 15 permanent positions
20 described in subparagraph (B)(ii) dur-
21 ing fiscal year 2024; and

22 (bb) 10 permanent positions de-
23 scribed in subparagraph (B)(ii) during
24 each fiscal year thereafter; and

1 (IV)(aa) 15 term-limited positions
2 described in subparagraph (B)(ii) dur-
3 ing fiscal year 2024; and

4 (bb) 10 term-limited positions de-
5 scribed in subparagraph (B)(ii) during
6 each fiscal year thereafter.

7 (ii) *TERM OF TERM-LIMITED APPOINT-*
8 *MENT.*—If a person is appointed to a term-
9 limited position described in clause (i) or
10 (ii) of subparagraph (B), the term of that
11 appointment shall not exceed 4 years.

12 (iii) *STAFF POSITIONS.*—Subject to
13 paragraph (5), appointments made to posi-
14 tions established under this paragraph shall
15 be to a range of staff positions that are of
16 entry, mid, and senior levels, to the extent
17 practicable.

18 (D) *HIRING BONUS.*—The Commission may
19 pay a person appointed under subparagraph (A)
20 a 1-time hiring bonus in an amount not to ex-
21 ceed the least of—

22 (i) \$25,000;

23 (ii) the amount equal to 15 percent of
24 the annual rate of basic pay of the em-
25 ployee; and

1 (iii) the amount of the limitation that
 2 is applicable for a calendar year under sec-
 3 tion 5307(a)(1) of title 5, United States
 4 Code.

5 (3) COMPENSATION AND APPOINTMENT AUTHOR-
 6 ITY.—

7 (A) IN GENERAL.—Notwithstanding section
 8 161 d. of the Atomic Energy Act of 1954 (42
 9 U.S.C. 2201(d)), any provision of Reorganiza-
 10 tion Plan No. 1 of 1980 (94 Stat. 3585; 5 U.S.C.
 11 app.), and chapter 51, and subchapter III of
 12 chapter 53, of title 5, United States Code, the
 13 Chairman, subject to the limitations described in
 14 subparagraph (C) and without regard to the
 15 civil service laws, may—

16 (i) establish and fix the rates of basic
 17 pay for the positions described in subpara-
 18 graph (B); and

19 (ii) appoint persons to the positions es-
 20 tablished under clause (i).

21 (B) POSITIONS DESCRIBED.—The positions
 22 referred to in subparagraph (A)(i) are—

23 (i) positions with highly specialized
 24 scientific, engineering, and technical com-

petencies to address a critical need for the
Commission, including—

(I) health physicist;

(II) reactor operations engineer;

(III) human factors analyst or en-
gineer;

(IV) risk and reliability analyst
or engineer;

(V) licensing project manager;

(VI) reactor engineer for severe
accidents;

(VII) geotechnical engineer;

(VIII) structural engineer;

(IX) reactor systems engineer;

(X) reactor engineer;

(XI) radiation scientist;

(XII) seismic engineer; and

(XIII) electronics engineer; or

(ii) positions to be filled by exception-
ally well-qualified persons that the Chair-
man, subject to paragraph (5), determines
are necessary to fulfill the mission of the
Commission.

(C) LIMITATIONS.—

1 *(i) IN GENERAL.—The annual rate of*
 2 *basic pay for a position described in sub-*
 3 *paragraph (B) may not exceed the per*
 4 *annum rate of salary payable for level III*
 5 *of the Executive Schedule under section*
 6 *5314 of title 5, United States Code.*

7 *(ii) NUMBER OF POSITIONS.—Appoint-*
 8 *ments under subparagraph (A)(ii) may be*
 9 *made to not more than—*

10 *(I) 10 positions described in sub-*
 11 *paragraph (B)(i) per fiscal year, not*
 12 *to exceed a total of 50 positions; and*

13 *(II) 10 positions described in sub-*
 14 *paragraph (B)(ii) per fiscal year, not*
 15 *to exceed a total of 50 positions.*

16 *(D) PERFORMANCE BONUS.—*

17 *(i) IN GENERAL.—Subject to clauses*
 18 *(ii) and (iii), an employee may be paid a*
 19 *1-time performance bonus in an amount*
 20 *not to exceed the least of—*

21 *(I) \$25,000;*

22 *(II) the amount equal to 15 per-*
 23 *cent of the annual rate of basic pay of*
 24 *the person; and*

1 (III) *the amount of the limitation*
2 *that is applicable for a calendar year*
3 *under section 5307(a)(1) of title 5,*
4 *United States Code.*

5 (ii) *PERFORMANCE.—Any 1-time per-*
6 *formance bonus under clause (i) shall be*
7 *made to a person who demonstrated excep-*
8 *tional performance in the applicable fiscal*
9 *year, including—*

10 (I) *leading a project team in a*
11 *timely, efficient, and predictable licens-*
12 *ing review to enable the safe use of nu-*
13 *clear technology;*

14 (II) *making significant contribu-*
15 *tions to a timely, efficient, and pre-*
16 *dictable licensing review to enable the*
17 *safe use of nuclear technology;*

18 (III) *the resolution of novel or*
19 *first-of-a-kind regulatory issues;*

20 (IV) *developing or implementing*
21 *licensing or regulatory oversight proc-*
22 *esses to improve the effectiveness of the*
23 *Commission; and*

1 (V) *other performance, as deter-*
 2 *mined by the Chairman, subject to*
 3 *paragraph (5).*

4 (iii) *LIMITATIONS.—The Commission*
 5 *may pay a 1-time performance bonus under*
 6 *clause (i) for not more than 15 persons per*
 7 *fiscal year, and a person who receives a 1-*
 8 *time performance bonus under that clause*
 9 *may not receive another 1-time performance*
 10 *bonus under that clause for a period of 5*
 11 *years thereafter.*

12 (4) *ANNUAL SOLICITATION FOR NUCLEAR REGU-*
 13 *LATOR APPRENTICESHIP NETWORK APPLICATIONS.—*
 14 *The Chairman, on an annual basis, shall solicit ap-*
 15 *plications for the Nuclear Regulator Apprenticeship*
 16 *Network.*

17 (5) *APPLICATION OF MERIT SYSTEM PRIN-*
 18 *CIPLES.—To the maximum extent practicable, ap-*
 19 *pointments under paragraphs (2)(A) and (3)(A) and*
 20 *any 1-time performance bonus under paragraph*
 21 *(3)(D) shall be made in accordance with the merit*
 22 *system principles set forth in section 2301 of title 5,*
 23 *United States Code.*

24 (6) *DELEGATION.—Pursuant to Reorganization*
 25 *Plan No. 1 of 1980 (94 Stat. 3585; 5 U.S.C. app.),*

1 *the Chairman shall delegate, subject to the direction*
2 *and supervision of the Chairman, the authority pro-*
3 *vided by paragraphs (2), (3), and (4) to the Executive*
4 *Director for Operations of the Commission.*

5 (7) *ANNUAL REPORT.*—*The Commission shall in-*
6 *clude in the annual budget justification of the Com-*
7 *mission—*

8 (A) *information that describes—*

9 (i) *the total number of and the posi-*
10 *tions of the persons appointed under the au-*
11 *thority provided by paragraph (2);*

12 (ii) *the total number of and the posi-*
13 *tions of the persons paid at the rate deter-*
14 *mined under the authority provided by*
15 *paragraph (3)(A);*

16 (iii) *the total number of and the posi-*
17 *tions of the persons paid a 1-time perform-*
18 *ance bonus under the authority provided by*
19 *paragraph (3)(D);*

20 (iv) *how the authority provided by*
21 *paragraphs (2) and (3) is being used, and*
22 *has been used during the previous fiscal*
23 *year, to address the hiring and retention*
24 *needs of the Commission with respect to the*

1 positions described in those subsections to
2 which that authority is applicable;

3 (v) if the authority provided by para-
4 graphs (2) and (3) is not being used, or has
5 not been used, the reasons, including a jus-
6 tification, for not using that authority; and

7 (vi) the attrition levels with respect to
8 the term-limited appointments made under
9 paragraph (2), including, with respect to
10 persons leaving a position before completion
11 of the applicable term of service, the average
12 length of service as a percentage of the term
13 of service;

14 (B) an assessment of—

15 (i) the current critical workforce needs
16 of the Commission, including any critical
17 workforce needs that the Commission antici-
18 pates in the subsequent 5 fiscal years; and

19 (ii) further skillsets that are or will be
20 needed for the Commission to fulfill the li-
21 censing and oversight responsibilities of the
22 Commission; and

23 (C) the plans of the Commission to assess,
24 develop, and implement updated staff perform-

1 *ance standards, training procedures, and sched-*
2 *ules.*

3 (8) *REPORT ON ATTRITION AND EFFECTIVE-*
4 *NESS.*—*Not later than September 30, 2032, the Com-*
5 *mission shall submit to the Committees on Appro-*
6 *priations and Environment and Public Works of the*
7 *Senate and the Committees on Appropriations and*
8 *Energy and Commerce of the House of Representa-*
9 *tives a report that—*

10 (A) *describes the attrition levels with respect*
11 *to the term-limited appointments made under*
12 *paragraph (2), including, with respect to persons*
13 *leaving a position before completion of the appli-*
14 *cable term of service, the average length of service*
15 *as a percentage of the term of service;*

16 (B) *provides the views of the Commission*
17 *on the effectiveness of the authorities provided by*
18 *paragraphs (2) and (3) in helping the Commis-*
19 *sion fulfill the mission of the Commission; and*

20 (C) *makes recommendations with respect to*
21 *whether the authorities provided by paragraphs*
22 *(2) and (3) should be continued, modified, or*
23 *discontinued.*

24 (v) *COMMISSION CORPORATE SUPPORT FUNDING.*—

1 (1) *REPORT.*—Not later than 3 years after the
 2 date of enactment of this Act, the Commission shall
 3 submit to the appropriate committees of Congress and
 4 make publicly available a report that describes—

5 (A) the progress on the implementation of
 6 section 102(a)(3) of the Nuclear Energy Innova-
 7 tion and Modernization Act (42 U.S.C.
 8 2215(a)(3)); and

9 (B) whether the Commission is meeting and
 10 is expected to meet the total budget authority
 11 caps required for corporate support under that
 12 section.

13 (2) *LIMITATION ON CORPORATE SUPPORT*
 14 *COSTS.*—Section 102(a)(3) of the Nuclear Energy In-
 15 novation and Modernization Act (42 U.S.C.
 16 2215(a)(3)) is amended by striking subparagraphs
 17 (B) and (C) and inserting the following:

18 “(B) 30 percent for fiscal year 2024 and
 19 each fiscal year thereafter.”.

20 (3) *CORPORATE SUPPORT COSTS CLARIFICA-*
 21 *TION.*—Paragraph (9) of section 3 of the Nuclear En-
 22 ergy Innovation and Modernization Act (42 U.S.C.
 23 2215 note; Public Law 115–439) (as redesignated by
 24 subsection (f)(1)(A)) is amended—

1 (A) by striking “The term” and inserting
2 the following:

3 “(A) *IN GENERAL.*—The term”; and

4 (B) by adding at the end the following:

5 “(B) *EXCLUSIONS.*—The term ‘corporate
6 support costs’ does not include—

7 “(i) costs for rent and utilities relating
8 to any and all space in the Three White
9 Flint North building that is not occupied by
10 the Commission; or

11 “(ii) costs for salaries, travel, and
12 other support for the Office of the Commis-
13 sion.”.

14 (w) *PERFORMANCE AND REPORTING UPDATE.*—Sec-
15 tion 102(c) of the Nuclear Energy Innovation and Mod-
16 ernization Act (42 U.S.C. 2215(c)) is amended—

17 (1) in paragraph (3)—

18 (A) in the paragraph heading, by striking
19 “180” and inserting “90”; and

20 (B) by striking “180” and inserting “90”;
21 and

22 (2) by adding at the end the following:

23 “(4) *PERIODIC UPDATES TO METRICS AND*
24 *SCHEDULES.*—

1 “(A) *REVIEW AND ASSESSMENT.*—Not less
 2 *frequently than once every 3 years, the Commis-*
 3 *sion shall review and assess, based on the licens-*
 4 *ing and regulatory activities of the Commission,*
 5 *the performance metrics and milestone schedules*
 6 *established under paragraph (1).*

7 “(B) *REVISIONS.*—After each review and
 8 *assessment under subparagraph (A), the Com-*
 9 *mission shall revise and improve, as appro-*
 10 *priate, the performance metrics and milestone*
 11 *schedules described in that subparagraph to pro-*
 12 *vide the most efficient metrics and schedules rea-*
 13 *sonably achievable.”.*

14 (x) *NUCLEAR CLOSURE COMMUNITIES.*—

15 (1) *DEFINITIONS.*—In this subsection:

16 (A) *COMMUNITY ADVISORY BOARD.*—The
 17 term “community advisory board” means a com-
 18 munity committee or other advisory organization
 19 that aims to foster communication and informa-
 20 tion exchange between a licensee planning for
 21 and involved in decommissioning activities and
 22 members of the community that decommissioning
 23 activities may affect.

24 (B) *DECOMMISSION.*—The term “decommis-
 25 sion” has the meaning given the term in section

1 50.2 of title 10, Code of Federal Regulations (or
2 successor regulations).

3 (C) *ELIGIBLE RECIPIENT.*—The term “*eligi-*
4 *ble recipient*” has the meaning given the term in
5 section 3 of the Public Works and Economic De-
6 velopment Act of 1965 (42 U.S.C. 3122).

7 (D) *LICENSEE.*—The term “*licensee*” has
8 the meaning given the term in section 50.2 of
9 title 10, Code of Federal Regulations (or suc-
10 cessor regulations).

11 (E) *NUCLEAR CLOSURE COMMUNITY.*—The
12 term “*nuclear closure community*” means a unit
13 of local government, including a county, city,
14 town, village, school district, or special district,
15 that has been impacted, or reasonably dem-
16 onstrates to the satisfaction of the Secretary that
17 it will be impacted, by a nuclear power plant li-
18 censed by the Commission that—

19 (i) is not co-located with an operating
20 nuclear power plant;

21 (ii) is at a site with spent nuclear fuel;

22 and

23 (iii) as of the date of enactment of this
24 Act—

25 (I) has ceased operations; or

1 (II) has provided a written notifi-
2 cation to the Commission that it will
3 cease operations.

4 (F) SECRETARY.—The term “Secretary”
5 means the Secretary of Commerce, acting
6 through the Assistant Secretary of Commerce for
7 Economic Development.

8 (2) ESTABLISHMENT.—Not later than 180 days
9 after the date of enactment of this Act, the Secretary
10 shall establish a grant program to provide grants to
11 eligible recipients—

12 (A) to assist with economic development in
13 nuclear closure communities; and

14 (B) to fund community advisory boards in
15 nuclear closure communities.

16 (3) REQUIREMENT.—In carrying out this sub-
17 section, to the maximum extent practicable, the Sec-
18 retary shall implement the recommendations described
19 in the report submitted to Congress under section 108
20 of the Nuclear Energy Innovation and Modernization
21 Act (Public Law 115–439; 132 Stat. 5577) entitled
22 “Best Practices for Establishment and Operation of
23 Local Community Advisory Boards Associated with
24 Decommissioning Activities at Nuclear Power
25 Plants”.

1 (4) *DISTRIBUTION OF FUNDS.*—*The Secretary*
 2 *shall establish a formula to ensure, to the maximum*
 3 *extent practicable, geographic diversity among grant*
 4 *recipients under this subsection.*

5 (5) *AUTHORIZATION OF APPROPRIATIONS.*—

6 (A) *IN GENERAL.*—*There are authorized to*
 7 *be appropriated to the Secretary—*

8 (i) *to carry out paragraph (2)(A),*
 9 *\$35,000,000 for each of fiscal years 2023*
 10 *through 2028; and*

11 (ii) *to carry out paragraph (2)(B),*
 12 *\$5,000,000 for each of fiscal years 2023*
 13 *through 2025.*

14 (B) *AVAILABILITY.*—*Amounts made avail-*
 15 *able under this subsection shall remain available*
 16 *for a period of 5 years beginning on the date on*
 17 *which the amounts are made available.*

18 (C) *NO OFFSET.*—*None of the funds made*
 19 *available under this subsection may be used to*
 20 *offset the funding for any other Federal program.*

21 (y) *TECHNICAL CORRECTION.*—*Section 104 c. of the*
 22 *Atomic Energy Act of 1954 (42 U.S.C. 2134(c)) is amend-*
 23 *ed—*

24 (1) *by striking the third sentence and inserting*
 25 *the following:*

1 “(3) *LIMITATION ON UTILIZATION FACILITIES.*—
 2 *The Commission may issue a license under this sec-*
 3 *tion for a utilization facility useful in the conduct of*
 4 *research and development activities of the types speci-*
 5 *fied in section 31 if—*

6 “(A) *not more than 75 percent of the an-*
 7 *nual costs to the licensee of owning and oper-*
 8 *ating the facility are devoted to the sale, other*
 9 *than for research and development or education*
 10 *and training, of—*

11 “(i) *nonenergy services;*

12 “(ii) *energy; or*

13 “(iii) *a combination of nonenergy serv-*
 14 *ices and energy; and*

15 “(B) *not more than 50 percent of the an-*
 16 *nual costs to the licensee of owning and oper-*
 17 *ating the facility are devoted to the sale of en-*
 18 *ergy.”;*

19 (2) *in the second sentence, by striking “The*
 20 *Commission” and inserting the following:*

21 “(2) *REGULATION.—The Commission*”; and

22 (3) *by striking “c. The Commission” and insert-*
 23 *ing the following:*

24 “*c. RESEARCH AND DEVELOPMENT ACTIVITIES.—*

1 “(1) *IN GENERAL*.—Subject to paragraphs (2)
2 and (3), the Commission”.

3 (2) *REPORT ON ENGAGEMENT WITH THE GOVERN-*
4 *MENT OF CANADA WITH RESPECT TO NUCLEAR WASTE*
5 *ISSUES IN THE GREAT LAKES BASIN*.—Not later than 1
6 year after the date of enactment of this Act, the Commission
7 shall submit to the appropriate committees of Congress, the
8 Committee on Foreign Relations of the Senate, the Com-
9 mittee on Energy and Natural Resources of the Senate, and
10 the Committee on Foreign Affairs of the House of Represent-
11 atives a report describing any engagement between the Com-
12 mission and the Government of Canada with respect to nu-
13 clear waste issues in the Great Lakes Basin.

14 (aa) *SAVINGS CLAUSE*.—Nothing in this section affects
15 authorities of the Department of State.

16 ***DIVISION F—DEPARTMENT OF***
17 ***STATE AUTHORIZATION ACT***
18 ***OF 2023***

19 ***SEC. 6001. SHORT TITLE; TABLE OF CONTENTS.***

20 (a) *SHORT TITLE*.—This division may be cited as the
21 “Department of State Authorization Act of 2023”.

22 (b) *TABLE OF CONTENTS*.—The table of contents for
23 this division is as follows:

DIVISION F—DEPARTMENT OF STATE AUTHORIZATION ACT OF 2023

Sec. 6001. Short title; table of contents.

Sec. 6002. Definitions.

TITLE LXI—DIPLOMATIC SECURITY AND CONSULAR AFFAIRS

- Sec. 6101. Special hiring authority for passport services.*
- Sec. 6102. Quarterly report on passport wait times.*
- Sec. 6103. Passport travel advisories.*
- Sec. 6104. Strategy to ensure access to passport services for all Americans.*
- Sec. 6105. Strengthening the National Passport Information Center.*
- Sec. 6106. Strengthening passport customer visibility and transparency.*
- Sec. 6107. Annual Office of Authentications report.*
- Sec. 6108. Increased accountability in assignment restrictions and reviews.*
- Sec. 6109. Suitability reviews for Foreign Service Institute instructors.*
- Sec. 6110. Diplomatic security fellowship programs.*

TITLE LXII—PERSONNEL MATTERS

Subtitle A—Hiring, Promotion, and Development

- Sec. 6201. Adjustment to promotion precepts.*
- Sec. 6202. Hiring authorities.*
- Sec. 6203. Extending paths to service for paid student interns.*
- Sec. 6204. Lateral Entry Program.*
- Sec. 6205. Mid-Career Mentoring Program.*
- Sec. 6206. Report on the Foreign Service Institute's language program .*
- Sec. 6207. Consideration of career civil servants as chiefs of missions.*
- Sec. 6208. Civil service rotational program.*
- Sec. 6209. Reporting requirement on chiefs of mission.*
- Sec. 6210. Report on chiefs of mission and deputy chiefs of mission.*
- Sec. 6211. Protection of retirement annuity for reemployment by Department.*
- Sec. 6212. Efforts to improve retention and prevent retaliation.*
- Sec. 6213. National advertising campaign.*
- Sec. 6214. Expansion of diplomats in residence programs.*

Subtitle B—Pay, Benefits, and Workforce Matters

- Sec. 6221. Education allowance.*
- Sec. 6222. Per diem allowance for newly hired members of the Foreign Service.*
- Sec. 6223. Improving mental health services for foreign and civil servants.*
- Sec. 6224. Emergency back-up care.*
- Sec. 6225. Authority to provide services to non-chief of mission personnel.*
- Sec. 6226. Exception for government-financed air transportation.*
- Sec. 6227. Enhanced authorities to protect locally employed staff during emergencies.*
- Sec. 6228. Internet at hardship posts.*
- Sec. 6229. Competitive local compensation plan.*
- Sec. 6230. Supporting tandem couples in the Foreign Service.*
- Sec. 6231. Accessibility at diplomatic missions.*
- Sec. 6232. Report on breastfeeding accommodations overseas.*
- Sec. 6233. Determining the effectiveness of knowledge transfers between Foreign Service Officers.*
- Sec. 6234. Education allowance for dependents of Department of State employees located in United States territories.*

TITLE LXIII—INFORMATION SECURITY AND CYBER DIPLOMACY

- Sec. 6301. Data-informed diplomacy.*
- Sec. 6302. Establishment and expansion of the Bureau Chief Data Officer Program.*

- Sec. 6303. Establishment of the Chief Artificial Intelligence Officer of the Department of State.*
- Sec. 6304. Strengthening the Chief Information Officer of the Department of State.*
- Sec. 6305. Sense of Congress on strengthening enterprise governance.*
- Sec. 6306. Digital connectivity and cybersecurity partnership.*
- Sec. 6307. Establishment of a cyberspace, digital connectivity, and related technologies (CDT) fund.*
- Sec. 6308. Cyber protection support for personnel of the Department of State in positions highly vulnerable to cyber attack.*

TITLE LXIV—ORGANIZATION AND OPERATIONS

- Sec. 6401. Personal services contractors.*
- Sec. 6402. Hard-to-fill posts.*
- Sec. 6403. Enhanced oversight of the Office of Civil Rights.*
- Sec. 6404. Crisis response operations.*
- Sec. 6405. Special Envoy to the Pacific Islands Forum.*
- Sec. 6406. Special Envoy for Belarus.*
- Sec. 6407. Overseas placement of special appointment positions.*
- Sec. 6408. Resources for United States nationals unlawfully or wrongfully detained abroad.*

TITLE LXV—ECONOMIC DIPLOMACY

- Sec. 6501. Report on recruitment, retention, and promotion of Foreign Service economic officers.*
- Sec. 6502. Mandate to revise Department of State metrics for successful economic and commercial diplomacy.*
- Sec. 6503. Chief of mission economic responsibilities.*
- Sec. 6504. Direction to embassy deal teams.*
- Sec. 6505. Establishment of a “Deal Team of the Year” award.*

TITLE LXVI—PUBLIC DIPLOMACY

- Sec. 6601. Public diplomacy outreach.*
- Sec. 6602. Modification on use of funds for Radio Free Europe/Radio Liberty.*
- Sec. 6603. International broadcasting.*
- Sec. 6604. John Lewis Civil Rights Fellowship program.*
- Sec. 6605. Domestic engagement and public affairs.*
- Sec. 6606. Extension of Global Engagement Center.*
- Sec. 6607. Paperwork Reduction Act.*
- Sec. 6608. Modernization and enhancement strategy.*

TITLE LXVII—OTHER MATTERS

- Sec. 6701. Internships of United States nationals at international organizations.*
- Sec. 6702. Training for international organizations.*
- Sec. 6703. Modification to transparency on international agreements and non-binding instruments.*
- Sec. 6704. Report on partner forces utilizing United States security assistance identified as using hunger as a weapon of war.*
- Sec. 6705. Infrastructure projects and investments by the United States and People’s Republic of China.*
- Sec. 6706. Special envoys.*
- Sec. 6707. US–ASEAN Center.*

Sec. 6708. Briefings on the United States-European Union Trade and Technology Council.

Sec. 6709. Modification and repeal of reports.

Sec. 6710. Modification of Build Act of 2018 to prioritize projects that advance national security.

Sec. 6711. Permitting for international bridges.

TITLE LXVIII—AUKUS MATTERS

Sec. 6801. Definitions.

Subtitle A—Outlining the AUKUS Partnership

Sec. 6811. Statement of policy on the AUKUS partnership.

Sec. 6812. Senior Advisor for the AUKUS partnership at the Department of State.

Subtitle B—Authorization for AUKUS Submarine Training

Sec. 6823. Australia, United Kingdom, and United States submarine security training.

Subtitle C—Streamlining and Protecting Transfers of United States Military Technology From Compromise

Sec. 6831. Priority for Australia and the United Kingdom in Foreign Military Sales and Direct Commercial Sales.

Sec. 6832. Identification and pre-clearance of platforms, technologies, and equipment for sale to Australia and the United Kingdom through Foreign Military Sales and Direct Commercial Sales.

Sec. 6833. Export control exemptions and standards.

Sec. 6834. Expedited review of export licenses for exports of advanced technologies to Australia, the United Kingdom, and Canada.

Sec. 6835. United States Munitions List.

Subtitle D—Other AUKUS Matters

Sec. 6841. Reporting related to the AUKUS partnership.

1 SEC. 6002. DEFINITIONS.

2 *In this division:*

3 (1) APPROPRIATE CONGRESSIONAL COMMIT-
4 *TEES.—The term “appropriate congressional commit-*
5 *tees” means the Committee on Foreign Relations of*
6 *the Senate and the Committee on Foreign Affairs of*
7 *the House of Representatives.*

8 (2) DEPARTMENT.—The term “Department”
9 *means the Department of State.*

1 (3) *SECRETARY.*—*The term “Secretary” means*
 2 *the Secretary of State.*

3 ***TITLE LXI—DIPLOMATIC SECU-***
 4 ***RITY AND CONSULAR AFFAIRS***

5 ***SEC. 6101. SPECIAL HIRING AUTHORITY FOR PASSPORT***
 6 ***SERVICES.***

7 *During the 3-year period beginning on the date of the*
 8 *enactment of this Act, the Secretary of State, without regard*
 9 *to the provisions under sections 3309 through 3318 of title*
 10 *5, United States Code, may directly appoint up to 80 can-*
 11 *didates to positions in the competitive service (as defined*
 12 *in section 2102 of such title) at the Department in the Pass-*
 13 *port and Visa Examining Series 0967.*

14 ***SEC. 6102. QUARTERLY REPORT ON PASSPORT WAIT TIMES.***

15 *Not later than 30 days after the date of the enactment*
 16 *of this Act, and quarterly thereafter for the following 3*
 17 *years, the Secretary shall submit a report to the appro-*
 18 *priate congressional committees that describes—*

19 (1) *the current estimated wait times for passport*
 20 *processing;*

21 (2) *the steps that have been taken by the Depart-*
 22 *ment to reduce wait times to a reasonable time;*

23 (3) *efforts to improve the rollout of the online*
 24 *passport renewal processing program, including how*

1 *much of passport revenues the Department is spend-*
2 *ing on consular systems modernization;*

3 *(4) the demand for urgent passport services by*
4 *major metropolitan area;*

5 *(5) the steps that have been taken by the Depart-*
6 *ment to reduce and meet the demand for urgent pass-*
7 *port services, particularly in areas that are greater*
8 *than 5 hours driving time from the nearest passport*
9 *agency; and*

10 *(6) how the Department details its staff and re-*
11 *sources to passport services programs.*

12 **SEC. 6103. PASSPORT TRAVEL ADVISORIES.**

13 *Not later than 180 days after the date of the enactment*
14 *of this Act, the Department shall make prominently avail-*
15 *able in United States regular passports, on the first three*
16 *pages of the passport, the following information:*

17 *(1) A prominent, clear advisory for all travelers*
18 *to check travel.state.gov for updated travel warnings*
19 *and advisories.*

20 *(2) A prominent, clear notice urging all travelers*
21 *to register with the Department prior to overseas*
22 *travel.*

23 *(3) A prominent, clear advisory—*

1 (A) noting that many countries deny entry
2 to travelers during the last 6 months of their
3 passport validity period; and

4 (B) urging all travelers to renew their pass-
5 port not later than 1 year prior to its expira-
6 tion.

7 **SEC. 6104. STRATEGY TO ENSURE ACCESS TO PASSPORT**
8 **SERVICES FOR ALL AMERICANS.**

9 Not later than 180 days after the date of the enactment
10 of this Act, the Secretary shall submit a strategy to the ap-
11 propriate congressional committees, the Committee on Ap-
12 propriations of the Senate, and the Committee on Appro-
13 priations of the House of Representatives for ensuring rea-
14 sonable access to passport services for all Americans, which
15 shall include—

16 (1) a detailed strategy describing how the De-
17 partment could—

18 (A) by not later than 1 year after submis-
19 sion of the strategy, reduce passport processing
20 times to an acceptable average for renewals and
21 for expedited service; and

22 (B) by not later than 2 years after the sub-
23 mission of the strategy, provide United States
24 residents living in a significant population cen-
25 ter more than a 5-hour drive from a passport

1 *agency with urgent, in-person passport services,*
2 *including the possibility of building new pass-*
3 *port agencies; and*

4 *(2) a description of the specific resources re-*
5 *quired to implement the strategy.*

6 **SEC. 6105. STRENGTHENING THE NATIONAL PASSPORT IN-**
7 **FORMATION CENTER.**

8 *(a) SENSE OF CONGRESS.—It is the sense of Congress*
9 *that passport wait times since 2021 have been unacceptably*
10 *long and have created frustration among those seeking to*
11 *obtain or renew passports.*

12 *(b) ONLINE CHAT FEATURE.—The Department should*
13 *develop an online tool with the capability for customers to*
14 *correspond with customer service representatives regarding*
15 *questions and updates pertaining to their application for*
16 *a passport or for the renewal of a passport.*

17 *(c) GAO REPORT.—Not later than 90 days after the*
18 *date of the enactment of this Act, the Comptroller General*
19 *of the United States shall initiate a review of NPIC oper-*
20 *ations, which shall include an analysis of the extent to*
21 *which NPIC—*

22 *(1) responds to constituent inquiries by tele-*
23 *phone, including how long constituents are kept on*
24 *hold and their ability to be placed in a queue;*

25 *(2) provides personalized customer service;*

1 (3) *maintains its telecommunications infrastruc-*
 2 *ture to ensure it effectively handles call volumes; and*
 3 (4) *other relevant issues the Comptroller General*
 4 *deems appropriate.*

5 **SEC. 6106. STRENGTHENING PASSPORT CUSTOMER VISI-**
 6 **BILITY AND TRANSPARENCY.**

7 (a) *ONLINE STATUS TOOL.*—*Not later than 2 years*
 8 *after the date of the enactment of this Act, the Department*
 9 *should modernize the online passport application status tool*
 10 *to include, to the greatest extent possible, step by step up-*
 11 *dates on the status of their application, including with re-*
 12 *spect to the following stages:*

- 13 (1) *Submitted for processing.*
- 14 (2) *In process at a lockbox facility.*
- 15 (3) *Awaiting adjudication.*
- 16 (4) *In process of adjudication.*
- 17 (5) *Adjudicated with a result of approval or de-*
 18 *nial.*
- 19 (6) *Materials shipped.*

20 (b) *ADDITIONAL INFORMATION.*—*The tool pursuant to*
 21 *subsection (a) should include a display that informs each*
 22 *passport applicant of—*

- 23 (1) *the date on which his or her passport appli-*
 24 *cation was received; and*

1 (2) *the estimated wait time remaining in the*
2 *passport application process.*

3 (c) *REPORT.*—*Not later than 90 days after the date*
4 *of the enactment of this Act, the Assistant Secretary of State*
5 *for Consular Affairs shall submit a report to the appro-*
6 *priate congressional committees that outlines a plan for co-*
7 *ordinated comprehensive public outreach to increase public*
8 *awareness and understanding of—*

9 (1) *the online status tool required under sub-*
10 *section (a);*

11 (2) *passport travel advisories required under sec-*
12 *tion 6103; and*

13 (3) *passport wait times.*

14 **SEC. 6107. ANNUAL OFFICE OF AUTHENTICATIONS REPORT.**

15 (a) *REPORT.*—*The Assistant Secretary of State for*
16 *Consular Affairs shall submit an annual report for 5 years*
17 *to the appropriated congressional committees that de-*
18 *scribes—*

19 (1) *the number of incoming authentication re-*
20 *quests, broken down by month and type of request, to*
21 *show seasonal fluctuations in demand;*

22 (2) *the average time taken by the Office of Au-*
23 *thentications of the Department of State to authen-*
24 *ticate documents, broken down by month to show sea-*
25 *sonal fluctuations in wait times;*

1 (3) *how the Department of State details staff to*
 2 *the Office of Authentications; and*

3 (4) *the impact that hiring additional, perma-*
 4 *nent, dedicated staff for the Office of Authentications*
 5 *would have on the processing times referred to in*
 6 *paragraph (2).*

7 (b) *AUTHORIZATION.—The Secretary of State is au-*
 8 *thorized to hire additional, permanent, dedicated staff for*
 9 *the Office of Authentications.*

10 **SEC. 6108. INCREASED ACCOUNTABILITY IN ASSIGNMENT**
 11 **RESTRICTIONS AND REVIEWS.**

12 (a) *SENSE OF CONGRESS.—It is the sense of Congress*
 13 *that—*

14 (1) *the use of policies to restrict personnel from*
 15 *serving in certain assignments may undermine the*
 16 *Department’s ability to deploy relevant cultural and*
 17 *linguistic skills at diplomatic posts abroad if not ap-*
 18 *plied judiciously; and*

19 (2) *the Department should continuously evaluate*
 20 *all processes relating to assignment restrictions, as-*
 21 *signment reviews, and preclusions at the Department.*

22 (b) *NOTIFICATION OF STATUS.—Beginning not later*
 23 *than 90 days after the date of the enactment of this Act,*
 24 *the Secretary shall—*

1 (1) *provide a status update for all Department*
 2 *personnel who, prior to such date of enactment, were*
 3 *subject to a prior assignment restriction, assignment*
 4 *review, or preclusion for whom a review or decision*
 5 *related to assignment is pending; and*

6 (2) *on an ongoing basis, provide a status update*
 7 *for any Department personnel who has been the sub-*
 8 *ject of a pending assignment restriction or pending*
 9 *assignment review for more than 30 days.*

10 (c) *NOTIFICATION CONTENT.—The notification re-*
 11 *quired under subsection (b) shall inform relevant personnel,*
 12 *as of the date of the notification—*

13 (1) *whether any prior assignment restriction has*
 14 *been lifted;*

15 (2) *if their assignment status is subject to ongo-*
 16 *ing review, and an estimated date for completion; and*

17 (3) *if they are subject to any other restrictions*
 18 *on their ability to serve at posts abroad.*

19 (d) *ADJUDICATION OF ONGOING ASSIGNMENT RE-*
 20 *VIEWS.—*

21 (1) *TIME LIMIT.—The Department shall establish*
 22 *a reasonable time limit for the Department to com-*
 23 *plete an assignment review and establish a deadline*
 24 *by which it must inform personnel of a decision re-*
 25 *lated to such a review.*

1 (2) *APPEALS*.—For any personnel the Depart-
 2 ment determines are ineligible to serve in an assign-
 3 ment due to an assignment restriction or assignment
 4 review, a Security Appeal Panel shall convene not
 5 later than 120 days of an appeal being filed.

6 (3) *ENTRY-LEVEL BIDDING PROCESS*.—The De-
 7 partment shall include a description of the assign-
 8 ment review process and critical human intelligence
 9 threat posts in a briefing to new officers as part of
 10 their entry-level bidding process.

11 (4) *POINT OF CONTACT*.—The Department shall
 12 designate point of contacts in the Bureau of Diplo-
 13 matic Security and Bureau of Global Talent Manage-
 14 ment to answer employee and Career Development Of-
 15 ficer questions about assignment restrictions, assign-
 16 ment reviews, and preclusions.

17 (e) *SECURITY APPEAL PANEL*.—Not later than 90
 18 days after the date of the enactment of this Act, the Security
 19 Appeal Panel shall be comprised of—

20 (1) the head of an office responsible for human
 21 resources or discrimination who reports directly to
 22 the Secretary;

23 (2) the Principal Deputy Assistant Secretary for
 24 the Bureau of Global Talent Management;

1 (3) *the Principal Deputy Assistant Secretary for*
 2 *the Bureau of Intelligence and Research;*

3 (4) *an Assistant Secretary or Deputy, or equiva-*
 4 *lent, from a third bureau as designated by the Under*
 5 *Secretary for Management;*

6 (5) *a representative from the geographic bureau*
 7 *to which the restriction applies; and*

8 (6) *a representative from the Office of the Legal*
 9 *Adviser and a representative from the Bureau of Dip-*
 10 *lomatic Security, who shall serve as non-voting advi-*
 11 *sors.*

12 (f) *APPEAL RIGHTS.*—Section 414(a) of the Depart-
 13 *ment of State Authorities Act, Fiscal Year 2017 (22 U.S.C.*
 14 *2734c(a)) is amended by striking the first two sentences and*
 15 *inserting “The Secretary shall establish and maintain a*
 16 *right and process for employees to appeal a decision related*
 17 *to an assignment, based on a restriction, review, or pre-*
 18 *clusion. Such right and process shall ensure that any such*
 19 *employee shall have the same appeal rights as provided by*
 20 *the Department regarding denial or revocation of a security*
 21 *clearance.”.*

22 (g) *FAM UPDATE.*—Not later than 120 days after the
 23 *date of the enactment of this Act, the Secretary shall amend*
 24 *all relevant provisions of the Foreign Service Manual, and*

1 *any associated or related policies of the Department, to*
 2 *comply with this section.*

3 **SEC. 6109. SUITABILITY REVIEWS FOR FOREIGN SERVICE**
 4 **INSTITUTE INSTRUCTORS.**

5 *The Secretary shall ensure that all instructors at the*
 6 *Foreign Service Institute, including direct hires and con-*
 7 *tractors, who provide language instruction are—*

8 *(1) subject to suitability reviews and background*
 9 *investigations; and*

10 *(2) subject to continuous vetting or reinvestiga-*
 11 *tions to the extent consistent with Department and*
 12 *Executive policy for other Department personnel.*

13 **SEC. 6110. DIPLOMATIC SECURITY FELLOWSHIP PROGRAMS.**

14 *(a) IN GENERAL.—Section 47 of the State Department*
 15 *Basic Authorities Act of 1956 (22 U.S.C. 2719) is amend-*
 16 *ed—*

17 *(1) by striking “The Secretary” and inserting*
 18 *the following:*

19 *“(a) IN GENERAL.—The Secretary”; and*

20 *(2) by adding at the end the following new sub-*
 21 *section:*

22 *“(b) DIPLOMATIC SECURITY FELLOWSHIP PRO-*
 23 *GRAMS.—*

24 *“(1) ESTABLISHMENT.—The Secretary of State,*
 25 *working through the Assistant Secretary for Diplo-*

1 *matic Security, is authorized to establish Diplomatic*
2 *Security fellowship programs to provide grants to*
3 *United States nationals pursuing undergraduate*
4 *studies who commit to pursuing a career as a special*
5 *agent, security engineering officer, or in the civil serv-*
6 *ice in the Bureau of Diplomatic Security.*

7 “(2) *RULEMAKING.—The Secretary is authorized*
8 *to promulgate regulations for the administration of*
9 *Diplomatic Security fellowship programs that set*
10 *forth—*

11 “(A) *the eligibility requirements for receiv-*
12 *ing a grant under this subsection;*

13 “(B) *the process by which eligible appli-*
14 *cants may request such a grant;*

15 “(C) *the maximum amount of such a grant;*
16 *and*

17 “(D) *the educational progress to which all*
18 *grant recipients are obligated.”.*

19 (b) *AUTHORIZATION OF APPROPRIATIONS.—There is*
20 *authorized to be appropriated \$2,000,000 for each of fiscal*
21 *years 2024 through 2028 to carry out this section.*

1 ***TITLE LXII—PERSONNEL***
 2 ***MATTERS***
 3 ***Subtitle A—Hiring, Promotion, and***
 4 ***Development***

5 ***SEC. 6201. ADJUSTMENT TO PROMOTION PRECEPTS.***

6 *Section 603(b) of the Foreign Service Act of 1980 (22*
 7 *U.S.C. 4003(b)) is amended—*

8 *(1) by redesignating paragraph (2), (3), and (4)*
 9 *as paragraphs (7), (8), and (9), respectively; and*

10 *(2) by inserting after paragraph (1) the fol-*
 11 *lowing new paragraphs:*

12 *“(2) experience serving at an international orga-*
 13 *nization, multilateral institution, or engaging in*
 14 *multinational negotiations;*

15 *“(3) willingness to serve in hardship posts over-*
 16 *seas or across geographically distinct regions;*

17 *“(4) experience advancing policies or developing*
 18 *expertise that enhance the United States’ competitive-*
 19 *ness with regard to critical and emerging tech-*
 20 *nologies;*

21 *“(5) willingness to participate in appropriate*
 22 *and relevant professional development opportunities*
 23 *offered by the Foreign Service Institute or other edu-*
 24 *cational institutions associated with the Department;*

1 “(6) *willingness to enable and encourage subor-*
 2 *dinates at various levels to avail themselves of appro-*
 3 *priate and relevant professional development opportu-*
 4 *nities offered by the Foreign Service Institute or other*
 5 *educational institutions associated with the Depart-*
 6 *ment;*”.

7 **SEC. 6202. HIRING AUTHORITIES.**

8 (a) *SENSE OF CONGRESS.—It is the sense of Congress*
 9 *that—*

10 (1) *the Department should possess hiring au-*
 11 *thorities to enable recruitment of individuals rep-*
 12 *resentative of the nation with special skills needed to*
 13 *address 21st century diplomacy challenges; and*

14 (2) *the Secretary shall conduct a survey of hir-*
 15 *ing authorities held by the Department to identify—*

16 (A) *hiring authorities already authorized by*
 17 *Congress;*

18 (B) *others authorities granted through Pres-*
 19 *idential decree or executive order; and*

20 (C) *any authorities needed to enable re-*
 21 *cruitment of individuals with the special skills*
 22 *described in paragraph (1).*

23 (b) *REPORT.—Not later than 180 days after the date*
 24 *of the enactment of this Act, the Secretary shall submit to*
 25 *the appropriate congressional committees, the Committee on*

1 *Homeland Security and Governmental Affairs of the Sen-*
 2 *ate, and the Committee on Homeland Security of the House*
 3 *of Representatives a report that includes a description of*
 4 *all existing hiring authorities and legislative proposals on*
 5 *any new needed authorities.*

6 (c) *SPECIAL HIRING AUTHORITY.*—*For an initial pe-*
 7 *riod of not more than 3 years after the date of the enactment*
 8 *of this Act, the Secretary may appoint, without regard to*
 9 *the provisions of sections 3309 through 3318 of title 5,*
 10 *United States Code, up to 80 candidates directly to posi-*
 11 *tions in the competitive service at the Department, as de-*
 12 *finied in section 2102 of that title, in the following occupa-*
 13 *tional series: 25 candidates under 1560 Data Science, 25*
 14 *candidates under 2210 Information Technology Manage-*
 15 *ment, and 30 candidates under 0201 Human Resources*
 16 *Management.*

17 **SEC. 6203. EXTENDING PATHS TO SERVICE FOR PAID STU-**
 18 **DENT INTERNS.**

19 *For up to 2 years following the end of a compensated*
 20 *internship at the Department, the Department may offer*
 21 *employment to up to 25 such interns and appoint them di-*
 22 *rectly to positions in the competitive service, as defined in*
 23 *section 2102 of title 5, United States Code, without regard*
 24 *to the provisions of sections 3309 through 3318 of such title.*

1 **SEC. 6204. LATERAL ENTRY PROGRAM.**

2 (a) *IN GENERAL.*—Section 404 of the Department of
3 State Authorities Act, Fiscal Year 2017 (Public Law 114–
4 323; 130 Stat. 1928) is amended—

5 (1) *in subsection (b)*—

6 (A) *in the matter preceding paragraph (1),*
7 *by striking “3-year” and inserting “5-year”;*

8 (B) *in paragraph (5), by striking “; and”;*

9 (C) *in paragraph (6), by striking the period*
10 *at the end and inserting a semicolon; and*

11 (D) *by adding at the end the following new*
12 *paragraphs:*

13 “(7) *does not include the use of Foreign Service-*
14 *Limited or other noncareer Foreign Service hiring*
15 *authorities; and*

16 “(8) *includes not fewer than 30 participants for*
17 *each year of the pilot program.”; and*

18 (2) *by adding at the end the following new sub-*
19 *section:*

20 “(e) *CERTIFICATION.*—*If the Secretary does not com-*
21 *mence the lateral entry program within 180 days after the*
22 *date of the enactment of this subsection, the Secretary shall*
23 *submit a report to the appropriate congressional commit-*
24 *tees—*

25 “(1) *certifying that progress is being made on*
26 *implementation of the pilot program and describing*

1 *such progress, including the date on which applicants*
 2 *will be able to apply;*

3 *“(2) estimating the date by which the pilot pro-*
 4 *gram will be fully implemented;*

5 *“(3) outlining how the Department will use the*
 6 *Lateral Entry Program to fill needed skill sets in key*
 7 *areas such as cyberspace, emerging technologies, eco-*
 8 *nomie statecraft, multilateral diplomacy, and data*
 9 *and other sciences.”.*

10 **SEC. 6205. MID-CAREER MENTORING PROGRAM.**

11 *(a) AUTHORIZATION.—The Secretary, in collaboration*
 12 *with the Director of the Foreign Service Institute, is author-*
 13 *ized to establish a Mid-Career Mentoring Program (referred*
 14 *to in this section as the “Program”) for employees who have*
 15 *demonstrated outstanding service and leadership.*

16 *(b) SELECTION.—*

17 *(1) NOMINATIONS.—The head of each bureau*
 18 *shall semiannually nominate participants for the*
 19 *Program from a pool of applicants in the positions*
 20 *described in paragraph (2)(B), including from posts*
 21 *both domestically and abroad.*

22 *(2) SUBMISSION OF SLATE OF NOMINEES TO SEC-*
 23 *RETARY.—The Director of the Foreign Service Insti-*
 24 *tute, in consultation with the Director General of the*
 25 *Foreign Service, shall semiannually—*

1 (A) vet the nominees most recently nomi-
2 nated pursuant to paragraph (1); and

3 (B) submit to the Secretary a slate of appli-
4 cants to participate in the Program, who shall
5 consist of at least—

6 (i) 10 Foreign Service Officers and
7 specialists classified at the FS-03 or FS-04
8 level of the Foreign Service Salary Sched-
9 ule;

10 (ii) 10 Civil Service employees classi-
11 fied at GS-12 or GS-13 of the General
12 Schedule; and

13 (iii) 5 Foreign Service Officers from
14 the United States Agency for International
15 Development.

16 (3) *FINAL SELECTION.*—The Secretary shall se-
17 lect the applicants who will be invited to participate
18 in the Program from the slate received pursuant to
19 paragraph (2)(B) and extend such an invitation to
20 each selected applicant.

21 (4) *MERIT PRINCIPLES.*—Section 105 of the For-
22 eign Service Act of 1980 (22 U.S.C. 3905) shall apply
23 to nominations, submissions to the Secretary, and se-
24 lections for the Program under this section.

25 (c) *PROGRAM SESSIONS.*—

1 (1) *FREQUENCY; DURATION.*—All of the partici-
2 pants who accept invitations extended pursuant to
3 subsection (b)(3) shall meet 3 to 4 times per year for
4 training sessions with high-level leaders of the De-
5 partment and USAID, including private group meet-
6 ings with the Secretary and the Administrator of the
7 United States Agency for International Development.

8 (2) *THEMES.*—Each session referred to in para-
9 graph (1) shall focus on specific themes developed
10 jointly by the Foreign Service Institute and the Exec-
11 utive Secretariat focused on substantive policy issues
12 and leadership practices.

13 (d) *MENTORING PROGRAM.*—The Secretary and the
14 Administrator each is authorized to establish a mentoring
15 and coaching program that pairs a senior leader of the De-
16 partment or USAID with each of the program participants
17 who complete the Program during the 1-year period imme-
18 diately following their participation in the Program.

19 (e) *ANNUAL REPORT.*—Not later than one year after
20 the date of the enactment of this Act, and annually there-
21 after for three years, the Secretary shall submit a report
22 to the appropriate congressional committees that describes
23 the activities of the Program during the most recent year
24 and includes disaggregated demographic data on partici-
25 pants in the Program.

1 **SEC. 6206. REPORT ON THE FOREIGN SERVICE INSTITUTE'S**
2 **LANGUAGE PROGRAM.**

3 *Not later than 60 days after the date of the enactment*
4 *of this Act, the Secretary shall submit a report to the appro-*
5 *priate congressional committees that includes—*

6 *(1) the average pass and fail rates for language*
7 *programs at the Foreign Service Institute*
8 *disaggregated by language during the 5-year period*
9 *immediately preceding the date of the enactment of*
10 *this Act;*

11 *(2) the number of language instructors at the*
12 *Foreign Service Institute, and a comparison of the in-*
13 *structor/student ratio in the language programs at the*
14 *Foreign Service Institute disaggregated by language;*

15 *(3) salaries for language instructors*
16 *disaggregated by language, and a comparison to sala-*
17 *ries for instructors teaching languages in comparable*
18 *employment;*

19 *(4) recruitment and retention plans for language*
20 *instructors, disaggregated by language where nec-*
21 *essary and practicable; and*

22 *(5) any plans to increase pass rates for lan-*
23 *guages with high failure rates.*

1 **SEC. 6207. CONSIDERATION OF CAREER CIVIL SERVANTS AS**
 2 **CHIEFS OF MISSIONS.**

3 *Section 304(b) of the Foreign Service Act of 1980 (22*
 4 *U.S.C. 3944) is amended—*

5 *(1) by redesignating paragraph (2) as para-*
 6 *graph (3); and*

7 *(2) by inserting after paragraph (1) the fol-*
 8 *lowing new paragraph:*

9 *“(2) The Secretary shall also furnish to the President,*
 10 *on an annual basis and to assist the President in selecting*
 11 *qualified candidates for appointments or assignments as*
 12 *chief of mission, the names of between 5 and 10 career civil*
 13 *servants serving at the Department of State or the United*
 14 *States Agency for International Development who are*
 15 *qualified to serve as chiefs of mission, together with perti-*
 16 *nent information about such individuals.”.*

17 **SEC. 6208. CIVIL SERVICE ROTATIONAL PROGRAM.**

18 *(a) ESTABLISHMENT OF PILOT ROTATIONAL PROGRAM*
 19 *FOR CIVIL SERVICE.—Not later than 180 days after the*
 20 *date of the enactment of this Act, the Secretary shall estab-*
 21 *lish a program to provide qualified civil servants serving*
 22 *at the Department an opportunity to serve at a United*
 23 *States embassy, including identifying criteria and an ap-*
 24 *plication process for such program.*

25 *(b) PROGRAM.—The program established under this*
 26 *section shall—*

1 (1) *provide at least 20 career civil servants the*
2 *opportunity to serve for 2 to 3 years at a United*
3 *States embassy to gain additional skills and experi-*
4 *ence;*

5 (2) *offer such civil servants the opportunity to*
6 *serve in a political or economic section at a United*
7 *States embassy; and*

8 (3) *include clear and transparent criteria for eli-*
9 *gibility and selection, which shall include a minimum*
10 *of 5 years of service at the Department.*

11 (c) *SUBSEQUENT POSITION AND PROMOTION.—Fol-*
12 *lowing a rotation at a United States embassy pursuant to*
13 *the program established by this section, participants in the*
14 *program must be afforded, at minimum, a position equiva-*
15 *lent in seniority, compensation, and responsibility to the*
16 *position occupied prior serving in the program. Successful*
17 *completion of a rotation at a United States embassy shall*
18 *be considered favorably with regard to applications for pro-*
19 *motion in civil service jobs at the Department.*

20 (d) *IMPLEMENTATION.—Not later than 2 years after*
21 *the date of the enactment of this Act, the Secretary shall*
22 *identify not less than 20 positions in United States embas-*
23 *sies for the program established under this section and of-*
24 *fered at least 20 civil servants the opportunity to serve in*

1 *a rotation at a United States embassy pursuant to this sec-*
 2 *tion.*

3 **SEC. 6209. REPORTING REQUIREMENT ON CHIEFS OF MIS-**
 4 **SION.**

5 *Not later than 30 days following the end of each cal-*
 6 *endar quarter, the Secretary shall submit to the appropriate*
 7 *congressional committees—*

8 *(1) a list of every chief of mission or United*
 9 *States representative overseas with the rank of Am-*
 10 *bassador who, during the prior quarter, was outside*
 11 *a country of assignment for more than 14 cumulative*
 12 *days for purposes other than official travel or tem-*
 13 *porary duty orders; and*

14 *(2) the number of days each such chief of mission*
 15 *or United States representative overseas with the rank*
 16 *of Ambassador was outside a country of assignment*
 17 *during the previous quarter for purposes other than*
 18 *official travel or temporary duty orders.*

19 **SEC. 6210. REPORT ON CHIEFS OF MISSION AND DEPUTY**
 20 **CHIEFS OF MISSION.**

21 *Not later than April 1, 2024, and annually thereafter*
 22 *for the next 4 years, the Secretary shall submit to the appro-*
 23 *priate congressional committees a report that includes—*

24 *(1) the Foreign Service cone of each current chief*
 25 *of mission and deputy chief of mission (or whoever is*

1 *acting in the capacity of chief or deputy chief if nei-*
 2 *ther is present) for each United States embassy at*
 3 *which there is a Foreign Service office filling either*
 4 *of those positions; and*

5 *(2) aggregated data for all chiefs of mission and*
 6 *deputy chiefs of mission described in paragraph (1),*
 7 *disaggregated by cone.*

8 **SEC. 6211. PROTECTION OF RETIREMENT ANNUITY FOR RE-**
 9 **EMPLOYMENT BY DEPARTMENT.**

10 *(a) NO TERMINATION OR REDUCTION OF RETIREMENT*
 11 *ANNUITY OR PAY FOR REEMPLOYMENT.—Notwithstanding*
 12 *section 824 of the Foreign Service Act of 1980 (22 U.S.C.*
 13 *4064), if a covered annuitant becomes employed by the De-*
 14 *partment—*

15 *(1) the payment of any retirement annuity, re-*
 16 *tired pay, or retainer pay otherwise payable to the*
 17 *covered annuitant shall not terminate; and*

18 *(2) the amount of the retirement annuity, retired*
 19 *pay, or retainer pay otherwise payable to the covered*
 20 *annuitant shall not be reduced.*

21 *(b) COVERED ANNUITANT DEFINED.—In this section,*
 22 *the term “covered annuitant” means any individual who*
 23 *is receiving a retirement annuity under—*

24 *(1) the Foreign Service Retirement and Dis-*
 25 *ability System under subchapter I of chapter 8 of title*

1 *I of the Foreign Service Act of 1980 (22 U.S.C. 4041*
 2 *et seq.); or*

3 *(2) the Foreign Service Pension System under*
 4 *subchapter II of such chapter (22 U.S.C. 4071 et seq.).*

5 **SEC. 6212. EFFORTS TO IMPROVE RETENTION AND PRE-**
 6 **VENT RETALIATION.**

7 *(a) STREAMLINED REPORTING.—Not later than one*
 8 *year after the date of the enactment of this Act, the Sec-*
 9 *retary shall establish a single point of initial reporting for*
 10 *allegations of discrimination, bullying, and harassment*
 11 *that provides an initial review of the allegations and, if*
 12 *necessary, the ability to file multiple claims based on a sin-*
 13 *gle complaint.*

14 *(b) CLIMATE SURVEYS OF EMPLOYEES OF THE DE-*
 15 *PARTMENT.—*

16 *(1) REQUIRED BIENNIAL SURVEYS.—Not later*
 17 *than 180 days after the date of the enactment of this*
 18 *Act and every 2 years thereafter, the Secretary shall*
 19 *conduct a Department-wide survey of all Department*
 20 *personnel regarding harassment, discrimination, bul-*
 21 *lying, and related retaliation that includes workforce*
 22 *perspectives on the accessibility and effectiveness of*
 23 *the Bureau of Global Talent Management and Office*
 24 *of Civil Rights in the efforts and processes to address*
 25 *these issues.*

1 (2) *REQUIRED ANNUAL SURVEYS.*—

2 (A) *IN GENERAL.*—Not later than 180 days
3 after the date of the enactment of this Act, and
4 annually thereafter, the Secretary shall conduct
5 an annual employee satisfaction survey to assess
6 the level of job satisfaction, work environment,
7 and overall employee experience within the De-
8 partment.

9 (B) *OPEN-ENDED RESPONSES.*—The survey
10 required under subparagraph (A) shall include
11 options for open-ended responses.

12 (C) *SURVEY QUESTIONS.*—The survey shall
13 include questions regarding—

14 (i) *work-life balance;*

15 (ii) *compensation and benefits;*

16 (iii) *career development opportunities;*

17 (iv) *the performance evaluation and*
18 *promotion process, including fairness and*
19 *transparency;*

20 (v) *communication channels and effec-*
21 *tiveness;*

22 (vi) *leadership and management;*

23 (vii) *organizational culture;*

24 (viii) *awareness and effectiveness of*
25 *complaint measures;*

- 1 *(ix) accessibility and accommodations;*
- 2 *(x) availability of transportation to*
- 3 *and from a work station;*
- 4 *(xi) information technology infrastruc-*
- 5 *ture functionality and accessibility;*
- 6 *(xii) the employee's understanding of*
- 7 *the Department's structure, mission, and*
- 8 *goals;*
- 9 *(xiii) alignment and relevance of work*
- 10 *to the Department's mission; and*
- 11 *(xiv) sense of empowerment to affect*
- 12 *positive change.*

13 (3) *REQUIRED EXIT SURVEYS.—*

14 (A) *IN GENERAL.—Not later than 180 days*

15 *after the date of the enactment of this Act, the*

16 *Secretary shall develop and implement a stand-*

17 *ardized, confidential exit survey process that in-*

18 *cludes anonymous feedback and exit interviews*

19 *with employees who voluntarily separate from*

20 *the Department, whether through resignation, re-*

21 *irement, or other means.*

22 (B) *SCOPE.—The exit surveys conducted*

23 *pursuant to subparagraph (A) shall—*

1 (i) be designed to gather insights and
2 feedback from departing employees regard-
3 ing—

4 (I) their reasons for leaving, in-
5 cluding caretaking responsibilities, ca-
6 reer limitations for partner or spouse,
7 and discrimination, harassment, bul-
8 lying, or retaliation;

9 (II) their overall experience with
10 the Department; and

11 (III) any suggestions for improve-
12 ment; and

13 (ii) include questions related to—

14 (I) the employee's reasons for leav-
15 ing;

16 (II) job satisfaction;

17 (III) work environment;

18 (IV) professional growth opportu-
19 nities;

20 (V) leadership effectiveness;

21 (VI) suggestions for enhancing the
22 Department's performance; and

23 (VII) if applicable, the name and
24 industry of the employee's future em-
25 ployer.

1 (C) *COMPILATION OF RESULTS.*—*The Sec-*
 2 *retary shall compile and analyze the anonymized*
 3 *exit survey data collected pursuant to this para-*
 4 *graph to identify trends, common themes, and*
 5 *areas needing improvement within the Depart-*
 6 *ment.*

7 (4) *PILOT SURVEYS.*—*Not later than 180 days*
 8 *after the date of the enactment of this Act, the Sec-*
 9 *retary shall conduct a Department-wide survey for*
 10 *Locally Employed Staff regarding retention, training,*
 11 *promotion, and other matters, including harassment,*
 12 *discrimination, bullying, and related retaliation, that*
 13 *includes workforce perspectives on the accessibility*
 14 *and effectiveness of complaint measures.*

15 (5) *REPORT.*—*Not later than 60 days after the*
 16 *conclusion of each survey conducted pursuant to this*
 17 *subsection, the Secretary shall make the key findings*
 18 *available to the Department workforce and shall sub-*
 19 *mit them to the appropriate congressional committees.*

20 (c) *RETALIATION PREVENTION EFFORTS.*—

21 (1) *EMPLOYEE EVALUATION.*—

22 (A) *IN GENERAL.*—*If there is a pending in-*
 23 *vestigation of discrimination, bullying, or har-*
 24 *assment against a superior who is responsible for*
 25 *rating or reviewing the complainant employee,*

1 *the complainant shall be reviewed by the superi-*
 2 *or's supervisor.*

3 (B) *EFFECTIVE DATE.*—*This paragraph*
 4 *shall take effect 90 days after the date of the en-*
 5 *actment of this Act.*

6 (2) *RETALIATION PREVENTION GUIDANCE.*—*Any*
 7 *Department employee against whom an allegation of*
 8 *discrimination, bullying, or harassment has been*
 9 *made shall receive written guidance (a “retaliation*
 10 *hold”)* *on the types of actions that can be considered*
 11 *retaliation against the complainant employee. The*
 12 *employee's immediate supervisor shall also receive the*
 13 *retaliation hold guidance.*

14 **SEC. 6213. NATIONAL ADVERTISING CAMPAIGN.**

15 *Not later than 270 days after the date of the enactment*
 16 *of this Act, the Secretary shall submit a strategy to the ap-*
 17 *propriate congressional committees that assesses the poten-*
 18 *tial benefits and costs of a national advertising campaign*
 19 *to improve the recruitment in the Civil Service and the For-*
 20 *eign Service by raising public awareness of the important*
 21 *accomplishments of the Department.*

22 **SEC. 6214. EXPANSION OF DIPLOMATS IN RESIDENCE PRO-**
 23 **GRAMS.**

24 *Not later than two years after the date of the enact-*
 25 *ment of this Act—*

1 (1) *the Secretary is authorized to increase the*
 2 *number of diplomats in the Diplomats in Residence*
 3 *Program from 17 to at least 20; and*

4 (2) *the Administrator of the United States Agen-*
 5 *cy for International Development is authorized to in-*
 6 *crease the number of development diplomats in the*
 7 *Diplomats in Residence Program from 1 to at least*
 8 *3.*

9 ***Subtitle B—Pay, Benefits, and***
 10 ***Workforce Matters***

11 ***SEC. 6221. EDUCATION ALLOWANCE.***

12 (a) *IN GENERAL.*—Chapter 9 of title I of the Foreign
 13 *Service Act of 1980 (22 U.S.C. 4081 et seq.) is amended*
 14 *by adding at the end the following new section:*

15 ***“SEC. 908. EDUCATION ALLOWANCE.***

16 *“A Department employee who is on leave to perform*
 17 *service in the uniformed services (as defined in section*
 18 *4303(13) of title 38, United States Code) may receive an*
 19 *education allowance if the employee would, if not for such*
 20 *service, be eligible to receive the education allowance.”.*

21 (b) *CLERICAL AMENDMENT.*—The table of contents in
 22 *section 2 of the Foreign Service Act of 1980 (22 U.S.C. 3901*
 23 *note) is amended by inserting after the item relating to sec-*
 24 *tion 907 the following:*

“Sec. 908. Education allowance”.

1 **SEC. 6222. PER DIEM ALLOWANCE FOR NEWLY HIRED MEM-**
2 **BERS OF THE FOREIGN SERVICE.**

3 (a) *PER DIEM ALLOWANCE.*—

4 (1) *IN GENERAL.*—*Except as provided in para-*
5 *graph (2), any newly hired Foreign Service employee*
6 *who is in initial orientation training, or any other*
7 *training expected to last less than 6 months before*
8 *transferring to the employee's first assignment, in the*
9 *Washington, D.C., area shall, for the duration of such*
10 *training, receive a per diem allowance at the levels*
11 *prescribed under subchapter I of chapter 57 of title 5,*
12 *United States Code.*

13 (2) *LIMITATION ON LODGING EXPENSES.*—*A*
14 *newly hired Foreign Service employee may not receive*
15 *any lodging expenses under the applicable per diem*
16 *allowance pursuant to paragraph (1) if that em-*
17 *ployee—*

18 (A) *has a permanent residence in the Wash-*
19 *ington, D.C., area (not including Government-*
20 *supplied housing during such orientation train-*
21 *ing or other training); and*

22 (B) *does not vacate such residence during*
23 *such orientation training or other training.*

24 (b) *DEFINITIONS.*—*In this section—*

1 (1) *the term “per diem allowance” has the mean-*
 2 *ing given that term under section 5701 of title 5,*
 3 *United States Code; and*

4 (2) *the term “Washington, D.C., area” means the*
 5 *geographic area within a 50 mile radius of the Wash-*
 6 *ington Monument.*

7 **SEC. 6223. IMPROVING MENTAL HEALTH SERVICES FOR**
 8 **FOREIGN AND CIVIL SERVANTS.**

9 (a) *ADDITIONAL PERSONNEL TO ADDRESS MENTAL*
 10 *HEALTH.—*

11 (1) *IN GENERAL.—The Secretary shall seek to in-*
 12 *crease the number of personnel within the Bureau of*
 13 *Medical Services to address mental health needs for*
 14 *both foreign and civil servants.*

15 (2) *EMPLOYMENT TARGETS.—Not later than 180*
 16 *days after the date of the enactment of this Act, the*
 17 *Secretary shall seek to employ not fewer than 15 ad-*
 18 *ditional personnel in the Bureau of Medical Services,*
 19 *compared to the number of personnel employed as of*
 20 *the date of the enactment of this Act.*

21 (b) *STUDY.—The Secretary shall conduct a study on*
 22 *the accessibility of mental health care providers and services*
 23 *available to Department personnel, including an assessment*
 24 *of—*

1 (1) *the accessibility of mental health care pro-*
2 *viders at diplomatic posts and in the United States;*

3 (2) *the accessibility of inpatient services for men-*
4 *tal health care for Department personnel;*

5 (3) *steps that may be taken to improve such ac-*
6 *cessibility;*

7 (4) *the impact of the COVID–19 pandemic on*
8 *the mental health of Department personnel, particu-*
9 *larly those who served abroad between March 1, 2020,*
10 *and December 31, 2022, and Locally Employed Staff,*
11 *where information is available;*

12 (5) *recommended steps to improve the manner in*
13 *which the Department advertises mental health serv-*
14 *ices to the workforce; and*

15 (6) *additional authorities and resources needed*
16 *to better meet the mental health needs of Department*
17 *personnel.*

18 (c) *REPORT.*—*Not later than 180 days after the date*
19 *of the enactment of this Act, the Secretary shall submit to*
20 *appropriate congressional committees a report containing*
21 *the findings of the study under subsection (b).*

22 **SEC. 6224. EMERGENCY BACK-UP CARE.**

23 (a) *IN GENERAL.*—*The Secretary and the Adminis-*
24 *trator for the United States Agency for International Devel-*
25 *opment are authorized to provide for unanticipated non-*

1 *medical care, including childcare, eldercare, and essential*
 2 *services directly related to caring for an acute injury or*
 3 *illness, for USAID and Department employees and their*
 4 *family members, including through the provision of such*
 5 *non-medical services, referrals to care providers, and reim-*
 6 *bursement of reasonable expenses for such services.*

7 (b) *LIMITATION.—Services provided pursuant to this*
 8 *section shall not exceed \$2,000,000 per fiscal year.*

9 **SEC. 6225. AUTHORITY TO PROVIDE SERVICES TO NON-**
 10 **CHIEF OF MISSION PERSONNEL.**

11 *Section 904 of the Foreign Service Act of 1980 (22*
 12 *U.S.C. 4084) is amended—*

13 (1) *in subsection (g), by striking “abroad for em-*
 14 *ployees and eligible family members” and inserting*
 15 *“under this section”; and*

16 (2) *by adding at the end the following new sub-*
 17 *section:*

18 “(a) *PHYSICAL AND MENTAL HEALTH CARE SERVICES*
 19 *IN SPECIAL CIRCUMSTANCES.—*

20 “(1) *IN GENERAL.—The Secretary is authorized*
 21 *to direct health care providers employed under sub-*
 22 *section (c) of this section to furnish physical and*
 23 *mental health care services to an individual otherwise*
 24 *ineligible for services under this section if necessary*
 25 *to preserve life or limb or if intended to facilitate an*

1 *overseas evacuation, recovery, or return. Such services*
2 *may be provided incidental to the following activities:*

3 *“(A) Activities undertaken abroad pursuant*
4 *to section 3 and section 4 of the State Depart-*
5 *ment Basic Authorities Act of 1956 (22 U.S.C.*
6 *2670, 2671).*

7 *“(B) Recovery of hostages or of wrongfully*
8 *or unlawfully detained individuals abroad, in-*
9 *cluding pursuant to section 302 of the Robert*
10 *Levinson Hostage Recovery and Hostage-Taking*
11 *Accountability Act (22 U.S.C. 1741).*

12 *“(C) Secretarial dispatches to international*
13 *disaster sites deployed pursuant to section 207 of*
14 *the Aviation Security Improvement Act of 1990*
15 *(22 U.S.C. 5506).*

16 *“(D) Deployments undertaken pursuant to*
17 *section 606(a)(6)(A)(iii) of the Secure Embassy*
18 *Construction and Counterterrorism Act of 1999*
19 *(22 U.S.C. 4865(a)(6)(A)(iii)).*

20 *“(2) PRIORITIZATION OF OTHER FUNCTIONS.—*
21 *The Secretary shall prioritize the allocation of De-*
22 *partment resources to the health care program de-*
23 *scribed in subsections (a) through (g) above the func-*
24 *tions described in paragraph (1).*

1 “(3) *REGULATIONS.*—*The Secretary should pre-*
 2 *scribe applicable regulations to implement this sec-*
 3 *tion, taking into account the prioritization in para-*
 4 *graph (2) and the activities described in paragraph*
 5 *(1).*

6 “(4) *REIMBURSABLE BASIS.*—*Services rendered*
 7 *under this subsection shall be provided on a reimburs-*
 8 *able basis to the extent practicable.”.*

9 **SEC. 6226. EXCEPTION FOR GOVERNMENT-FINANCED AIR**
 10 **TRANSPORTATION.**

11 *(a) REDUCING HARDSHIP FOR TRANSPORTATION OF*
 12 *DOMESTIC ANIMALS.—*

13 *(1) IN GENERAL.*—*Notwithstanding subsections*
 14 *(a) and (c) of section 40118 of title 49, United States*
 15 *Code, the Department is authorized to pay for the*
 16 *transportation by a foreign air carrier of Department*
 17 *personnel and any in-cabin or accompanying checked*
 18 *baggage or cargo if—*

19 *(A) no air carrier holding a certificate*
 20 *under section 41102 of such title is willing and*
 21 *able to transport up to 3 domestic animals ac-*
 22 *companying such Federal personnel; and*

23 *(B) the transportation is from a place—*
 24 *(i) outside the United States to a place*
 25 *in the United States;*

1 (ii) *in the United States to a place*
 2 *outside the United States; or*

3 (iii) *outside the United States to an-*
 4 *other place outside the United States.*

5 (2) *LIMITATION.*—*An amount paid pursuant to*
 6 *paragraph (1) for transportation by a foreign carrier*
 7 *may not be greater than the amount that would other-*
 8 *wise have been paid had the transportation been on*
 9 *an air carrier holding a certificate under section*
 10 *41102 had that carrier been willing and able to pro-*
 11 *vide such transportation. If the amount that would*
 12 *otherwise have been paid to such an air carrier is less*
 13 *than the cost of transportation on the applicable for-*
 14 *ign carrier, the Department personnel may pay the*
 15 *difference of such amount.*

16 (3) *DOMESTIC ANIMAL DEFINED.*—*In this sub-*
 17 *section, the term “domestic animal” means a dog or*
 18 *a cat.*

19 **SEC. 6227. ENHANCED AUTHORITIES TO PROTECT LOCALLY**
 20 **EMPLOYED STAFF DURING EMERGENCIES.**

21 (a) *SENSE OF CONGRESS.*—*It is the sense of Congress*
 22 *that—*

23 (1) *locally employed staff provide essential con-*
 24 *tributions at United States diplomatic and consular*
 25 *posts around the world, including by providing—*

1 (A) security to United States government
2 personnel serving in the country;

3 (B) advice, expertise, and other services for
4 the promotion of political, economic, public af-
5 fairs, commercial, security, and other interests of
6 critical importance to the United States;

7 (C) a wide range of logistical and adminis-
8 trative support to every office in each mission
9 working to advance United States interests
10 around the world, including services and support
11 vital to the upkeep and maintenance of United
12 States missions;

13 (D) consular services to support the welfare
14 and well-being of United States citizens and to
15 provide for the expeditious processing of visa ap-
16 plications;

17 (E) institutional memory on a wide range
18 of embassy engagements on bilateral issues; and

19 (F) enduring connections to host country
20 contacts, both inside and outside the host govern-
21 ment, including within media, civil society, the
22 business community, academia, the armed forces,
23 and elsewhere; and

24 (2) locally employed staff make important con-
25 tributions that should warrant the United States Gov-

1 *ernment to give due consideration for their security*
2 *and safety when diplomatic missions face emergency*
3 *situations.*

4 *(b) AUTHORIZATION TO PROVIDE EMERGENCY SUP-*
5 *PORT.—In emergency situations, in addition to other au-*
6 *thorities that may be available in emergencies or other exi-*
7 *gent circumstances, the Secretary is authorized to use funds*
8 *made available to the Department to provide support to en-*
9 *sure the safety and security of locally employed staff and*
10 *their immediate family members, including for—*

11 *(1) providing transport or relocating locally em-*
12 *ployed staff and their immediate family members to*
13 *a safe and secure environment;*

14 *(2) providing short-term housing or lodging for*
15 *up to six months for locally employed staff and their*
16 *immediate family members;*

17 *(3) procuring or providing other essential items*
18 *and services to support the safety and security of lo-*
19 *cally employed staff and their immediate family*
20 *members.*

21 *(c) TEMPORARY HOUSING.—To ensure the safety and*
22 *security of locally employed staff and their immediate fam-*
23 *ily members consistent with this section, Chiefs of Missions*
24 *are authorized to allow locally employed staff and their im-*
25 *mediate family members to reside temporarily in the resi-*

1 dences of United States direct hire employees, either in the
2 host country or other countries, provided that such stays
3 are offered voluntarily by United States direct hire employ-
4 ees.

5 (d) *FOREIGN AFFAIRS MANUAL*.—Not later than 180
6 days after the date of the enactment of this Act, the Sec-
7 retary shall amend the Foreign Affairs Manual to reflect
8 the authorizations and requirements of this section.

9 (e) *EMERGENCY SITUATION DEFINED*.—In this sec-
10 tion, the term “emergency situation” means armed conflict,
11 civil unrest, natural disaster, or other types of instability
12 that pose a threat to the safety and security of locally em-
13 ployed staff, particularly when and if a United States dip-
14 lomatic or consular post must suspend operations.

15 (f) *REPORT*.—

16 (1) *IN GENERAL*.—Not later than 180 days after
17 the date of the enactment of this Act, the Secretary
18 shall submit to the appropriate congressional commit-
19 tees, the Committee on Appropriations of the Senate,
20 and the Committee on Appropriations of the House of
21 Representatives a report describing prior actions the
22 Department has taken with regard to locally em-
23 ployed staff and their immediate family members fol-
24 lowing suspensions or closures of United States diplo-

1 *matic posts over the prior 10 years, including Kyiv,*
2 *Kabul, Minsk, Khartoum, and Juba.*

3 (2) *ELEMENTS.—The report required under*
4 *paragraph (1) shall—*

5 (A) *describe any actions the Department*
6 *took to assist locally employed staff and their*
7 *immediate family members;*

8 (B) *identify any obstacles that made pro-*
9 *viding support or assistance to locally employed*
10 *staff and their immediate family members dif-*
11 *ficult;*

12 (C) *examine lessons learned and propose*
13 *recommendations to better protect the safety and*
14 *security of locally employed staff and their fam-*
15 *ily members, including any additional authori-*
16 *ties that may be required; and*

17 (D) *provide an analysis of and offer rec-*
18 *ommendations on any other steps that could im-*
19 *prove efforts to protect the safety and security of*
20 *locally employed staff and their immediate fam-*
21 *ily members.*

22 **SEC. 6228. INTERNET AT HARDSHIP POSTS.**

23 *Section 3 of the State Department Basic Authorities*
24 *Act of 1956 (22 U.S.C. 2670) is amended—*

1 (1) in subsection (l), by striking “; and” and in-
2 serting a semicolon;

3 (2) in subsection (m) by striking the period at
4 the end and by inserting “; and”; and

5 (3) by adding at the end the following new sub-
6 section:

7 “(n) pay expenses to provide internet services in resi-
8 dences owned or leased by the United States Government
9 in foreign countries for the use of Department personnel
10 where Department personnel receive a post hardship dif-
11 ferential equivalent to 30 percent or more above basic com-
12 pensation.”.

13 **SEC. 6229. COMPETITIVE LOCAL COMPENSATION PLAN.**

14 (a) *ESTABLISHMENT AND IMPLEMENTATION OF PRE-*
15 *VAILING WAGE RATES GOAL.*—Section 401(a) of the De-
16 partment of State Authorities Act, fiscal year 2017 (22
17 U.S.C. 3968a(a)) is amended in the matter preceding para-
18 graph (1), by striking “periodically” and inserting “every
19 3 years”.

20 (b) *REPORT.*—Not later than one year after the date
21 of the enactment of this Act, the Secretary shall submit to
22 the appropriate congressional committees, the Committee on
23 Appropriations of the Senate, and the Committee on Appro-
24 priations of the House of Representatives a report that in-
25 cludes—

1 (1) *compensation (including position classifica-*
 2 *tion) plans for locally employed staff based upon pre-*
 3 *vailing wage rates and compensation practices for*
 4 *corresponding types of positions in the locality of em-*
 5 *ployment; and*

6 (2) *an assessment of the feasibility and impact*
 7 *of changing the prevailing wage rate goal for posi-*
 8 *tions in the local compensation plan from the 50th*
 9 *percentile to the 75th percentile.*

10 **SEC. 6230. SUPPORTING TANDEM COUPLES IN THE FOR-**
 11 **EIGN SERVICE.**

12 (a) *SENSE OF CONGRESS.—It is the sense of Congress*
 13 *that—*

14 (1) *challenges finding and maintaining spousal*
 15 *employment and family dissatisfaction are one of the*
 16 *leading reasons employees cite for leaving the Depart-*
 17 *ment;*

18 (2) *tandem Foreign Service personnel represent*
 19 *important members of the Foreign Service commu-*
 20 *nity, who act as force multipliers for our diplomacy;*

21 (3) *the Department can and should do more to*
 22 *keep tandem couples posted together and consider*
 23 *family member employment needs when assigning*
 24 *tandem officers; and*

1 (4) *common sense steps providing more flexi-*
 2 *bility in the assignments process would improve out-*
 3 *comes for tandem officers without disadvantaging*
 4 *other Foreign Service officers.*

5 (b) *DEFINITIONS.—In this section:*

6 (1) *FAMILY TOGETHERNESS.—The term “family*
 7 *togetherness” means facilitating the placement of For-*
 8 *oreign Service personnel at the same United States dip-*
 9 *lomatic post when both spouses are members of a tan-*
 10 *dem couple of Foreign Service personnel.*

11 (2) *TANDEM FOREIGN SERVICE PERSONNEL; TAN-*
 12 *DEM.—The terms “tandem Foreign Service per-*
 13 *sonnel” and “tandem” mean a member of a couple of*
 14 *which one spouse is a career or career candidate em-*
 15 *ployee of the Foreign Service and the other spouse is*
 16 *a career or career candidate employee of the Foreign*
 17 *Service or an employee of one of the agencies author-*
 18 *ized to use the Foreign Service Personnel System*
 19 *under section 202 of the Foreign Service Act of 1980*
 20 *(22 U.S.C. 3922).*

21 (c) *FAMILY TOGETHERNESS IN ASSIGNMENTS.—Not*
 22 *later than 90 days after the date of enactment of this Act,*
 23 *the Department shall amend and update its policies to fur-*
 24 *ther promote the principle of family togetherness in the For-*
 25 *oreign Service, which shall include the following:*

1 (1) *ENTRY-LEVEL FOREIGN SERVICE PER-*
 2 *SONNEL.—The Secretary shall adopt policies and pro-*
 3 *cedures to facilitate the assignment of entry-level tan-*
 4 *dem Foreign Service personnel on directed assign-*
 5 *ments to the same diplomatic post or country as their*
 6 *tandem spouse if they request to be assigned to the*
 7 *same post or country. The Secretary shall also pro-*
 8 *vide a written justification to the requesting personnel*
 9 *explaining any denial of a request that would result*
 10 *in a tandem couple not serving together at the same*
 11 *post or country.*

12 (2) *TENURED FOREIGN SERVICE PERSONNEL.—*
 13 *The Secretary shall add family togetherness to the cri-*
 14 *teria when making a needs of the Service determina-*
 15 *tion, as defined by the Foreign Affairs Manual, for*
 16 *the placement of tenured tandem Foreign Service per-*
 17 *sonnel at United States diplomatic posts.*

18 (3) *UPDATES TO ANTINEPOTISM POLICY.—The*
 19 *Secretary shall update antinepotism policies so that*
 20 *nepotism rules only apply when an employee and a*
 21 *relative are placed into positions wherein they jointly*
 22 *and exclusively control government resources, prop-*
 23 *erty, or money or establish government policy.*

24 (4) *TEMPORARY SUPERVISION OF TANDEM*
 25 *SPOUSE.—The Secretary shall update policies to*

1 allow for a tandem spouse to temporarily supervise
2 another tandem spouse for up to 90 days in a cal-
3 endar year, including at a United States diplomatic
4 mission.

5 (d) *REPORT.*—Not later than 90 days after the date
6 of enactment of this Act, and annually thereafter for two
7 years, the Secretary shall submit to the appropriate con-
8 gressional committees a report that includes—

9 (1) the number of Foreign Service tandem cou-
10 ples currently serving;

11 (2) the number of Foreign Service tandems cur-
12 rently serving in separate locations, or, to the extent
13 possible, are on leave without pay (LWOP); and

14 (3) an estimate of the cost savings that would re-
15 sult if all Foreign Service tandem couples were placed
16 at a single post.

17 **SEC. 6231. ACCESSIBILITY AT DIPLOMATIC MISSIONS.**

18 Not later than 180 days after the date of the enactment
19 of this Act, the Department shall submit to the appropriate
20 congressional committees, the Committee on Appropriations
21 of the Senate, and the Committee on Appropriations of the
22 House of Representatives a report that includes—

23 (1) a list of the overseas United States diplo-
24 matic missions that, as of the date of the enactment

1 of this Act, are not readily accessible to and usable
2 by individuals with disabilities;

3 (2) any efforts in progress to make such missions
4 readily accessible to and usable by individuals with
5 disabilities; and

6 (3) an estimate of the cost to make all such mis-
7 sions readily accessible to and usable by individuals
8 with disabilities.

9 **SEC. 6232. REPORT ON BREASTFEEDING ACCOMMODATIONS**
10 **OVERSEAS.**

11 Not later than 180 days after the date of the enactment
12 of this Act, the Secretary shall submit to the appropriate
13 congressional committees a report that includes—

14 (1) a detailed report on the Department's efforts
15 to equip 100 percent of United States embassies and
16 consulates with dedicated lactation spaces, other than
17 bathrooms, that are shielded from view and free from
18 intrusion from coworkers and the public for use by
19 employees, including the expected demand for such
20 space as well as the status of such rooms when there
21 is no demand for such space; and

22 (2) a description of costs and other resources
23 needed to provide such spaces.

1 **SEC. 6233. DETERMINING THE EFFECTIVENESS OF KNOWL-**
2 **EDGE TRANSFERS BETWEEN FOREIGN SERV-**
3 **ICE OFFICERS.**

4 *The Secretary shall assess the effectiveness of knowledge*
5 *transfers between Foreign Service officers who are departing*
6 *from overseas positions and Foreign Service Officers who*
7 *are arriving at such positions, and make recommendations*
8 *for approving such knowledge transfers, as appropriate,*
9 *by—*

10 *(1) not later than 90 days after the date of the*
11 *enactment of this Act, conducting a written survey of*
12 *a representative sample of Foreign Service Officers*
13 *working in overseas assignments that analyzes the ef-*
14 *fectiveness of existing mechanisms to facilitate transi-*
15 *tions, including training, mentorship, information*
16 *technology, knowledge management, relationship*
17 *building, the role of locally employed staff, and orga-*
18 *nizational culture; and*

19 *(2) not later than 120 days after the date of the*
20 *enactment of this Act, submitting to the Committee on*
21 *Foreign Relations of the Senate and the Committee on*
22 *Foreign Affairs of the House of Representatives a re-*
23 *port that includes a summary and analysis of results*
24 *of the survey conducted pursuant to paragraph (1)*
25 *that—*

1 (A) identifies best practices and areas for
2 improvement;

3 (B) describes the Department's methodology
4 for determining which Foreign Service Officers
5 should receive familiarization trips before arriv-
6 ing at a new post;

7 (C) includes recommendations regarding fu-
8 ture actions the Department should take to maxi-
9 mize effective knowledge transfer between Foreign
10 Service Officers;

11 (D) identifies any steps taken, or intended
12 to be taken, to implement such recommendations,
13 including any additional resources or authorities
14 necessary to implement such recommendations;
15 and

16 (E) provides recommendations to Congress
17 for legislative action to advance the priority de-
18 scribed in subparagraph (C).

19 **SEC. 6234. EDUCATION ALLOWANCE FOR DEPENDENTS OF**
20 **DEPARTMENT OF STATE EMPLOYEES LO-**
21 **CATED IN UNITED STATES TERRITORIES.**

22 (a) *IN GENERAL.*—An individual employed by the De-
23 partment at a location described in subsection (b) shall be
24 eligible for a cost-of-living allowance for the education of
25 the dependents of such employee in an amount that does

1 *not exceed the educational allowance authorized by the Sec-*
 2 *retary of Defense for such location.*

3 *(b) LOCATION DESCRIBED.—A location is described in*
 4 *this subsection if—*

5 *(1) such location is in a territory of the United*
 6 *States; and*

7 *(2) the Secretary of Defense has determined that*
 8 *schools available in such location are unable to ade-*
 9 *quately provide for the education of—*

10 *(A) dependents of members of the Armed*
 11 *Forces; or*

12 *(B) dependents of employees of the Depart-*
 13 *ment of Defense.*

14 ***TITLE LXIII—INFORMATION SE-***
 15 ***CURITY AND CYBER DIPLO-***
 16 ***MACY***

17 ***SEC. 6301. DATA-INFORMED DIPLOMACY.***

18 *(a) FINDINGS.—Congress makes the following findings:*

19 *(1) In a rapidly evolving and digitally inter-*
 20 *connected global landscape, access to and mainte-*
 21 *nance of reliable, readily available data is key to in-*
 22 *formed decisionmaking and diplomacy and therefore*
 23 *should be considered a strategic asset.*

24 *(2) In order to achieve its mission in the 21st*
 25 *century, the Department must adapt to these trends*

1 *by maintaining and providing timely access to high-*
 2 *quality data at the time and place needed, while si-*
 3 *multaneously cultivating a data-savvy workforce.*

4 *(3) Leveraging data science and data analytics*
 5 *has the potential to improve the performance of the*
 6 *Department's workforce by providing otherwise un-*
 7 *known insights into program deficiencies, short-*
 8 *comings, or other gaps in analysis.*

9 *(4) While innovative technologies such as artifi-*
 10 *cial intelligence and machine learning have the poten-*
 11 *tial to empower the Department to analyze and act*
 12 *upon data at scale, systematized, sustainable data*
 13 *management and information synthesis remain a core*
 14 *competency necessary for data-driven decisionmaking.*

15 *(5) The goals set out by the Department's Enter-*
 16 *prise Data Council (EDC) as the areas of most crit-*
 17 *ical need for the Department, including Cultivating a*
 18 *Data Culture, Accelerating Decisions through Ana-*
 19 *lytics, Establishing Mission-Driven Data Manage-*
 20 *ment, and Enhancing Enterprise Data Governance,*
 21 *are laudable and will remain critical as the Depart-*
 22 *ment develops into a data-driven agency.*

23 *(b) SENSE OF CONGRESS.—It is the sense of Congress*
 24 *that—*

1 (1) *the Department should prioritize the recruit-*
 2 *ment and retainment of top data science talent in*
 3 *support of its data-informed diplomacy efforts as well*
 4 *as its broader modernization agenda; and*

5 (2) *the Department should strengthen data flu-*
 6 *ency among its workforce, promote data collaboration*
 7 *across and within its bureaus, and enhance its enter-*
 8 *prise data oversight.*

9 **SEC. 6302. ESTABLISHMENT AND EXPANSION OF THE BU-**
 10 **REAU CHIEF DATA OFFICER PROGRAM.**

11 (a) *BUREAU CHIEF DATA OFFICER PROGRAM.—*

12 (1) *ESTABLISHMENT.—The Secretary shall estab-*
 13 *lish a program, which shall be known as the “Bureau*
 14 *Chief Data Officer Program” (referred to in this sec-*
 15 *tion as the “Program”), overseen by the Department’s*
 16 *Chief Data Officer. The Bureau Chief Data Officers*
 17 *hired under this program shall report to their respec-*
 18 *tive Bureau leadership.*

19 (2) *GOALS.—The goals of the Program shall in-*
 20 *clude the following:*

21 (A) *Cultivating a data culture by pro-*
 22 *moting data fluency and data collaboration*
 23 *across the Department.*

24 (B) *Promoting increased data analytics use*
 25 *in critical decisionmaking areas.*

1 (C) *Promoting data integration and stand-*
2 *ardization.*

3 (D) *Increasing efficiencies across the De-*
4 *partment by incentivizing acquisition of enter-*
5 *prise data solutions and subscription data serv-*
6 *ices to be shared across bureaus and offices and*
7 *within bureaus.*

8 (b) *IMPLEMENTATION PLAN.*—*Not later than 180 days*
9 *after the date of the enactment of this Act, the Secretary*
10 *shall submit to the appropriate congressional committees,*
11 *the Committee on Appropriations of the Senate, and the*
12 *Committee on Appropriations of the House of Representa-*
13 *tives an implementation plan that outlines strategies for—*

14 (1) *advancing the goals described in subsection*

15 (a)(2);

16 (2) *hiring Bureau Chief Data Officers at the*
17 *GS–14 or GS–15 grade or a similar rank;*

18 (3) *assigning at least one Bureau Chief Data Of-*
19 *ficer to—*

20 (A) *each regional bureau of the Department;*

21 (B) *the Bureau of International Organiza-*
22 *tion Affairs;*

23 (C) *the Office of the Chief Economist;*

24 (D) *the Office of the Science and Technology*
25 *Advisor;*

(d) *ANNUAL REPORTING REQUIREMENT.*—Not later than 180 days after the date of the enactment of this Act, and annually thereafter for the following 3 years, the Secretary shall submit a report to the appropriate congressional committees regarding the status of the implementation plan required under subsection (b).

21 *Section 1 of the State Department Basic Authorities*
22 *Act of 1956 (22 U.S.C. 2651a) is amended by adding at*
23 *the end the following new subsection:*

24 “(n) *CHIEF ARTIFICIAL INTELLIGENCE OFFICER.*—

1 “(1) *IN GENERAL.*—*There shall be within the De-*
 2 *partment of State a Chief Artificial Intelligence Offi-*
 3 *cer, which may be dual-hatted as the Department’s*
 4 *Chief Data Officer, who shall be a member of the Sen-*
 5 *ior Executive Service.*

6 “(2) *DUTIES DESCRIBED.*—*The principal duties*
 7 *and responsibilities of the Chief Artificial Intelligence*
 8 *Officer shall be—*

9 “(A) *to evaluate, oversee, and, if appro-*
 10 *priate, facilitate the responsible adoption of arti-*
 11 *ficial intelligence (AI) and machine learning ap-*
 12 *plications to help inform decisions by policy-*
 13 *makers and to support programs and manage-*
 14 *ment operations of the Department of State; and*

15 “(B) *to act as the principal advisor to the*
 16 *Secretary of State on the ethical use of AI and*
 17 *advanced analytics in conducting data-informed*
 18 *diplomacy.*

19 “(3) *QUALIFICATIONS.*—*The Chief Artificial In-*
 20 *telligence Officer should be an individual with dem-*
 21 *onstrated skill and competency in—*

22 “(A) *the use and application of data ana-*
 23 *lytics, AI, and machine learning; and*

1 “(B) *transformational leadership and orga-*
 2 *nizational change management, particularly*
 3 *within large, complex organizations.*

4 “(4) *PARTNER WITH THE CHIEF INFORMATION*
 5 *OFFICER ON SCALING ARTIFICIAL INTELLIGENCE USE*
 6 *CASES.—To ensure alignment between the Chief Arti-*
 7 *ficial Intelligence Officer and the Chief Information*
 8 *Officer, the Chief Information Officer will consult*
 9 *with the Chief Artificial Intelligence Officer on best*
 10 *practices for rolling out and scaling AI capabilities*
 11 *across the Bureau of Information and Resource Man-*
 12 *agement’s broader portfolio of software applications.*

13 “(5) *ARTIFICIAL INTELLIGENCE DEFINED.—In*
 14 *this subsection, the term ‘artificial intelligence’ has*
 15 *the meaning given the term in section 238(g) of the*
 16 *National Defense Authorization Act for Fiscal Year*
 17 *2019 (Public Law 115–232; 10 U.S.C. 4001 note).”.*

18 **SEC. 6304. STRENGTHENING THE CHIEF INFORMATION OF-**
 19 **FICER OF THE DEPARTMENT OF STATE.**

20 “(a) *IN GENERAL.—The Chief Information Officer of*
 21 *the Department shall be consulted on all decisions to ap-*
 22 *prove or disapprove, significant new unclassified informa-*
 23 *tion technology expenditures, including software, of the De-*
 24 *partment, including expenditures related to information*

1 *technology acquired, managed, and maintained by other bu-*
2 *reaus and offices within the Department, in order to—*

3 (1) *encourage the use of enterprise software and*
4 *information technology solutions where such solutions*
5 *exist or can be developed in a timeframe and manner*
6 *consistent with maintaining and enhancing the con-*
7 *tinuity and improvement of Department operations;*

8 (2) *increase the bargaining power of the Depart-*
9 *ment in acquiring information technology solutions*
10 *across the Department;*

11 (3) *reduce the number of redundant Authorities*
12 *to Operate (ATO), which, instead of using one ATO-*
13 *approved platform across bureaus, requires multiple*
14 *ATOs for software use cases across different bureaus;*

15 (4) *enhance the efficiency, reduce redundancy,*
16 *and increase interoperability of the use of informa-*
17 *tion technology across the enterprise of the Depart-*
18 *ment;*

19 (5) *enhance training and alignment of informa-*
20 *tion technology personnel with the skills required to*
21 *maintain systems across the Department;*

22 (6) *reduce costs related to the maintenance of, or*
23 *effectuate the retirement of, legacy systems;*

24 (7) *ensure the development and maintenance of*
25 *security protocols regarding the use of information*

1 *technology solutions and software across the Depart-*
2 *ment; and*

3 (8) *improve end-user training on the operation*
4 *of information technology solutions and to enhance*
5 *end-user cybersecurity practices.*

6 (b) *STRATEGY AND IMPLEMENTATION PLAN RE-*
7 *QUIRED.—*

8 (1) *IN GENERAL.—Not later than 180 days after*
9 *the date of the enactment of this Act, the Chief Infor-*
10 *mation Officer of the Department shall develop, in*
11 *consultation with relevant bureaus and offices as ap-*
12 *propriate, a strategy and a 5-year implementation*
13 *plan to advance the objectives described in subsection*
14 *(a).*

15 (2) *CONSULTATION.—No later than one year*
16 *after the date of the enactment of this Act, the Chief*
17 *Information Officer shall submit the strategy required*
18 *by this subsection to the appropriate congressional*
19 *committees and shall consult with the appropriate*
20 *congressional committees, not less than on an annual*
21 *basis for 5 years, regarding the progress related to the*
22 *implementation plan required by this subsection.*

23 (c) *IMPROVEMENT PLAN FOR THE BUREAU FOR IN-*
24 *FORMATION RESOURCES MANAGEMENT.—*

1 (1) *IN GENERAL.*—Not later than 180 days after
2 the date of the enactment of this Act, the Chief Infor-
3 mation Officer shall develop policies and protocols to
4 improve the customer service orientation, quality and
5 timely delivery of information technology solutions,
6 and training and support for bureau and office-level
7 information technology officers.

8 (2) *SURVEY.*—Not later than one year after the
9 date of the enactment of this Act, and annually there-
10 after for five years, the Chief Information Officer
11 shall undertake a client satisfaction survey of bureau
12 information technology officers to obtain feedback on
13 metrics related to—

14 (A) customer service orientation of the Bu-
15 reau of Information Resources Management;

16 (B) quality and timelines of capabilities de-
17 livered;

18 (C) maintenance and upkeep of information
19 technology solutions;

20 (D) training and support for senior bureau
21 and office-level information technology officers;
22 and

23 (E) other matters which the Chief Informa-
24 tion Officer, in consultation with client bureaus
25 and offices, determine appropriate.

1 (3) *SUBMISSION OF FINDINGS.*—Not later than
2 60 days after completing each survey required under
3 paragraph (2), the Chief Information Officer shall
4 submit a summary of the findings to the appropriate
5 congressional committees.

6 (d) *SIGNIFICANT EXPENDITURE DEFINED.*—For pur-
7 poses of this section, the term “significant expenditure”
8 means any cumulative expenditure in excess of \$250,000
9 total in a single fiscal year for a new unclassified software
10 or information technology capability.

11 (e) *RULE OF CONSTRUCTION.*—Nothing in this section
12 may be construed—

13 (1) *to alter the authorities of the United States*
14 *Office of Management and Budget, Office of the Na-*
15 *tional Cyber Director, the Department of Homeland*
16 *Security, or the Cybersecurity and Infrastructure Se-*
17 *curity Agency with respect to Federal information*
18 *systems; or*

19 (2) *to alter the responsibilities and authorities of*
20 *the Chief Information Officer of the Department of*
21 *State as described in titles 40 or 44, United States*
22 *Code, or any other law defining or assigning respon-*
23 *sibilities or authorities to Federal Chief Information*
24 *Officers.*

1 **SEC. 6305. SENSE OF CONGRESS ON STRENGTHENING EN-**
 2 **TERPRISE GOVERNANCE.**

3 *It is the sense of Congress that in order to modernize*
 4 *the Department, enterprise-wide governance regarding*
 5 *budget and finance, information technology, and the cre-*
 6 *ation, analysis, and use of data across the Department is*
 7 *necessary to better align resources to strategy, including*
 8 *evaluating trade-offs, and to enhance efficiency and security*
 9 *in using data and technology as tools to inform and evalu-*
 10 *ate the conduct of United States foreign policy.*

11 **SEC. 6306. DIGITAL CONNECTIVITY AND CYBERSECURITY**
 12 **PARTNERSHIP.**

13 *(a) DIGITAL CONNECTIVITY AND CYBERSECURITY*
 14 *PARTNERSHIP.—The Secretary is authorized to establish a*
 15 *program, which may be known as the “Digital Connectivity*
 16 *and Cybersecurity Partnership”, to help foreign countries—*

17 *(1) expand and increase secure internet access*
 18 *and digital infrastructure in emerging markets, in-*
 19 *cluding demand for and availability of high-quality*
 20 *information and communications technology (ICT)*
 21 *equipment, software, and services;*

22 *(2) protect technological assets, including data;*

23 *(3) adopt policies and regulatory positions that*
 24 *foster and encourage open, interoperable, reliable, and*
 25 *secure internet, the free flow of data, multi-stakeholder*

1 *models of internet governance, and pro-competitive*
2 *and secure ICT policies and regulations;*

3 (4) *access United States exports of ICT goods*
4 *and services;*

5 (5) *expand interoperability and promote the di-*
6 *versification of ICT goods and supply chain services*
7 *to be less reliant on PRC imports;*

8 (6) *promote best practices and common stand-*
9 *ards for a national approach to cybersecurity; and*

10 (7) *advance other priorities consistent with*
11 *paragraphs (1) through (6), as determined by the Sec-*
12 *retary.*

13 (b) *USE OF FUNDS.—Funds made available to carry*
14 *out this section may be used to strengthen civilian cyberse-*
15 *curity and information and communications technology ca-*
16 *capacity, including participation of foreign law enforcement*
17 *and military personnel in non-military activities, notwith-*
18 *standing any other provision of law, provided that such*
19 *support is essential to enabling civilian and law enforce-*
20 *ment of cybersecurity and information and communication*
21 *technology related activities in their respective countries.*

22 (c) *IMPLEMENTATION PLAN.—Not later than 180 days*
23 *after the date of the enactment of this Act, the Secretary*
24 *shall submit to the appropriate congressional committees an*

1 *implementation plan for the coming year to advance the*
2 *goals identified in subsection (a).*

3 (d) *CONSULTATION.—In developing and*
4 *operationalizing the implementation plan required under*
5 *subsection (c), the Secretary shall consult with—*

6 (1) *the appropriate congressional committees, the*
7 *Committee on Appropriations of the Senate, and the*
8 *Committee on Appropriations of the House of Rep-*
9 *resentatives;*

10 (2) *United States industry leaders;*

11 (3) *other relevant technology experts, including*
12 *the Open Technology Fund;*

13 (4) *representatives from relevant United States*
14 *Government agencies; and*

15 (5) *representatives from like-minded allies and*
16 *partners.*

17 (e) *AUTHORIZATION OF APPROPRIATIONS.—There is*
18 *authorized to be appropriated \$100,000,000 for each of fis-*
19 *cal years 2024 through 2028 to carry out this section. Such*
20 *funds, including funds authorized to be appropriated under*
21 *the heading “Economic Support Fund”, may be made*
22 *available, notwithstanding any other provision of law to*
23 *strengthen civilian cybersecurity and information and com-*
24 *munications technology capacity, including for participa-*
25 *tion of foreign law enforcement and military personnel in*

1 *non-military activities, and for contributions. Such funds*
 2 *shall remain available until expended.*

3 **SEC. 6307. ESTABLISHMENT OF A CYBERSPACE, DIGITAL**
 4 **CONNECTIVITY, AND RELATED TECH-**
 5 **NOLOGIES (CDT) FUND.**

6 *Part II of the Foreign Assistance Act of 1961 (22*
 7 *U.S.C. 2301 et seq.) is amended by adding at the end the*
 8 *following new chapter:*

9 **“CHAPTER 10—CYBERSPACE, DIGITAL**
 10 **CONNECTIVITY, AND RELATED TECH-**
 11 **NOLOGIES (CDT) FUND**

12 **“SEC. 591. FINDINGS.**

13 *“Congress makes the following findings:*

14 *“(1) Increasingly digitized and interconnected*
 15 *social, political, and economic systems have intro-*
 16 *duced new vulnerabilities for malicious actors to ex-*
 17 *loit, which threatens economic and national security.*

18 *“(2) The rapid development, deployment, and in-*
 19 *tegration of information and communication tech-*
 20 *nologies into all aspects of modern life bring mount-*
 21 *ing risks of accidents and malicious activity involv-*
 22 *ing such technologies, and their potential con-*
 23 *sequences.*

24 *“(3) Because information and communication*
 25 *technologies are globally manufactured, traded, and*

1 *networked, the economic and national security of the*
 2 *United State depends greatly on cybersecurity prac-*
 3 *tices of other actors, including other countries.*

4 “(4) *United States assistance to countries and*
 5 *international organizations to bolster civilian capac-*
 6 *ity to address national cybersecurity and deterrence*
 7 *in cyberspace can help—*

8 “(A) *reduce vulnerability in the informa-*
 9 *tion and communication technologies ecosystem;*
 10 *and*

11 “(B) *advance national and economic secu-*
 12 *rity objectives.*

13 **“SEC. 592. AUTHORIZATION OF ASSISTANCE AND FUNDING**
 14 **FOR CYBERSPACE, DIGITAL CONNECTIVITY,**
 15 **AND RELATED TECHNOLOGIES (CDT) CAPAC-**
 16 **ITY BUILDING ACTIVITIES.**

17 “(a) *AUTHORIZATION.—The Secretary of State is au-*
 18 *thorized to provide assistance to foreign governments and*
 19 *organizations, including national, regional, and inter-*
 20 *national institutions, on such terms and conditions as the*
 21 *Secretary may determine, in order to—*

22 “(1) *advance a secure and stable cyberspace;*

23 “(2) *protect and expand trusted digital eco-*
 24 *systems and connectivity;*

1 “(3) build the cybersecurity capacity of partner
2 countries and organizations; and

3 “(4) ensure that the development of standards
4 and the deployment and use of technology supports
5 and reinforces human rights and democratic values,
6 including through the Digital Connectivity and Cy-
7 bersecurity Partnership.

8 “(b) *SCOPE OF USES.*—Assistance under this section
9 may include programs to—

10 “(1) advance the adoption and deployment of se-
11 cure and trustworthy information and communica-
12 tions technology (ICT) infrastructure and services, in-
13 cluding efforts to grow global markets for secure ICT
14 goods and services and promote a more diverse and
15 resilient ICT supply chain;

16 “(2) provide technical and capacity building as-
17 sistance to—

18 “(A) promote policy and regulatory frame-
19 works that create an enabling environment for
20 digital connectivity and a vibrant digital econ-
21 omy;

22 “(B) ensure technologies, including related
23 new and emerging technologies, are developed,
24 deployed, and used in ways that support and re-
25 inforce democratic values and human rights;

1 “(C) *promote innovation and competition;*
2 *and*

3 “(D) *support digital governance with the*
4 *development of rights-respecting international*
5 *norms and standards;*

6 “(3) *help countries prepare for, defend against,*
7 *and respond to malicious cyber activities, including*
8 *through—*

9 “(A) *the adoption of cybersecurity best*
10 *practices;*

11 “(B) *the development of national strategies*
12 *to enhance cybersecurity;*

13 “(C) *the deployment of cybersecurity tools*
14 *and services to increase the security, strength,*
15 *and resilience of networks and infrastructure;*

16 “(D) *support for the development of cyberse-*
17 *curity watch, warning, response, and recovery*
18 *capabilities, including through the development*
19 *of cybersecurity incident response teams;*

20 “(E) *support for collaboration with the Cy-*
21 *bersecurity and Infrastructure Security Agency*
22 *(CISA) and other relevant Federal agencies to*
23 *enhance cybersecurity;*

1 “(F) programs to strengthen allied and
2 partner governments’ capacity to detect, inves-
3 tigate, deter, and prosecute cybercrimes;

4 “(G) programs to provide information and
5 resources to diplomats engaging in discussions
6 and negotiations around international law and
7 capacity building measures related to cybersecu-
8 rity;

9 “(H) capacity building for cybersecurity
10 partners, including law enforcement and mili-
11 tary entities as described in subsection (f);

12 “(I) programs that enhance the ability of
13 relevant stakeholders to act collectively against
14 shared cybersecurity threats;

15 “(J) the advancement of programs in sup-
16 port of the Framework of Responsible State Be-
17 havior in Cyberspace; and

18 “(K) the fortification of deterrence instru-
19 ments in cyberspace; and

20 “(4) such other purpose and functions as the Sec-
21 retary of State may designate.

22 “(c) *RESPONSIBILITY FOR POLICY DECISIONS AND*
23 *JUSTIFICATION.*—The Secretary of State shall be respon-
24 sible for policy decisions regarding programs under this
25 chapter, with respect to—

1 “(1) *whether there will be cybersecurity and dig-*
 2 *ital capacity building programs for a foreign country*
 3 *or entity operating in that country;*

4 “(2) *the amount of funds for each foreign coun-*
 5 *try or entity; and*

6 “(3) *the scope and nature of such uses of fund-*
 7 *ing.*

8 “(d) *DETAILED JUSTIFICATION FOR USES AND PUR-*
 9 *POSES OF FUNDS.—The Secretary of State shall provide,*
 10 *on an annual basis, a detailed justification for the uses and*
 11 *purposes of the amounts provided under this chapter, in-*
 12 *cluding information concerning—*

13 “(1) *the amounts and kinds of grants;*

14 “(2) *the amounts and kinds of budgetary support*
 15 *provided, if any; and*

16 “(3) *the amounts and kinds of project assistance*
 17 *provided for what purpose and with such amounts.*

18 “(e) *ASSISTANCE AND FUNDING UNDER OTHER AU-*
 19 *THORITIES.—The authority granted under this section to*
 20 *provide assistance or funding for countries and organiza-*
 21 *tions does not preclude the use of funds provided to carry*
 22 *out other authorities also available for such purpose.*

23 “(f) *AVAILABILITY OF FUNDS.—Amounts appropriated*
 24 *to carry out this chapter may be used, notwithstanding any*
 25 *other provision of law, to strengthen civilian cybersecurity*

1 *and information and communications technology capacity,*
 2 *including participation of foreign law enforcement and*
 3 *military personnel in non-military activities, provided that*
 4 *such support is essential to enabling civilian and law en-*
 5 *forcement of cybersecurity and information and commu-*
 6 *nication technology related activities in their respective*
 7 *countries.*

8 “(g) *NOTIFICATION REQUIREMENTS.—Funds made*
 9 *available under this section shall be obligated in accordance*
 10 *with the procedures applicable to reprogramming notifica-*
 11 *tions pursuant to section 634A of this Act.*

12 **“SEC. 593. REVIEW OF EMERGENCY ASSISTANCE CAPACITY.**

13 “(a) *IN GENERAL.—The Secretary of State, in con-*
 14 *sultation as appropriate with other relevant Federal de-*
 15 *partments and agencies is authorized to conduct a review*
 16 *that—*

17 “(1) *analyzes the United States Government’s*
 18 *capacity to promptly and effectively deliver emer-*
 19 *gency support to countries experiencing major cyber-*
 20 *security and ICT incidents;*

21 “(2) *identifies relevant factors constraining the*
 22 *support referred to in paragraph (1); and*

23 “(3) *develops a strategy to improve coordination*
 24 *among relevant Federal agencies and to resolve such*
 25 *constraints.*

1 “(b) *REPORT*.—Not later than one year after the date
 2 of the enactment of this chapter, the Secretary of State shall
 3 submit a report to the Committee on Foreign Relations of
 4 the Senate and the Committee on Foreign Affairs of the
 5 House of Representatives that contains the results of the re-
 6 view conducted pursuant to subsection (a).

7 **“SEC. 594. AUTHORIZATION OF APPROPRIATIONS.**

8 *“There is authorized to be appropriated \$150,000,000*
 9 *during the 5-year period beginning on October 1, 2023, to*
 10 *carry out the purposes of this chapter.”.*

11 **SEC. 6308. CYBER PROTECTION SUPPORT FOR PERSONNEL**
 12 **OF THE DEPARTMENT OF STATE IN POSI-**
 13 **TIONS HIGHLY VULNERABLE TO CYBER AT-**
 14 **TACK.**

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

16 (1) *AT-RISK PERSONNEL*.—The term “at-risk
 17 personnel” means personnel of the Department—

18 (A) *whom the Secretary determines to be*
 19 *highly vulnerable to cyber attacks and hostile in-*
 20 *formation collection activities because of their*
 21 *positions in the Department; and*

22 (B) *whose personal technology devices or*
 23 *personal accounts are highly vulnerable to cyber*
 24 *attacks and hostile information collection activi-*
 25 *ties.*

1 (2) *PERSONAL ACCOUNTS.*—*The term “personal*
 2 *accounts” means accounts for online and tele-*
 3 *communications services, including telephone, residen-*
 4 *tial internet access, email, text and multimedia mes-*
 5 *saging, cloud computing, social media, health care,*
 6 *and financial services, used by personnel of the De-*
 7 *partment outside of the scope of their employment*
 8 *with the Department.*

9 (3) *PERSONAL TECHNOLOGY DEVICES.*—*The term*
 10 *“personal technology devices” means technology de-*
 11 *vices used by personnel of the Department outside of*
 12 *the scope of their employment with the Department,*
 13 *including networks to which such devices connect.*

14 (b) *REQUIREMENT TO PROVIDE CYBER PROTECTION*
 15 *SUPPORT.*—*The Secretary, in consultation with the Sec-*
 16 *retary of Homeland Security and the Director of National*
 17 *Intelligence, as appropriate—*

18 (1) *shall offer cyber protection support for the*
 19 *personal technology devices and personal accounts of*
 20 *at-risk personnel; and*

21 (2) *may provide the support described in para-*
 22 *graph (1) to any Department personnel who request*
 23 *such support.*

24 (c) *NATURE OF CYBER PROTECTION SUPPORT.*—*Sub-*
 25 *ject to the availability of resources, the cyber protection sup-*

1 port provided to personnel pursuant to subsection (b) may
 2 include training, advice, assistance, and other services re-
 3 lating to protection against cyber attacks and hostile infor-
 4 mation collection activities.

5 (d) *PRIVACY PROTECTIONS FOR PERSONAL DE-*
 6 *VICES.*—*The Department is prohibited pursuant to this sec-*
 7 *tion from accessing or retrieving any information from any*
 8 *personal technology device or personal account of Depart-*
 9 *ment employees unless—*

10 (1) *access or information retrieval is necessary*
 11 *for carrying out the cyber protection support specified*
 12 *in this section; and*

13 (2) *the Department has received explicit consent*
 14 *from the employee to access a personal technology de-*
 15 *vice or personal account prior to each time such de-*
 16 *vice or account is accessed.*

17 (e) *RULE OF CONSTRUCTION.*—*Nothing in this section*
 18 *may be construed—*

19 (1) *to encourage Department personnel to use*
 20 *personal technology devices for official business; or*

21 (2) *to authorize cyber protection support for sen-*
 22 *ior Department personnel using personal devices, net-*
 23 *works, and personal accounts in an official capacity.*

24 (f) *REPORT.*—*Not later than 180 days after the date*
 25 *of the enactment of this Act, the Secretary shall submit a*

1 *report to the appropriate congressional committees regard-*
 2 *ing the provision of cyber protection support pursuant to*
 3 *subsection (b), which shall include—*

4 (1) *a description of the methodology used to*
 5 *make the determination under subsection (a)(1); and*

6 (2) *guidance for the use of cyber protection sup-*
 7 *port and tracking of support requests for personnel*
 8 *receiving cyber protection support pursuant to sub-*
 9 *section (b).*

10 ***TITLE LXIV—ORGANIZATION*** 11 ***AND OPERATIONS***

12 ***SEC. 6401. PERSONAL SERVICES CONTRACTORS.***

13 (a) *EXIGENT CIRCUMSTANCES AND CRISIS RE-*
 14 *SPONSE.—To assist the Department in addressing and re-*
 15 *sponding to exigent circumstances and urgent crises abroad,*
 16 *the Department is authorized to employ, domestically and*
 17 *abroad, a limited number of personal services contractors*
 18 *in order to meet exigent needs, subject to the requirements*
 19 *of this section.*

20 (b) *AUTHORITY.—The authority to employ personal*
 21 *services contractors is in addition to any existing authori-*
 22 *ties to enter into personal services contracts and authority*
 23 *provided in the Afghanistan Supplemental Appropriations*
 24 *Act, 2022 (division C of Public Law 117–43).*

1 (c) *EMPLOYING AND ALLOCATION OF PERSONNEL.*—To
2 *meet the needs described in subsection (a) and subject to*
3 *the requirements in subsection (d), the Department may—*

4 (1) *enter into contracts to employ a total of up*
5 *to 100 personal services contractors at any given time*
6 *for each of fiscal years 2024, 2025, and 2026; and*

7 (2) *allocate up to 20 personal services contrac-*
8 *tors to a given bureau, without regard to the sources*
9 *of funding such office relies on to compensate individ-*
10 *uals.*

11 (d) *LIMITATION.*—*Employment authorized by this sec-*
12 *tion shall not exceed two calendar years.*

13 (e) *NOTIFICATION AND REPORTING TO CONGRESS.*—

14 (1) *NOTIFICATION.*—*Not later than 15 days after*
15 *the use of authority under this section, the Secretary*
16 *shall notify the appropriate congressional committees,*
17 *the Committee on Appropriations of the Senate, and*
18 *the Committee on Appropriations of the House of*
19 *Representatives of the number of personal services*
20 *contractors being employed, the expected length of em-*
21 *ployment, the relevant bureau, the purpose for using*
22 *personal services contractors, and the justification, in-*
23 *cluding the exigent circumstances requiring such use.*

24 (2) *ANNUAL REPORTING.*—*Not later than 60*
25 *days after the end of each fiscal year, the Department*

1 *shall submit to the appropriate congressional commit-*
 2 *tees, the Committee on Appropriations of the Senate,*
 3 *and the Committee on Appropriations of the House of*
 4 *Representatives a report describing the number of*
 5 *personal services contractors employed pursuant to*
 6 *this section for the prior fiscal year, the length of em-*
 7 *ployment, the relevant bureau by which they were em-*
 8 *ployed pursuant to this section, the purpose for using*
 9 *personal services contractors, disaggregated demo-*
 10 *graphic data of such contractors, and the justification*
 11 *for the employment, including the exigent cir-*
 12 *cumstances.*

13 **SEC. 6402. HARD-TO-FILL POSTS.**

14 (a) *SENSE OF CONGRESS.—It is the sense of Congress*
 15 *that—*

16 (1) *the number of hard-to-fill vacancies at*
 17 *United States diplomatic missions is far too high,*
 18 *particularly in Sub-Saharan Africa;*

19 (2) *these vacancies—*

20 (A) *adversely impact the Department’s exe-*
 21 *cution of regional strategies;*

22 (B) *hinder the ability of the United States*
 23 *to effectively compete with strategic competitors,*
 24 *such as the People’s Republic of China and the*
 25 *Russian Federation; and*

1 (C) *present a clear national security risk to*
 2 *the United States; and*

3 (3) *if the Department is unable to incentivize of-*
 4 *ficers to accept hard-to-fill positions, the Department*
 5 *should consider directed assignments, particularly for*
 6 *posts in Africa, and other means to more effectively*
 7 *advance the national interests of the United States.*

8 (b) *REPORT ON DEVELOPMENT OF INCENTIVES FOR*
 9 *HARD-TO-FILL POSTS.—Not later than 180 days after the*
 10 *date of the enactment of this Act, the Secretary shall submit*
 11 *a report to the appropriate congressional committees on ef-*
 12 *forts to develop new incentives for hard-to-fill positions at*
 13 *United States diplomatic missions. The report shall include*
 14 *a description of the incentives developed to date and pro-*
 15 *posals to try to more effectively fill hard-to-fill posts.*

16 (c) *STUDY ON FEASIBILITY OF ALLOWING NON-CON-*
 17 *SULAR FOREIGN SERVICE OFFICERS GIVEN DIRECTED*
 18 *CONSULAR POSTS TO VOLUNTEER FOR HARD-TO-FILL*
 19 *POSTS IN UNDERSTAFFED REGIONS.—*

20 (1) *STUDY.—*

21 (A) *IN GENERAL.—Not later than 180 days*
 22 *after the date of the enactment of this Act, the*
 23 *Secretary shall conduct a study on—*

24 (i) *the number of Foreign Service posi-*
 25 *tions vacant for six months or longer at*

1 *overseas posts, including for consular, polit-*
 2 *ical, and economic positions, over the last*
 3 *five years, broken down by region, and a*
 4 *comparison of the proportion of vacancies*
 5 *between regions; and*

6 *(ii) the feasibility of allowing first-tour*
 7 *Foreign Service generalists in non-Consular*
 8 *cones, directed for a consular tour, to volun-*
 9 *teer for reassignment at hard-to-fill posts in*
 10 *understaffed regions.*

11 *(B) MATTERS TO BE CONSIDERED.—The*
 12 *study conducted under subparagraph (A) shall*
 13 *consider whether allowing first-tour Foreign*
 14 *Service generalists to volunteer as described in*
 15 *such subparagraph would address current vacan-*
 16 *cies and what impact the new mechanism would*
 17 *have on consular operations.*

18 *(2) REPORT.—Not later than 60 days after com-*
 19 *pleting the study required under paragraph (1), the*
 20 *Secretary shall submit to the appropriate congres-*
 21 *sional committees a report containing the findings of*
 22 *the study.*

1 **SEC. 6403. ENHANCED OVERSIGHT OF THE OFFICE OF CIVIL**
 2 **RIGHTS.**

3 (a) *REPORT WITH RECOMMENDATIONS AND MANAGE-*
 4 *MENT STRUCTURE.*—Not later than 270 days after the date
 5 of the enactment of this Act, the Secretary shall submit to
 6 the appropriate congressional committees a report with any
 7 recommendations for the long-term structure and manage-
 8 ment of the Office of Civil Rights (OCR), including—

9 (1) *an assessment of the strengths and weak-*
 10 *nesses of OCR’s investigative processes and proce-*
 11 *dures;*

12 (2) *any changes made within OCR to its inves-*
 13 *tigative processes to improve the integrity and thor-*
 14 *oughness of its investigations; and*

15 (3) *any recommendations to improve the man-*
 16 *agement structure, investigative process, and oversight*
 17 *of the Office.*

18 **SEC. 6404. CRISIS RESPONSE OPERATIONS.**

19 (a) *IN GENERAL.*—Not later than 120 days after the
 20 date of the enactment of this Act, the Secretary shall insti-
 21 tute the following changes and ensure that the following ele-
 22 ments have been integrated into the ongoing crisis response
 23 management and response by the Crisis Management and
 24 Strategy Office:

25 (1) *The Department’s crisis response planning*
 26 *and operations shall conduct, maintain, and update*

1 on a regular basis contingency plans for posts and re-
2 gions experiencing or vulnerable to conflict or emer-
3 gency conditions, including armed conflict, national
4 disasters, significant political or military upheaval,
5 and emergency evacuations.

6 (2) *The Department's crisis response efforts shall*
7 *be led by an individual with significant experience*
8 *responding to prior crises, who shall be so designated*
9 *by the Secretary.*

10 (3) *The Department's crisis response efforts shall*
11 *provide at least quarterly updates to the Secretary*
12 *and other relevant senior officials, including a plan*
13 *and schedule to develop contingency planning for*
14 *identified posts and regions consistent with para-*
15 *graph (1).*

16 (4) *The decision to develop contingency planning*
17 *for any particular post or region shall be made inde-*
18 *pendent of any regional bureau.*

19 (5) *The crisis response team shall develop and*
20 *maintain best practices for evacuations, closures, and*
21 *emergency conditions.*

22 (b) *UPDATE.—*

23 (1) *IN GENERAL.—Not later than 180 days after*
24 *the date of the enactment of this Act, and every 180*
25 *days thereafter for the next five years, the Secretary*

1 *shall submit to the appropriate congressional commit-*
2 *tees, the Committee on Appropriations of the Senate,*
3 *and the Committee on Appropriations of the House of*
4 *Representatives an update outlining the steps taken to*
5 *implement this section, along with any other rec-*
6 *ommendations to improve the Department's crisis*
7 *management and response operations.*

8 (2) *CONTENTS.—Each update submitted pursu-*
9 *ant to paragraph (1) should include—*

10 (A) *a list of the posts whose contingency*
11 *plans, including any noncombatant evacuation*
12 *contingencies, has been reviewed and updated as*
13 *appropriate during the preceding 180 days; and*

14 (B) *an assessment of the Secretary's con-*
15 *fidence that each post—*

16 (i) *has continuously reached out to*
17 *United States persons in country to main-*
18 *tain and update contact information for as*
19 *many such persons as practicable; and*

20 (ii) *is prepared to communicate with*
21 *such persons in an emergency or crisis situ-*
22 *ation.*

23 (3) *FORM.—Each update submitted pursuant to*
24 *paragraph (1) shall be submitted in unclassified form,*
25 *but may include a classified annex.*

1 **SEC. 6405. SPECIAL ENVOY TO THE PACIFIC ISLANDS**
 2 **FORUM.**

3 (a) *SENSE OF CONGRESS.*—*It is the sense of Congress*
 4 *that—*

5 (1) *the United States must increase its diplo-*
 6 *matic activity and presence in the Pacific, particu-*
 7 *larly among Pacific Island nations; and*

8 (2) *the Special Envoy to the Pacific Islands*
 9 *Forum—*

10 (A) *should advance the United States part-*
 11 *nership with Pacific Island Forum nations and*
 12 *with the organization itself on key issues of im-*
 13 *portance to the Pacific region; and*

14 (B) *should coordinate policies across the*
 15 *Pacific region with like-minded democracies.*

16 (b) *APPOINTMENT OF SPECIAL ENVOY TO THE PACIFIC*
 17 *ISLANDS FORUM.*—*Section 1 of the State Department Basic*
 18 *Authorities Act of 1956 (22 U.S.C. 2651a), as amended by*
 19 *section 6304, is further amended by adding at the end the*
 20 *following new subsection:*

21 “(o) *SPECIAL ENVOY TO THE PACIFIC ISLANDS*
 22 *FORUM.*—

23 “(1) *APPOINTMENT.*—*The President shall ap-*
 24 *point, by and with the advice and consent of the Sen-*
 25 *ate, a qualified individual to serve as Special Envoy*

1 *to the Pacific Islands Forum (referred to in this sec-*
 2 *tion as the ‘Special Envoy’).*

3 “(2) *CONSIDERATIONS.*—

4 “(A) *SELECTION.*—*The Special Envoy shall*
 5 *be—*

6 “(i) *a United States Ambassador to a*
 7 *country that is a member of the Pacific Is-*
 8 *lands Forum; or*

9 “(ii) *a qualified individual who is not*
 10 *described in clause (i).*

11 “(B) *LIMITATIONS.*—*If the President ap-*
 12 *points an Ambassador to a country that is a*
 13 *member of the Pacific Islands Forum to serve*
 14 *concurrently as the Special Envoy to the Pacific*
 15 *Islands Forum, such Ambassador—*

16 “(i) *may not begin service as the Spe-*
 17 *cial Envoy until he or she has been con-*
 18 *firmed by the Senate for an ambassadorship*
 19 *to a country that is a member of the Pacific*
 20 *Islands Forum; and*

21 “(ii) *shall not receive additional com-*
 22 *penetration for his or her service as Special*
 23 *Envoy.*

24 “(3) *DUTIES.*—*The Special Envoy shall—*

1 “(A) represent the United States in its role
2 as dialogue partner to the Pacific Islands
3 Forum; and

4 “(B) carry out such other duties as the
5 President or the Secretary of State may pre-
6 scribe.”.

7 (c) *REPORT*.—Not later than 180 days after the date
8 of the enactment of this Act, the Secretary shall submit a
9 report to the appropriate congressional committees that de-
10 scribes how the Department will increase its ability to re-
11 cruit and retain highly-qualified ambassadors, special en-
12 voys, and other senior personnel in posts in Pacific island
13 countries as the Department expands its diplomatic foot-
14 print throughout the region.

15 **SEC. 6406. SPECIAL ENVOY FOR BELARUS.**

16 (a) *SPECIAL ENVOY*.—The President shall appoint a
17 Special Envoy for Belarus within the Department (referred
18 to in this section as the “Special Envoy”). The Special
19 Envoy should be a person of recognized distinction in the
20 field of European security, geopolitics, democracy and
21 human rights, and may be a career Foreign Service officer.

22 (b) *CENTRAL OBJECTIVE*.—The central objective of the
23 Special Envoy is to coordinate and promote efforts—

24 (1) to improve respect for the fundamental
25 human rights of the people of Belarus;

1 (2) *to sustain focus on the national security im-*
2 *plications of Belarus’s political and military align-*
3 *ment for the United States; and*

4 (3) *to respond to the political, economic, and se-*
5 *curity impacts of events in Belarus upon neighboring*
6 *countries and the wider region.*

7 (c) *DUTIES AND RESPONSIBILITIES.—The Special*
8 *Envoy shall—*

9 (1) *engage in discussions with Belarusian offi-*
10 *cials regarding human rights, political, economic and*
11 *security issues in Belarus;*

12 (2) *support international efforts to promote*
13 *human rights and political freedoms in Belarus, in-*
14 *cluding coordination and dialogue between the United*
15 *States and the United Nations, the Organization for*
16 *Security and Cooperation in Europe, the European*
17 *Union, Belarus, and the other countries in Eastern*
18 *Europe;*

19 (3) *consult with nongovernmental organizations*
20 *that have attempted to address human rights and po-*
21 *litical and economic instability in Belarus;*

22 (4) *make recommendations regarding the fund-*
23 *ing of activities promoting human rights, democracy,*
24 *the rule of law, and the development of a market econ-*
25 *omy in Belarus;*

1 (5) review strategies for improving protection of
2 human rights in Belarus, including technical train-
3 ing and exchange programs;

4 (6) develop an action plan for holding to account
5 the perpetrators of the human rights violations docu-
6 mented in the United Nations High Commissioner for
7 Human Rights report on the situation of human
8 rights in Belarus in the run-up to the 2020 presi-
9 dential election and its aftermath (Human Rights
10 Council Resolution 49/36);

11 (7) engage with member countries of the North
12 Atlantic Treaty Organization, the Organization for
13 Security and Cooperation in Europe and the Euro-
14 pean Union with respect to the implications of
15 Belarus's political and security alignment for trans-
16 atlantic security; and

17 (8) work within the Department and among
18 partnering countries to sustain focus on the political
19 situation in Belarus.

20 (d) *ROLE*.—The position of Special Envoy—

21 (1) shall be a full-time position;

22 (2) may not be combined with any other position
23 within the Department;

1 (3) *shall only exist as long as United States dip-*
 2 *lomatic operations in Belarus at United States Em-*
 3 *bassy Minsk have been suspended; and*

4 (4) *shall oversee the operations and personnel of*
 5 *the Belarus Affairs Unit.*

6 (e) *REPORT ON ACTIVITIES.*—*Not later than 180 days*
 7 *after the date of the enactment of this Act, and annually*
 8 *thereafter for the following 5 years, the Secretary, in con-*
 9 *sultation with the Special Envoy, shall submit a report to*
 10 *the appropriate congressional committees that describes the*
 11 *activities undertaken pursuant to subsection (c) during the*
 12 *reporting period.*

13 (f) *SUNSET.*—*The position of Special Envoy for*
 14 *Belarus Affairs and the authorities provided by this section*
 15 *shall terminate 5 years after the date of the enactment of*
 16 *this Act.*

17 **SEC. 6407. OVERSEAS PLACEMENT OF SPECIAL APPOINT-**
 18 **MENT POSITIONS.**

19 *Not later than 90 days after the date of the enactment*
 20 *of this Act, the Secretary shall submit to the appropriate*
 21 *congressional committees a report on current special ap-*
 22 *pointment positions at United States diplomatic missions*
 23 *that do not exercise significant authority, and all positions*
 24 *under schedule B or schedule C of subpart C of part 213*
 25 *of title 5, Code of Federal Regulations, at United States*

1 *diplomatic missions. The report shall include the title and*
 2 *responsibilities of each position, the expected duration of*
 3 *the position, the name of the individual currently appointed*
 4 *to the position, and the hiring authority utilized to fill the*
 5 *position.*

6 **SEC. 6408. RESOURCES FOR UNITED STATES NATIONALS**
 7 **UNLAWFULLY OR WRONGFULLY DETAINED**
 8 **ABROAD.**

9 *Section 302(d) of the Robert Levinson Hostage Recov-*
 10 *ery and Hostage-Taking Accountability Act (22 U.S.C.*
 11 *1741(d)) is amended—*

12 *(1) in the subsection heading, by striking “RE-*
 13 *SOURCE GUIDANCE” and inserting “RESOURCES FOR*
 14 *UNITED STATES NATIONALS UNLAWFULLY OR*
 15 *WRONGFULLY DETAINED ABROAD”;*

16 *(2) in paragraph (1), by striking the paragraph*
 17 *heading and all that follows through “Not later than”*
 18 *and inserting the following:*

19 *“(1) RESOURCE GUIDANCE.—*

20 *“(A) IN GENERAL.—Not later than”;*

21 *(3) in paragraph (2), by redesignating subpara-*
 22 *graphs (A), (B), (C), (D), and (E) and clauses (i),*
 23 *(ii), (iii), (iv), and (v), respectively, and moving such*
 24 *clauses (as so redesignated) 2 ems to the right;*

1 (4) *by redesignating paragraph (2) as subpara-*
 2 *graph (B) and moving such subparagraph (as so re-*
 3 *designated) 2 ems to the right;*

4 (5) *in subparagraph (B), as redesignated by*
 5 *paragraph (4), by striking “paragraph (1)” and in-*
 6 *serting “subparagraph (A)”;* and

7 (6) *by adding at the end the following:*

8 “(2) *TRAVEL ASSISTANCE.—*

9 “(A) *FAMILY ADVOCACY.—For the purpose*
 10 *of facilitating meetings between the United*
 11 *States Government and the family members of*
 12 *United States nationals unlawfully or wrong-*
 13 *fully detained abroad, the Secretary shall pro-*
 14 *vide financial assistance to cover the costs of*
 15 *travel to Washington, D.C., including travel by*
 16 *air, train, bus, or other transit as appropriate,*
 17 *to any individual who—*

18 “(i) *is—*

19 “(I) *a family member of a United*
 20 *States national unlawfully or wrong-*
 21 *fully detained abroad as determined by*
 22 *the Secretary under subsection (a); or*

23 “(II) *an appropriate individual*
 24 *who—*

1 “(aa) is approved by the
2 Special Presidential Envoy for
3 Hostage Affairs; and

4 “(bb) does not represent in
5 any legal capacity a United
6 States national unlawfully or
7 wrongfully detained abroad or the
8 family of such United States na-
9 tional;

10 “(ii) has a permanent address that is
11 more than 50 miles from Washington, D.C.;
12 and

13 “(iii) requests such assistance.

14 “(B) TRAVEL AND LODGING.—

15 “(i) IN GENERAL.—For each such
16 United States national unlawfully or
17 wrongfully detained abroad, the financial
18 assistance described in subparagraph (A)
19 shall be provided for not more than 2 trips
20 per fiscal year, unless the Special Presi-
21 dential Envoy for Hostage Affairs deter-
22 mines that a third trip is warranted.

23 “(ii) LIMITATIONS.—Any trip de-
24 scribed in clause (i) shall—

1 “(I) consist of not more than 2
2 family members or other individuals
3 approved in accordance with subpara-
4 graph (A)(i)(II), unless the Special
5 Presidential Envoy for Hostage Affairs
6 determines that circumstances warrant
7 an additional family member or other
8 individual approved in accordance
9 with subparagraph (A)(i)(II) and ap-
10 proves assistance to such third family
11 member or other individual; and

12 “(II) not exceed more than 2
13 nights lodging, which shall not exceed
14 the applicable government rate.

15 “(C) RETURN TRAVEL.—If other United
16 States Government assistance is unavailable, the
17 Secretary may provide to a United States na-
18 tional unlawfully or wrongfully detained abroad
19 as determined by the Secretary under subsection
20 (a), compensation and assistance, as necessary,
21 for return travel to the United States upon re-
22 lease of such United States national.

23 “(3) SUPPORT.—The Secretary shall seek to
24 make available operational psychologists and clinical

1 *social workers, to support the mental health and well-*
2 *being of—*

3 “(A) *any United States national unlawfully*
4 *or wrongfully detained abroad; and*

5 “(B) *any family member of such United*
6 *States national, with regard to the psychological,*
7 *social, and mental health effects of such unlawful*
8 *or wrongful detention.*

9 “(4) *NOTIFICATION REQUIREMENT.—The Sec-*
10 *retary shall notify the Committee on Foreign Rela-*
11 *tions of the Senate, the Committee on Foreign Affairs*
12 *of the House of Representatives, and the Committees*
13 *on Appropriations of the Senate and the House of*
14 *Representatives of any amount spent above \$250,000*
15 *for any fiscal year to carry out paragraphs (2) and*
16 *(3).*

17 “(5) *REPORT.—Not later than 90 days after the*
18 *end of each fiscal year, the Secretary shall submit to*
19 *the Committees on Foreign Relations and Appropria-*
20 *tions of the Senate and the Committee on Foreign Af-*
21 *airs and Appropriations of the House of Representa-*
22 *tives a report that includes—*

23 “(A) *a detailed description of expenditures*
24 *made pursuant to paragraphs (2) and (3);*

1 “(B) a detailed description of support pro-
2 vided pursuant to paragraph (3) and the indi-
3 viduals providing such support; and

4 “(C) the number and location of visits out-
5 side of Washington, D.C., during the prior fiscal
6 year made by the Special Presidential Envoy for
7 Hostage Affairs to family members of each
8 United States national unlawfully or wrongfully
9 detained abroad.

10 “(6) *SUNSET*.—The authority and requirements
11 under paragraphs (2), (3), (4), and (5) shall termi-
12 nate on December 31, 2027.

13 “(7) *FAMILY MEMBER DEFINED*.—In this sub-
14 section, the term ‘family member’ means a spouse, fa-
15 ther, mother, child, brother, sister, grandparent,
16 grandchild, aunt, uncle, nephew, niece, cousin, father-
17 in-law, mother-in-law, son-in-law, daughter-in-law,
18 brother-in-law, sister-in-law, stepfather, stepmother,
19 stepson, stepdaughter, stepbrother, stepsister, half
20 brother, or half sister.”.

***TITLE LXV—ECONOMIC
DIPLOMACY***

***SEC. 6501. REPORT ON RECRUITMENT, RETENTION, AND
PROMOTION OF FOREIGN SERVICE ECO-
NOMIC OFFICERS.***

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit a report to the appropriate congressional committees regarding the recruitment, retention, and promotion of economic officers in the Foreign Service.

(b) ELEMENTS.—The report required under subsection (b) shall include—

(1) an overview of the key challenges the Department faces in—

(A) recruiting individuals to serve as economic officers in the Foreign Service; and

(B) retaining individuals serving as economic officers in the Foreign Service, particularly at the level of GS–14 of the General Schedule and higher;

(2) an overview of the key challenges in recruiting and retaining qualified individuals to serve in economic positions in the Civil Service;

1 (3) a comparison of promotion rates for eco-
2 nomic officers in the Foreign Service relative to other
3 officers in the Foreign Service;

4 (4) a summary of the educational history and
5 training of current economic officers in the Foreign
6 Service and Civil Service officers serving in economic
7 positions;

8 (5) the identification, disaggregated by region, of
9 hard-to-fill posts and proposed incentives to improve
10 staffing of economic officers in the Foreign Service at
11 such posts;

12 (6) a summary and analysis of the factors that
13 lead to the promotion of—

14 (A) economic officers in the Foreign Service;

15 and

16 (B) individuals serving in economic posi-
17 tions in the Civil Service; and

18 (7) a summary and analysis of current Depart-
19 ment-funded or run training opportunities and exter-
20 nally-funded programs, including the Secretary's
21 Leadership Seminar at Harvard Business School,
22 for—

23 (A) economic officers in the Foreign Service;

24 and

1 (B) individuals serving in economic posi-
2 tions in the Civil Service.

3 **SEC. 6502. MANDATE TO REVISE DEPARTMENT OF STATE**
4 **METRICS FOR SUCCESSFUL ECONOMIC AND**
5 **COMMERCIAL DIPLOMACY.**

6 (a) *MANDATE TO REVISE DEPARTMENT OF STATE*
7 *PERFORMANCE MEASURES FOR ECONOMIC AND COMMER-*
8 *CIAL DIPLOMACY.*—The Secretary shall, as part of the De-
9 partment’s next regularly scheduled review on metrics and
10 performance measures, include revisions of Department per-
11 formance measures for economic and commercial diplo-
12 macy, by identifying outcome-oriented, and not process-ori-
13 ented, performance metrics, including metrics that—

14 (1) *measure how Department efforts advanced*
15 *specific economic and commercial objectives and led*
16 *to successes for the United States or other private sec-*
17 *tor actors overseas; and*

18 (2) *focus on customer satisfaction with Depart-*
19 *ment services and assistance.*

20 (b) *PLAN FOR ENSURING COMPLETE DATA FOR PER-*
21 *FORMANCE MEASURES.*—As part of the review required
22 under subsection (a), the Secretary shall include a plan for
23 ensuring that—

24 (1) *the Department, both at its main head-*
25 *quarters and at domestic and overseas posts, main-*

1 *tains and fully updates data on performance meas-*
 2 *ures; and*

3 *(2) Department leadership and the appropriate*
 4 *congressional committees can evaluate the extent to*
 5 *which the Department is advancing United States*
 6 *economic and commercial interests abroad through*
 7 *meeting performance targets.*

8 *(c) REPORT ON PRIVATE SECTOR SURVEYS.—The Sec-*
 9 *retary shall prepare a report that lists and describes all*
 10 *the methods through which the Department conducts sur-*
 11 *veys of the private sector to measure private sector satisfac-*
 12 *tion with assistance and services provided by the Depart-*
 13 *ment to advance private sector economic and commercial*
 14 *goals in foreign markets.*

15 *(d) REPORT.—Not later than 90 days after conducting*
 16 *the review pursuant to subsection (a), the Secretary shall*
 17 *submit to the appropriate congressional committees—*

18 *(1) the revised performance metrics required*
 19 *under subsection (a); and*

20 *(2) the report required under subsection (c).*

21 **SEC. 6503. CHIEF OF MISSION ECONOMIC RESPONSIBIL-**
 22 **ITIES.**

23 *Section 207 of the Foreign Service Act of 1980 (22*
 24 *U.S.C. 3927) is amended by adding at the end the following:*

25 *“(e) EMBASSY ECONOMIC TEAM.—*

1 “(1) *COORDINATION AND SUPERVISION.*—*Each*
2 *chief of mission shall coordinate and supervise the*
3 *implementation of all United States economic policy*
4 *interests within the host country in which the diplo-*
5 *matic mission is located, among all United States*
6 *Government departments and agencies present in*
7 *such country.*

8 “(2) *ACCOUNTABILITY.*—*The chief of mission is*
9 *responsible for the performance of the diplomatic mis-*
10 *sion in advancing United States economic policy in-*
11 *terests within the host country.*

12 “(3) *MISSION ECONOMIC TEAM.*—*The chief of*
13 *mission shall designate appropriate embassy staff to*
14 *form a mission economic team that—*

15 “(A) *monitors notable economic, commer-*
16 *cial, and investment-related developments in the*
17 *host country; and*

18 “(B) *develops plans and strategies for ad-*
19 *vancing United States economic and commercial*
20 *interests in the host country, including—*

21 “(i) *tracking legislative, regulatory, ju-*
22 *dicial, and policy developments that could*
23 *affect United States economic, commercial,*
24 *and investment interests;*

1 “(ii) advocating for best practices with
2 respect to policy and regulatory develop-
3 ments;

4 “(iii) conducting regular analyses of
5 market systems, trends, prospects, and op-
6 portunities for value-addition, including
7 risk assessments and constraints analyses of
8 key sectors and of United States strategic
9 competitiveness, and other reporting on
10 commercial opportunities and investment
11 climate; and

12 “(iv) providing recommendations for
13 responding to developments that may ad-
14 versely affect United States economic and
15 commercial interests.”.

16 **SEC. 6504. DIRECTION TO EMBASSY DEAL TEAMS.**

17 (a) *PURPOSES.*—*The purposes of deal teams at United*
18 *States embassies and consulates are—*

19 (1) *to promote a private sector-led approach—*

20 (A) *to advance economic growth and job*
21 *creation that is tailored, as appropriate, to spe-*
22 *cific economic sectors; and*

23 (B) *to advance strategic partnerships;*

24 (2) *to prioritize efforts—*

1 (A) to identify commercial and investment
2 opportunities;

3 (B) to advocate for improvements in the
4 business and investment climate;

5 (C) to engage and consult with private sec-
6 tor partners; and

7 (D) to report on the activities described in
8 subparagraphs (A) through (C), in accordance
9 with the applicable requirements under sections
10 706 and 707 of the Championing American
11 Business Through Diplomacy Act of 2019 (22
12 U.S.C. 9902 and 9903);

13 (3)(A)(i) to identify trade and investment oppor-
14 tunities for United States companies in foreign mar-
15 kets; or

16 (ii) to assist with existing trade and invest-
17 ment opportunities already identified by United
18 States companies; and

19 (B) to deploy United States Government eco-
20 nomic and other tools to help such United States com-
21 panies to secure their objectives;

22 (4) to identify and facilitate opportunities for
23 entities in a host country to increase exports to, or in-
24 vestment in, the United States in order to grow two-
25 way trade and investment;

1 (5) to modernize, streamline, and improve access
2 to resources and services designed to promote in-
3 creased trade and investment opportunities;

4 (6) to identify and secure United States or allied
5 government support of strategic projects, such as
6 ports, railways, energy production and distribution,
7 critical minerals development, telecommunications
8 networks, and other critical infrastructure projects
9 vulnerable to predatory investment by an authori-
10 tarian country or entity in such country where sup-
11 port or investment serves an important United States
12 interest;

13 (7) to coordinate across the United States Gov-
14 ernment to ensure the appropriate and most effective
15 use of United States Government tools to support
16 United States economic, commercial, and investment
17 objectives; and

18 (8) to coordinate with the multi-agency DC Cen-
19 tral Deal Team, established in February 2020, on the
20 matters described in paragraphs (1) through (7) and
21 other relevant matters.

22 (b) CLARIFICATION.—A deal team may be composed
23 of the personnel comprising the mission economic team
24 formed pursuant to section 207(e)(3) of the Foreign Service
25 Act of 1980, as added by section 6503.

1 (c) *RESTRICTIONS.*—*A deal team may not provide*
 2 *support for, or assist a United States person with a trans-*
 3 *action involving, a government, or an entity owned or con-*
 4 *trolled by a government, if the Secretary determines that*
 5 *such government—*

6 (1) *has repeatedly provided support for acts of*
 7 *international terrorism, as described in—*

8 (A) *section 1754(c)(1)(A)(i) of the Export*
 9 *Control Reform Act of 2018 (subtitle B of title*
 10 *XVII of Public Law 115–232);*

11 (B) *section 620A(a) of the Foreign Assist-*
 12 *ance Act of 1961 (22 U.S.C. 2371(a));*

13 (C) *section 40(d) of the Arms Export Con-*
 14 *trol Act (22 U.S.C. 2780(d)); or*

15 (D) *any other relevant provision of law; or*
 16 (2) *has engaged in an activity that would trigger*
 17 *a restriction under section 116(a) or 502B(a)(2) of*
 18 *the Foreign Assistance Act of 1961 (22 U.S.C.*
 19 *2151n(a) and 2304(a)(2)) or any other relevant pro-*
 20 *vision of law.*

21 (d) *FURTHER RESTRICTIONS.*—

22 (1) *PROHIBITION ON SUPPORT OF SANCTIONED*
 23 *PERSONS.*—*Deal teams may not carry out activities*
 24 *prohibited under United States sanctions laws or reg-*
 25 *ulations, including dealings with persons on the list*

1 *of specially designated persons and blocked persons*
 2 *maintained by the Office of Foreign Assets Control of*
 3 *the Department of the Treasury, except to the extent*
 4 *otherwise authorized by the Secretary of the Treasury*
 5 *or the Secretary.*

6 (2) *PROHIBITION ON SUPPORT OF ACTIVITIES*
 7 *SUBJECT TO SANCTIONS.—Any person receiving sup-*
 8 *port from a deal team must be in compliance with all*
 9 *United States sanctions laws and regulations as a*
 10 *condition for receiving such assistance.*

11 (e) *CHIEF OF MISSION AUTHORITY AND ACCOUNT-*
 12 *ABILITY.—The chief of mission to a foreign country—*

13 (1) *is the designated leader of a deal team in*
 14 *such country; and*

15 (2) *shall be held accountable for the performance*
 16 *and effectiveness of United States deal teams in such*
 17 *country.*

18 (f) *GUIDANCE CABLE.—The Department shall send out*
 19 *regular guidance on Deal Team efforts by an All Diplo-*
 20 *matic and Consular Posts (referred to in this section as*
 21 *“ALDAC”) that—*

22 (1) *describes the role of deal teams; and*

23 (2) *includes relevant and up-to-date information*
 24 *to enhance the effectiveness of deal teams in a coun-*
 25 *try.*

1 (g) *CONFIDENTIALITY OF INFORMATION.*—

2 (1) *IN GENERAL.*—*In preparing the cable re-*
 3 *quired under subsection (f), the Secretary shall protect*
 4 *from disclosure any proprietary information of a*
 5 *United States person marked as business confidential*
 6 *information unless the person submitting such infor-*
 7 *mation—*

8 (A) *had notice, at the time of submission,*
 9 *that such information would be released by; or*

10 (B) *subsequently consents to the release of*
 11 *such information.*

12 (2) *TREATMENT AS TRADE SECRETS.*—*Propri-*
 13 *etary information obtained by the United States Gov-*
 14 *ernment from a United States person pursuant to the*
 15 *activities of deal teams shall be—*

16 (A) *considered to be trade secrets and com-*
 17 *mercial or financial information (as such terms*
 18 *are used under section 552b(c)(4) of title 5,*
 19 *United States Code); and*

20 (B) *exempt from disclosure without the ex-*
 21 *press approval of the person.*

22 (h) *SUNSET.*—*The requirements under subsections (f)*
 23 *through (h) shall terminate on the date that is 5 years after*
 24 *the date of the enactment of this Act.*

1 **SEC. 6505. ESTABLISHMENT OF A “DEAL TEAM OF THE**
 2 **YEAR” AWARD.**

3 (a) *ESTABLISHMENT.*—*The Secretary shall establish a*
 4 *new award, to be known as the “Deal Team of the Year*
 5 *Award”, and annually present the award to a deal team*
 6 *at one United States mission in each region to recognize*
 7 *outstanding achievements in supporting a United States*
 8 *company or companies pursuing commercial deals abroad*
 9 *or in identifying new deal prospects for United States com-*
 10 *panies.*

11 (b) *AWARD CONTENT.*—

12 (1) *DEPARTMENT OF STATE.*—*Each member of a*
 13 *deal team receiving an award pursuant to subsection*
 14 (a) *shall receive a certificate that is signed by the*
 15 *Secretary and—*

16 (A) *in the case of a member of the Foreign*
 17 *Service, is included in the next employee evalua-*
 18 *tion report; or*

19 (B) *in the case of a Civil Service employee,*
 20 *is included in the next annual performance re-*
 21 *view.*

22 (2) *OTHER FEDERAL AGENCIES.*—*If an award is*
 23 *presented pursuant to subsection (a) to a Federal*
 24 *Government employee who is not employed by the De-*
 25 *partment, the employing agency may determine*
 26 *whether to provide such employee any recognition or*

1 *benefits in addition to the recognition or benefits pro-*
 2 *vided by the Department.*

3 (c) *ELIGIBILITY.*—*Any interagency economics team at*
 4 *a United States overseas mission under chief of mission au-*
 5 *thority that assists United States companies with identi-*
 6 *fying, navigating, and securing trade and investment op-*
 7 *portunities in a foreign country or that facilitates beneficial*
 8 *foreign investment into the United States is eligible for an*
 9 *award under this section.*

10 (d) *REPORT.*—*Not later than the last day of the fiscal*
 11 *year in which awards are presented pursuant to subsection*
 12 *(a), the Secretary shall submit a report to the appropriate*
 13 *congressional committees that includes—*

14 (1) *each mission receiving a Deal Team of the*
 15 *Year Award.*

16 (2) *the names and agencies of each awardee*
 17 *within the recipient deal teams; and*

18 (3) *a detailed description of the reason such deal*
 19 *teams received such award.*

20 ***TITLE LXVI—PUBLIC DIPLOMACY***

21 ***SEC. 6601. PUBLIC DIPLOMACY OUTREACH.***

22 (a) *COORDINATION OF RESOURCES.*—*The Adminis-*
 23 *trator of the United States Agency for International Devel-*
 24 *opment and the Secretary shall direct public affairs sections*
 25 *at United States embassies and USAID Mission Program*

1 *Officers at USAID missions to coordinate, enhance and*
 2 *prioritize resources for public diplomacy and awareness*
 3 *campaigns around United States diplomatic and develop-*
 4 *ment efforts, including through—*

5 (1) *the utilization of new media technology for*
 6 *maximum public engagement; and*

7 (2) *enact coordinated comprehensive community*
 8 *outreach to increase public awareness and under-*
 9 *standing and appreciation of United States diplo-*
 10 *matic and development efforts.*

11 (b) *DEVELOPMENT OUTREACH AND COORDINATION*
 12 *OFFICERS.—USAID should prioritize hiring of additional*
 13 *Development Outreach and Coordination officers in USAID*
 14 *missions to support the purposes of subsection (a).*

15 (c) *BEST PRACTICES.—The Secretary and the Admin-*
 16 *istrator of USAID shall identify 10 countries in which Em-*
 17 *bassies and USAID missions have successfully executed ef-*
 18 *forts, including monitoring and evaluation of such efforts,*
 19 *described in (a) and develop best practices to be turned into*
 20 *Department and USAID guidance.*

21 **SEC. 6602. MODIFICATION ON USE OF FUNDS FOR RADIO**
 22 **FREE EUROPE/RADIO LIBERTY.**

23 *In section 308(h) of the United States International*
 24 *Broadcasting Act of 1994 (22 U.S.C. 6207(h)) is amend-*
 25 *ed—*

1 (1) *by striking subparagraphs (1), (3), and (5);*
 2 *and*
 3 (2) *by redesignating paragraphs (2) and (4) as*
 4 *paragraphs (1) and (2), respectively.*

5 **SEC. 6603. INTERNATIONAL BROADCASTING.**

6 (a) *VOICE OF AMERICA*.—Section 303 of the United
 7 *States International Broadcasting Act of 1994 (22 U.S.C.*
 8 *6202) is amended by adding at the end the following:*

9 “(d) *VOICE OF AMERICA OPERATIONS AND STRUC-*
 10 *TURE*.—

11 “(1) *OPERATIONS*.—*The Director of the Voice of*
 12 *America (VOA)*—

13 “(A) *shall direct and supervise the oper-*
 14 *ations of VOA, including making all major deci-*
 15 *sions relating its staffing; and*

16 “(B) *may utilize any authorities made*
 17 *available to the United States Agency for Global*
 18 *Media or to its Chief Executive Officer under*
 19 *this Act or under any other Act to carry out its*
 20 *operations in an effective manner.*

21 “(2) *PLAN*.—*Not later than 180 days after the*
 22 *date of the enactment of this Act, the Director of VOA*
 23 *shall submit to the Committee on Foreign Relations*
 24 *and the Committee on Homeland Security and Gov-*
 25 *ernmental Affairs of the Senate and the Committee on*

1 *Foreign Affairs and the Committee on Homeland Se-*
 2 *curity of the House of Representatives a plan to en-*
 3 *sure that the personnel structure of VOA is sufficient*
 4 *to effectively carry out the principles described in sub-*
 5 *section (c).”.*

6 **(b) APPOINTMENT OF CHIEF EXECUTIVE OFFICER.—**
 7 *Section 304 of such Act (22 U.S.C. 6203) is amended—*

8 *(1) in subsection (a), by striking “as an entity*
 9 *described in section 104 of title 5, United States*
 10 *Code” and inserting “under the direction of the Inter-*
 11 *national Broadcasting Advisory Board”; and*

12 *(2) in subsection (b)(1), by striking the second*
 13 *sentence and inserting the following: “Notwith-*
 14 *standing any other provision of law, when a vacancy*
 15 *arises, until such time as a Chief Executive Officer,*
 16 *to whom sections 3345 through 3349b of title 5,*
 17 *United States Code, shall not apply, is appointed and*
 18 *confirmed by the Senate, an acting Chief Executive*
 19 *Officer shall be appointed by the International Broad-*
 20 *casting Advisory Board and shall continue to serve*
 21 *and exercise the authorities and powers under this*
 22 *title as the sole means of filling such vacancy, for the*
 23 *duration of the vacancy. In the absence of a quorum*
 24 *on the International Broadcasting Advisory Board,*
 25 *the first principal deputy of the United States Agency*

1 *for Global Media shall serve as acting Chief Executive*
 2 *Officer.”.*

3 (c) *CHIEF EXECUTIVE OFFICER AUTHORITIES.*—Sec-
 4 *tion 305(a)(1) of such Act (22 U.S.C. 6204(a)(1)) is amend-*
 5 *ed by striking “To supervise all” and inserting “To oversee,*
 6 *coordinate, and provide strategic direction for”.*

7 (d) *INTERNATIONAL BROADCASTING ADVISORY*
 8 *BOARD.*—Section 306(a) of such Act (22 U.S.C. 6205(a))
 9 *is amended by striking “advise the Chief Executive Officer*
 10 *of” and inserting “oversee and advise the Chief Executive*
 11 *Officer and”.*

12 (e) *RADIO FREE AFRICA; RADIO FREE AMERICAS.*—
 13 *Not later than 180 days after the date of the enactment of*
 14 *this Act, the Chief Executive Officer of the United States*
 15 *Agency for Global Media shall submit a report to the Com-*
 16 *mittee on Foreign Relations of the Senate, the Committee*
 17 *on Appropriations of the Senate, the Committee on Foreign*
 18 *Affairs of the House of Representatives, and the Committee*
 19 *on Appropriations of the House of Representatives that de-*
 20 *tails the financial and other resources that would be re-*
 21 *quired to establish and operate 2 nonprofit organizations,*
 22 *modeled after Radio Free Europe/Radio Liberty and Radio*
 23 *Free Asia, for the purposes of providing accurate, uncen-*
 24 *sored, and reliable news and information to—*

1 (1) *the region of Africa, with respect to Radio*
 2 *Free Africa; and*

3 (2) *the region of Latin America and the Carib-*
 4 *bean, with respect to Radio Free Americas.*

5 **SEC. 6604. JOHN LEWIS CIVIL RIGHTS FELLOWSHIP PRO-**
 6 **GRAM.**

7 (a) *IN GENERAL.*—*The Mutual Educational and Cul-*
 8 *tural Exchange Act of 1961 (22 U.S.C. 2451 et seq.) is*
 9 *amended by adding at the end the following:*

10 **“SEC. 115. JOHN LEWIS CIVIL RIGHTS FELLOWSHIP PRO-**
 11 **GRAM.**

12 “(a) *ESTABLISHMENT.*—*There is established the John*
 13 *Lewis Civil Rights Fellowship Program (referred to in this*
 14 *section as the ‘Fellowship Program’)* *within the J. William*
 15 *Fulbright Educational Exchange Program.*

16 “(b) *PURPOSES.*—*The purposes of the Fellowship Pro-*
 17 *gram are—*

18 “(1) *to honor the legacy of Representative John*
 19 *Lewis by promoting a greater understanding of the*
 20 *history and tenets of nonviolent civil rights move-*
 21 *ments; and*

22 “(2) *to advance foreign policy priorities of the*
 23 *United States by promoting studies, research, and*
 24 *international exchange in the subject of nonviolent*

1 *movements that established and protected civil rights*
 2 *around the world.*

3 “(c) *ADMINISTRATION.—The Bureau of Educational*
 4 *and Cultural Affairs (referred to in this section as the ‘Bu-*
 5 *reau’)* shall administer the Fellowship Program in accord-
 6 *ance with policy guidelines established by the Board, in*
 7 *consultation with the binational Fulbright Commissions*
 8 *and United States Embassies.*

9 “(d) *SELECTION OF FELLOWS.—*

10 “(1) *IN GENERAL.—The Board shall annually se-*
 11 *lect qualified individuals to participate in the Fellow-*
 12 *ship Program. The Bureau may determine the num-*
 13 *ber of fellows selected each year, which, whenever fea-*
 14 *sible, shall be not fewer than 25.*

15 “(2) *OUTREACH.—*

16 “(A) *IN GENERAL.—To the extent prac-*
 17 *ticable, the Bureau shall conduct outreach at in-*
 18 *stitutions, including—*

19 “(i) *minority serving institutions, in-*
 20 *cluding historically Black colleges and uni-*
 21 *versities; and*

22 “(ii) *other appropriate institutions, as*
 23 *determined by the Bureau.*

24 “(B) *DEFINITIONS.—In this paragraph:*

1 “(i) *HISTORICALLY BLACK COLLEGE*
 2 *AND UNIVERSITY.*—*The term ‘historically*
 3 *Black college and university’ has the mean-*
 4 *ing given the term ‘part B institution’ in*
 5 *section 322 of the Higher Education Act of*
 6 *1965 (20 U.S.C. 1061).*

7 “(ii) *MINORITY SERVING INSTITU-*
 8 *TION.*—*The term ‘minority-serving institu-*
 9 *tion’ means an eligible institution under*
 10 *section 371(a) of the Higher Education Act*
 11 *of 1965 (20 U.S.C. 1067q(a)).*

12 “(e) *FELLOWSHIP ORIENTATION.*—*Annually, the Bu-*
 13 *reau shall organize and administer a fellowship orientation,*
 14 *which shall—*

15 “(1) *be held in Washington, D.C., or at another*
 16 *location selected by the Bureau; and*

17 “(2) *include programming to honor the legacy of*
 18 *Representative John Lewis.*

19 “(f) *STRUCTURE.*—

20 “(1) *WORK PLAN.*—*To carry out the purposes de-*
 21 *scribed in subsection (b)—*

22 “(A) *each fellow selected pursuant to sub-*
 23 *section (d) shall arrange an internship or re-*
 24 *search placement—*

1 “(i) *with a nongovernmental organiza-*
 2 *tion, academic institution, or other organi-*
 3 *zation approved by the Bureau; and*

4 “(ii) *in a country with an operational*
 5 *Fulbright U.S. Student Program; and*

6 “(B) *the Bureau shall, for each fellow, ap-*
 7 *prove a work plan that identifies the target ob-*
 8 *jectives for the fellow, including specific duties*
 9 *and responsibilities relating to those objectives.*

10 “(2) *CONFERENCES; PRESENTATIONS.—Each fel-*
 11 *low shall—*

12 “(A) *attend a fellowship orientation orga-*
 13 *nized and administered by the Bureau under*
 14 *subsection (e);*

15 “(B) *not later than the date that is 1 year*
 16 *after the end of the fellowship period, attend a*
 17 *fellowship summit organized and administered*
 18 *by the Bureau, which—*

19 “(i) *whenever feasible, shall be held in*
 20 *Atlanta, Georgia, or another location of im-*
 21 *portance to the civil rights movement in the*
 22 *United States; and*

23 “(ii) *may coincide with other events*
 24 *facilitated by the Bureau; and*

1 “(C) *at such summit, give a presentation on*
2 *lessons learned during the period of fellowship.*

3 “(3) *FELLOWSHIP PERIOD.—Each fellowship*
4 *under this section shall continue for a period deter-*
5 *mined by the Bureau, which, whenever feasible, shall*
6 *be not fewer than 10 months.*

7 “(g) *FELLOWSHIP AWARD.—The Bureau shall provide*
8 *each fellow under this section with an allowance that is*
9 *equal to the amount needed for—*

10 “(1) *the reasonable costs of the fellow during the*
11 *fellowship period; and*

12 “(2) *travel and lodging expenses related to at-*
13 *tending the orientation and summit required under*
14 *subsection (e)(2).*

15 “(h) *ANNUAL REPORT.—Not later than 1 year after*
16 *the date of the completion of the Fellowship Program by*
17 *the initial cohort of fellows selected under subsection (d),*
18 *and annually thereafter, the Secretary of State shall submit*
19 *to the Committee on Foreign Relations of the Senate and*
20 *the Committee on Foreign Affairs of the House of Represent-*
21 *atives a report on the implementation of the Fellowship*
22 *Program, including—*

23 “(1) *a description of the demographics of the co-*
24 *hort of fellows who completed a fellowship during the*
25 *preceding 1-year period;*

1 “(2) a description of internship and research
2 placements, and research projects selected by such co-
3 hort, under the Fellowship Program, including feed-
4 back from—

5 “(A) such cohort on implementation of the
6 Fellowship Program; and

7 “(B) the Secretary on lessons learned; and

8 “(3) an analysis of trends relating to the diver-
9 sity of each cohort of fellows and the topics of projects
10 completed since the establishment of the Fellowship
11 Program.”.

12 (b) *TECHNICAL AND CONFORMING AMENDMENTS TO*
13 *THE MUTUAL EDUCATIONAL AND CULTURAL EXCHANGE*
14 *ACT OF 1961.*—Section 112(a) of the Mutual Educational
15 and Cultural Exchange Act of 1961 (22 U.S.C. 2460(a))
16 is amended—

17 (1) in paragraph (8), by striking “; and” and
18 inserting a semicolon;

19 (2) in paragraph (9), by striking the period and
20 inserting “; and”; and

21 (3) by adding at the end the following new para-
22 graph:

23 “(10) the John Lewis Civil Rights Fellowship
24 Program established under section 115, which pro-
25 vides funding for international internships and re-

1 *search placements for early- to mid-career individuals*
 2 *from the United States to study nonviolent civil*
 3 *rights movements in self-arranged placements with*
 4 *universities or nongovernmental organizations in for-*
 5 *ign countries.”.*

6 **SEC. 6605. DOMESTIC ENGAGEMENT AND PUBLIC AFFAIRS.**

7 *(a) STRATEGY REQUIRED.—Not later than 180 days*
 8 *after the date of the enactment of this Act, the Secretary*
 9 *shall develop a strategy to explain to the American people*
 10 *the value of the work of the Department and United States*
 11 *foreign policy to advancing the national security of the*
 12 *United States. The strategy shall include—*

13 *(1) tools to inform the American people about the*
 14 *non-partisan importance of United States diplomacy*
 15 *and foreign relations and to utilize public diplomacy*
 16 *to meet the United States’ national security prior-*
 17 *ities;*

18 *(2) efforts to reach the widest possible audience*
 19 *of Americans, including those who historically have*
 20 *not had exposure to United States foreign policy ef-*
 21 *forts and priorities;*

22 *(3) additional staffing and resource needs in-*
 23 *cluding—*

24 *(A) domestic positions within the Bureau of*
 25 *Global Public Affairs to focus on engagement*

1 *with the American people as outlined in para-*
2 *graph (1);*

3 *(B) positions within the Bureau of Edu-*
4 *cational and Cultural Affairs to enhance pro-*
5 *gram and reach the widest possible audience;*

6 *(C) increasing the number of fellowship and*
7 *detail programs that place Foreign Service and*
8 *civil service employees outside the Department*
9 *for a limited time, including Pearson Fellows,*
10 *Reta Joe Lewis Local Diplomats, Brookings Fel-*
11 *lows, and Georgetown Fellows; and*

12 *(D) recommendations for increasing par-*
13 *ticipation in the Hometown Diplomats program*
14 *and evaluating this program as well as other op-*
15 *portunities for Department officers to engage*
16 *with American audiences while traveling within*
17 *the United States.*

18 **SEC. 6606. EXTENSION OF GLOBAL ENGAGEMENT CENTER.**

19 *Section 1287(j) of the National Defense Authorization*
20 *Act for Fiscal Year 2017 (22 U.S.C. 2656 note) is amended*
21 *by striking “on the date that is 8 years after the date of*
22 *the enactment of this Act” and inserting “on September 30,*
23 *2026”.*

1 **SEC. 6607. PAPERWORK REDUCTION ACT.**

2 *Section 5603(d) of the National Defense Authorization*
 3 *Act for Fiscal Year 2022 (Public Law 117–81) is amended*
 4 *by adding at the end the following new paragraph:*

5 *“(4) United States Information and Educational*
 6 *Exchange Act of 1948 (Public Law 80–402).”.*

7 **SEC. 6608. MODERNIZATION AND ENHANCEMENT STRAT-**
 8 **EGY.**

9 *Not later than 180 days after the date of the enactment*
 10 *of this Act, the Secretary shall submit a strategy to the ap-*
 11 *propriate congressional committees for—*

12 *(1) modernizing and increasing the operational*
 13 *and programming capacity of American Spaces and*
 14 *American Corners throughout the world, including by*
 15 *leveraging public-private partnerships;*

16 *(2) providing salaries to locally employed staff of*
 17 *American Spaces and American Corners; and*

18 *(3) providing opportunities for United States*
 19 *businesses and nongovernmental organizations to bet-*
 20 *ter utilize American Spaces.*

21 **TITLE LXVII—OTHER MATTERS**

22 **SEC. 6701. INTERNSHIPS OF UNITED STATES NATIONALS AT**
 23 **INTERNATIONAL ORGANIZATIONS.**

24 *(a) IN GENERAL.—The Secretary of State is author-*
 25 *ized to bolster efforts to increase the number of United*
 26 *States citizens representative of the American people occu-*

1 *pying positions in the United Nations system, agencies, and*
2 *commissions, and in other international organizations, in-*
3 *cluding by awarding grants to educational institutions and*
4 *students.*

5 **(b) REPORT.**—*Not later than 90 days after the date*
6 *of the enactment of this Act, the Secretary of State shall*
7 *submit a report to the appropriate congressional committees*
8 *that identifies—*

9 *(1) the number of United States citizens who are*
10 *involved in internship programs at international or-*
11 *ganizations;*

12 *(2) the distribution of the individuals described*
13 *in paragraph (1) among various international orga-*
14 *nizations; and*

15 *(3) grants, programs, and other activities that*
16 *are being utilized to recruit and fund United States*
17 *citizens to participate in internship programs at*
18 *international organizations.*

19 **(c) ELIGIBILITY.**—*An individual referred to in sub-*
20 *section (a) is an individual who—*

21 *(1) is enrolled at or received their degree within*
22 *two years from—*

23 *(A) an institution of higher education; or*

1 (B) an institution of higher education based
 2 outside the United States, as determined by the
 3 Secretary of State; and
 4 (2) is a citizen of the United States.

5 (d) *AUTHORIZATION OF APPROPRIATIONS.*—There is
 6 authorized to be appropriated \$1,500,000 for the Depart-
 7 ment of State for fiscal year 2024 to carry out the grant
 8 program authorized under subsection (a).

9 **SEC. 6702. TRAINING FOR INTERNATIONAL ORGANIZA-**
 10 **TIONS.**

11 (a) *TRAINING PROGRAMS.*—Section 708 of the Foreign
 12 Service Act of 1980 (22 U.S.C. 4028) is amended by adding
 13 at the end of the following new subsection:

14 “(e) *TRAINING IN MULTILATERAL DIPLOMACY.*—

15 “(1) *IN GENERAL.*—The Secretary, in consulta-
 16 tion with other senior officials as appropriate, shall
 17 establish training courses on—

18 “(A) the conduct of diplomacy at inter-
 19 national organizations and other multilateral
 20 institutions; and

21 “(B) broad-based multilateral negotiations
 22 of international instruments.

23 “(2) *REQUIRED TRAINING.*—Members of the
 24 Service, including appropriate chiefs of mission and
 25 other officers who are assigned to United States mis-

1 *sions representing the United States to international*
2 *organizations and other multilateral institutions or*
3 *who are assigned in other positions that have as their*
4 *primary responsibility formulation of policy related*
5 *to such organizations and institutions, or participa-*
6 *tion in negotiations of international instruments,*
7 *shall receive specialized training in the areas de-*
8 *scribed in paragraph (1) prior to the beginning of*
9 *service for such assignment or, if receiving such train-*
10 *ing at that time is not practical, within the first year*
11 *of beginning such assignment.”.*

12 *(b) TRAINING FOR DEPARTMENT EMPLOYEES.—The*
13 *Secretary of State shall ensure that employees of the De-*
14 *partment of State who are assigned to positions described*
15 *in paragraph (2) of subsection (e) of section 708 of the For-*
16 *ign Service Act of 1980 (as added by subsection (a) of this*
17 *section), including members of the civil service or general*
18 *service, or who are seconded to international organizations*
19 *for a period of at least one year, receive training described*
20 *in such subsection and participate in other such courses as*
21 *the Secretary may recommend to build or augment identifi-*
22 *able skills that would be useful for such Department officials*
23 *representing United States interests at these institutions*
24 *and organizations.*

1 **SEC. 6703. MODIFICATION TO TRANSPARENCY ON INTER-**
 2 **NATIONAL AGREEMENTS AND NON-BINDING**
 3 **INSTRUMENTS.**

4 *Section 112b of title 1, United States Code, as most*
 5 *recently amended by section 5947 of the James M. Inhofe*
 6 *National Defense Authorization Act for Fiscal Year 2023*
 7 *(Public Law 117–263; 136 Stat. 3476), is further amend-*
 8 *ed—*

9 *(1) by redesignating subsections (h) through (l)*
 10 *as subsections (i) through (m), respectively; and*

11 *(2) by inserting after subsection (g) the fol-*
 12 *lowing:*

13 *“(h)(1) If the Secretary is aware or has reason to be-*
 14 *lieve that the requirements of subsection (a), (b), or (c) have*
 15 *not been fulfilled with respect to an international agreement*
 16 *or qualifying non-binding instrument, the Secretary*
 17 *shall—*

18 *“(A) immediately bring the matter to the atten-*
 19 *tion of the office or agency responsible for the agree-*
 20 *ment or qualifying non-binding instrument; and*

21 *“(B) request the office or agency to provide with-*
 22 *in 7 days the text or other information necessary to*
 23 *fulfill the requirements of the relevant subsection.*

24 *“(2) Upon receiving the text or other information re-*
 25 *quested pursuant to paragraph (1), the Secretary shall—*

1 “(A) fulfill the requirements of subsection (a),
2 (b), or (c), as the case may be, with respect to the
3 agreement or qualifying non-binding instrument con-
4 cerned—

5 “(i) by including such text or other infor-
6 mation in the next submission required by sub-
7 section (a)(1);

8 “(ii) by providing such information in
9 writing to the Majority Leader of the Senate, the
10 Minority Leader of the Senate, the Speaker of the
11 House of Representatives, the Minority Leader of
12 the House of Representatives, and the appro-
13 priate congressional committees before provision
14 of the submission described in clause (i); or

15 “(iii) in relation to subsection (b), by mak-
16 ing the text of the agreement or qualifying non-
17 binding instrument and the information de-
18 scribed in subparagraphs (A)(iii) and (B)(iii) of
19 subsection (a)(1) relating to the agreement or in-
20 strument available to the public on the website of
21 the Department of State within 15 days of re-
22 ceiving the text or other information requested
23 pursuant to paragraph (1); and

24 “(B) provide to the Majority Leader of the Sen-
25 ate, the Minority Leader of the Senate, the Speaker

1 *of the House of Representatives, the Minority Leader*
 2 *of the House of Representatives, and the appropriate*
 3 *congressional committees, either in the next submis-*
 4 *sion required by subsection (a)(1) or before such sub-*
 5 *mission, a written statement explaining the reason*
 6 *for the delay in fulfilling the requirements of sub-*
 7 *section (a), (b), or (c), as the case may be.”.*

8 **SEC. 6704. REPORT ON PARTNER FORCES UTILIZING**
 9 **UNITED STATES SECURITY ASSISTANCE IDEN-**
 10 **TIFIED AS USING HUNGER AS A WEAPON OF**
 11 **WAR.**

12 *(a) SENSE OF CONGRESS.—It is the sense of Congress*
 13 *that—*

14 *(1) the United States recognizes the link between*
 15 *armed conflict and conflict-induced food insecurity;*

16 *(2) Congress recognizes and condemns the role of*
 17 *nefarious security actors, including state and non-*
 18 *state armed groups, who have utilized hunger as a*
 19 *weapon of war, including through the unanimous*
 20 *adoption of House of Representatives Resolution 922*
 21 *and Senate Resolution 669 relating to “[c]ondemning*
 22 *the use of hunger as a weapon of war and recognizing*
 23 *the effect of conflict on global food security and fam-*
 24 *ine”; and*

1 (3) *the United States should use the diplomatic*
 2 *and humanitarian tools at our disposal to not only*
 3 *fight global hunger, mitigate the spread of conflict,*
 4 *and promote critical, lifesaving assistance, but also*
 5 *hold perpetrators using hunger as a weapon of war*
 6 *to account.*

7 (b) *DEFINITIONS.—In this paragraph:*

8 (1) *HUNGER AS A WEAPON OF WAR.—The term*
 9 *“hunger as a weapon of war” means—*

10 (A) *intentional starvation of civilians;*

11 (B) *intentional and reckless destruction, re-*
 12 *moval, looting, or rendering useless objects nec-*
 13 *essary for food production and distribution, such*
 14 *as farmland, markets, mills, food processing and*
 15 *storage facilities, food stuffs, crops, livestock, ag-*
 16 *ricultural assets, waterways, water systems,*
 17 *drinking water facilities and supplies, and irri-*
 18 *gation networks;*

19 (C) *undue denial of humanitarian access*
 20 *and deprivation of objects indispensable to peo-*
 21 *ple’s survival, such as food supplies and nutri-*
 22 *tion resources; and*

23 (D) *willful interruption of market systems*
 24 *for populations in need, including through the*

1 *prevention of travel and manipulation of cur-*
2 *rency exchange.*

3 (2) *SECURITY ASSISTANCE.*—*The term “security*
4 *assistance” means assistance meeting the definition of*
5 *“security assistance” under section 502B of the For-*
6 *eign Assistance Act of 1961 (22 U.S.C. 2304).*

7 (c) *REPORT.*—*Not later than 180 days after the date*
8 *of the enactment of this Act, the Secretary, in consultation*
9 *with the Administrator of the United States Agency for*
10 *International Development, and the Secretary of Defense*
11 *shall submit a report to the appropriate congressional com-*
12 *mittees, the Committee on Armed Services of the Senate,*
13 *and the Committee on Armed Services of the House of Rep-*
14 *resentatives regarding—*

15 (1) *United States-funded security assistance and*
16 *cooperation; and*

17 (2) *whether the governments and entities receiv-*
18 *ing such assistance have or are currently using hun-*
19 *ger as a weapon of war.*

20 (d) *ELEMENTS.*—*The report required under subsection*
21 (c) *shall—*

22 (1) *identify countries receiving United States-*
23 *funded security assistance or participating in secu-*
24 *rity programs and activities, including in coordina-*
25 *tion with the Department of Defense, that are cur-*

1 *rently experiencing famine-like conditions as a result*
 2 *of conflict;*

3 *(2) describe the actors and actions taken by such*
 4 *actors in the countries identified pursuant to para-*
 5 *graph (1) who are utilizing hunger as a weapon of*
 6 *war; and*

7 *(3) describe any current or existing plans to con-*
 8 *tinue providing United States-funded security assist-*
 9 *ance to recipient countries.*

10 *(e) FORM.—The report required under subsection (c)*
 11 *shall be submitted in unclassified form, but may include*
 12 *a classified annex.*

13 **SEC. 6705. INFRASTRUCTURE PROJECTS AND INVEST-**
 14 **MENTS BY THE UNITED STATES AND PEO-**
 15 **PLE'S REPUBLIC OF CHINA.**

16 *Not later than 1 year after the date of the enactment*
 17 *of this Act, the Secretary, in coordination with the Admin-*
 18 *istrator of the United States Agency for International De-*
 19 *velopment and the Chief Executive Officer of the Develop-*
 20 *ment Finance Corporation, shall submit to the appropriate*
 21 *congressional committees, the Committee on Appropriations*
 22 *of the Senate, and the Committee on Appropriations of the*
 23 *House of Representatives a report regarding the opportuni-*
 24 *ties and costs of infrastructure projects in Middle East, Af-*

1 *rican, and Latin American and Caribbean countries, which*
2 *shall—*

3 *(1) describe the nature and total funding of*
4 *United States infrastructure investments and con-*
5 *struction in Middle East, African, and Latin Amer-*
6 *ican and Caribbean countries, and that of United*
7 *States allies and partners in the same regions;*

8 *(2) describe the nature and total funding of in-*
9 *frastructure investments and construction by the Peo-*
10 *ple’s Republic of China in Middle East, African, and*
11 *Latin American and Caribbean countries;*

12 *(3) assess the national security threats posed by*
13 *the infrastructure investment gap between the People’s*
14 *Republic of China and the United States and United*
15 *States allies and partners, including—*

16 *(A) infrastructure, such as ports;*

17 *(B) access to critical and strategic minerals;*

18 *(C) digital and telecommunication infra-*
19 *structure;*

20 *(D) threats to supply chains; and*

21 *(E) general favorability towards the Peo-*
22 *ple’s Republic of China and the United States*
23 *and United States’ allies and partners among*
24 *Middle East, African, and Latin American and*
25 *Caribbean countries;*

1 (4) *assess the opportunities and challenges for*
2 *companies based in the United States to invest in in-*
3 *frastructure projects in Middle East, African, and*
4 *Latin American and Caribbean countries;*

5 (5) *describe options for the United States Gov-*
6 *ernment to undertake to increase support for United*
7 *States businesses engaged in large-scale infrastructure*
8 *projects in Middle East, African, and Latin Amer-*
9 *ican and Caribbean countries; and*

10 (6) *identify regional infrastructure priorities,*
11 *ranked according to United States national interests,*
12 *in Middle East, African, and Latin American and*
13 *Caribbean countries.*

14 **SEC. 6706. SPECIAL ENVOYS.**

15 (a) *REVIEW.*—*Not later than 180 days after the date*
16 *of the enactment of this Act, the Secretary shall conduct*
17 *a review of all special envoy positions to determine—*

18 (1) *which special envoy positions are needed to*
19 *accomplish the mission of the Department;*

20 (2) *which special envoy positions could be ab-*
21 *sorbed into the Department's existing bureau struc-*
22 *ture;*

23 (3) *which special envoy positions were estab-*
24 *lished by an Act of Congress; and*

1 (4) *which special envoy positions were created by*
 2 *the Executive Branch without explicit congressional*
 3 *approval.*

4 (b) *REPORT.*—*Not later than 60 days after the comple-*
 5 *tion of the review required under subsection (a), the Sec-*
 6 *retary shall submit a report to the appropriate congress-*
 7 *sional committees that includes—*

8 (1) *a list of every special envoy position in the*
 9 *Department;*

10 (2) *a detailed justification of the need for each*
 11 *special envoy, if warranted;*

12 (3) *a list of the special envoy positions that*
 13 *could be absorbed into the Department's existing bu-*
 14 *reau structure without compromising the mission of*
 15 *the Department;*

16 (4) *a list of the special envoy positions that were*
 17 *created by an Act of Congress; and*

18 (5) *a list of the special envoy positions that are*
 19 *not expressly authorized by statute.*

20 **SEC. 6707. US-ASEAN CENTER.**

21 (a) *DEFINED TERM.*—*In this section, the term*
 22 *“ASEAN” means the Association of Southeast Asian Na-*
 23 *tions.*

24 (b) *ESTABLISHMENT.*—*The Secretary is authorized to*
 25 *enter into a public-private partnership for the purposes of*

1 *establishing a US–ASEAN Center in the United States to*
2 *support United States economic and cultural engagement*
3 *with Southeast Asia.*

4 *(c) FUNCTIONS.—Notwithstanding any other provision*
5 *of law, the US–ASEAN Center established pursuant to sub-*
6 *section (b) may—*

7 *(1) provide grants for research to support and*
8 *elevate the importance of the US–ASEAN partner-*
9 *ship;*

10 *(2) facilitate activities to strengthen US–ASEAN*
11 *trade and investment;*

12 *(3) expand economic and technological relation-*
13 *ships between ASEAN countries and the United*
14 *States into new areas of cooperation;*

15 *(4) provide training to United States citizens*
16 *and citizens of ASEAN countries that improve people-*
17 *to-people ties;*

18 *(5) develop educational programs to increase*
19 *awareness for the United States and ASEAN coun-*
20 *tries on the importance of relations between the*
21 *United States and ASEAN countries; and*

22 *(6) carry out other activities the Secretary con-*
23 *siders necessary to strengthen ties between the United*
24 *States and ASEAN countries and achieve the objec-*
25 *tives of the US–ASEAN Center.*

1 **SEC. 6708. BRIEFINGS ON THE UNITED STATES-EUROPEAN**
 2 **UNION TRADE AND TECHNOLOGY COUNCIL.**

3 *It is the sense of Congress that the United States-Euro-*
 4 *pean Union Trade and Technology Council is an important*
 5 *forum for the United States and in the European Union*
 6 *to engage on transatlantic trade, investment, and engage-*
 7 *ment on matters related to critical and emerging technology*
 8 *and that the Department should provide regular updates*
 9 *to the appropriate congressional committees on the*
 10 *deliverables and policy initiatives announced at United*
 11 *States-European Union Trade and Technology Council*
 12 *ministerials*

13 **SEC. 6709. MODIFICATION AND REPEAL OF REPORTS.**

14 (a) COUNTRY REPORTS ON HUMAN RIGHTS PRAC-
 15 TICES.—

16 (1) IN GENERAL.—*The Secretary shall examine*
 17 *the production of the 2023 and subsequent annual*
 18 *Country Reports on Human Rights Practices by the*
 19 *Assistant Secretary for Democracy, Human Rights,*
 20 *and Labor as required under sections 116(d) and*
 21 *502B(b) of the Foreign Assistance Act of 1961 (22*
 22 *U.S.C. 2151n(d), 2304(b)) to maximize—*

23 (A) *cost and personnel efficiencies;*

24 (B) *the potential use of data and analytic*
 25 *tools and visualization; and*

1 (C) advancement of the modernization agen-
 2 da for the Department announced by the Sec-
 3 retary on October 27, 2021.

4 (2) *TRANSNATIONAL REPRESSION AMENDMENTS*
 5 *TO ANNUAL COUNTRY REPORTS ON HUMAN RIGHTS*
 6 *PRACTICES.*—Section 116(d) of the *Foreign Assistance*
 7 *Act of 1961* (22 U.S.C. 2151n(d)) is amended by add-
 8 ing at the end the following new paragraph:

9 “(13) Wherever applicable, a description of the
 10 nature and extent of acts of transnational repression
 11 that occurred during the preceding year, including
 12 identification of—

13 “(A) incidents in which a government har-
 14 assed, intimidated, or killed individuals outside
 15 of their internationally recognized borders and
 16 the patterns of such repression among repeat of-
 17 fenders;

18 “(B) countries in which such transnational
 19 repression occurs and the role of the governments
 20 of such countries in enabling, preventing, miti-
 21 gating, and responding to such acts;

22 “(C) the tactics used by the governments of
 23 countries identified pursuant to subparagraph
 24 (A), including the actions identified and any
 25 new techniques observed;

1 “(D) in the case of digital surveillance and
 2 harassment, the type of technology or platform,
 3 including social media, smart city technology,
 4 health tracking systems, general surveillance
 5 technology, and data access, transfer, and storage
 6 procedures, used by the governments of countries
 7 identified pursuant to subparagraph (A) for such
 8 actions; and

9 “(E) groups and types of individuals tar-
 10 geted by acts of transnational repression in each
 11 country in which such acts occur.”.

12 (b) *ELIMINATION OF OBSOLETE REPORTS.*—

13 (1) *ANNUAL REPORTS RELATING TO FUNDING*
 14 *MECHANISMS FOR TELECOMMUNICATIONS SECURITY*
 15 *AND SEMICONDUCTORS.*—*Division H of the William*
 16 *M. (Mac) Thornberry National Defense Authorization*
 17 *Act for Fiscal Year 2021 (Public Law 116–283) is*
 18 *amended—*

19 (A) in section 9202(a)(2) (47 U.S.C.
 20 906(a)(2))—

21 (i) by striking subparagraph (C); and
 22 (ii) by redesignating subparagraph (D)
 23 as subparagraph (C); and

24 (B) in section 9905 (15 U.S.C. 4655)—

25 (i) by striking subsection (c); and

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

3 (2) *REPORTS RELATING TO FOREIGN ASSISTANCE*
4 *TO COUNTER RUSSIAN INFLUENCE AND MEDIA ORGA-*
5 *NIZATIONS CONTROLLED BY RUSSIA.—The Countering*
6 *Russian Influence in Europe and Eurasia Act of*
7 *2017 (title II of Public Law 115–44) is amended—*
8 *(A) in section 254(e)—*

9 *(i) in paragraph (1)—*
10 *(I) by striking “IN GENERAL.—”;*
11 *(II) by redesignating subpara-*
12 *graphs (A), (B), and (C) as para-*
13 *graphs (1), (2), and (3), respectively,*
14 *and moving such paragraphs 2 ems to*
15 *the left; and*

16 *(ii) by striking paragraph (2); and*
17 *(B) by striking section 255.*

18 (3) *ANNUAL REPORT ON PROMOTING THE RULE*
19 *OF LAW IN THE RUSSIAN FEDERATION.—Section 202*
20 *of the Russia and Moldova Jackson-Vanik Repeal and*
21 *Sergei Magnitsky Rule of Law Accountability Act of*
22 *2012 (Public Law 112–208) is amended by striking*
23 *subsection (a).*

24 (4) *ANNUAL REPORT ON ADVANCING FREEDOM*
25 *AND DEMOCRACY.—Section 2121 of the Advance*

1 *Democratic Values, Address Nondemocratic Countries,*
 2 *and Enhance Democracy Act of 2007 (title XXI of*
 3 *Public Law 110–53) is amended by striking sub-*
 4 *section (c).*

5 (5) *ANNUAL REPORTS ON UNITED STATES-VIET-*
 6 *NAM HUMAN RIGHTS DIALOGUE MEETINGS.—Section*
 7 *702 of the Foreign Relations Authorization Act, Fis-*
 8 *cal Year 2003 (22 U.S.C. 2151n note) is repealed.*

9 **SEC. 6710. MODIFICATION OF BUILD ACT OF 2018 TO**
 10 **PRIORITIZE PROJECTS THAT ADVANCE NA-**
 11 **TIONAL SECURITY.**

12 *Section 1412 of the Build Act of 2018 (22 U.S.C. 9612)*
 13 *is amended by adding at the end the following subsection:*

14 “(d) *PRIORITIZATION OF NATIONAL SECURITY INTER-*
 15 *ESTS.—The Corporation shall prioritize the provision of*
 16 *support under title II in projects that advance core national*
 17 *security interests of the United States with respect to the*
 18 *People’s Republic of China.”.*

19 **SEC. 6711. PERMITTING FOR INTERNATIONAL BRIDGES.**

20 *The International Bridge Act of 1972 (33 U.S.C. 535*
 21 *et seq.) is amended by inserting after section 5 the following:*

22 **“SEC. 6. PERMITTING FOR INTERNATIONAL BRIDGES.**

23 “(a) *DEFINITIONS.—In this section:*

24 “(1) *ELIGIBLE APPLICANT.—The term ‘eligible*
 25 *applicant’ means an entity that has submitted an ap-*

1 *plication for a Presidential permit during the period*
2 *beginning on December 1, 2020, and ending on De-*
3 *cember 31, 2024, for any of the following:*

4 *“(A) 1 or more international bridges in*
5 *Webb County, Texas.*

6 *“(B) An international bridge in Cameron*
7 *County, Texas.*

8 *“(C) An international bridge in Maverick*
9 *County, Texas.*

10 *“(2) PRESIDENTIAL PERMIT.—*

11 *“(A) IN GENERAL.—The term ‘Presidential*
12 *permit’ means—*

13 *“(i) an approval by the President to*
14 *construct, maintain, and operate an inter-*
15 *national bridge under section 4; or*

16 *“(ii) an approval by the President to*
17 *construct, maintain, and operate an inter-*
18 *national bridge pursuant to a process de-*
19 *scribed in Executive Order 13867 (84 Fed.*
20 *Reg. 15491; relating to Issuance of Permits*
21 *With Respect to Facilities and Land Trans-*
22 *portation Crossings at the International*
23 *Boundaries of the United States) (or any*
24 *successor Executive Order).*

1 “(B) *INCLUSION.*—*The term ‘Presidential*
 2 *permit’ includes an amendment to an approval*
 3 *described in clause (i) or (ii) of subparagraph*
 4 *(A).*

5 “(3) *SECRETARY.*—*The term ‘Secretary’ means*
 6 *the Secretary of State.*

7 “(b) *APPLICATION.*—*An eligible applicant for a Presi-*
 8 *dential permit to construct, maintain, and operate an*
 9 *international bridge shall submit an application for the*
 10 *permit to the Secretary.*

11 “(c) *RECOMMENDATION.*—

12 “(1) *IN GENERAL.*—*Not later than 60 days after*
 13 *the date on which the Secretary receives an applica-*
 14 *tion under subsection (b), the Secretary shall make a*
 15 *recommendation to the President—*

16 “(A) *to grant the Presidential permit; or*

17 “(B) *to deny the Presidential permit.*

18 “(2) *CONSIDERATION.*—*The sole basis for a rec-*
 19 *ommendation under paragraph (1) shall be whether*
 20 *the international bridge is in the foreign policy inter-*
 21 *ests of the United States.*

22 “(d) *PRESIDENTIAL ACTION.*—

23 “(1) *IN GENERAL.*—*The President shall grant or*
 24 *deny the Presidential permit for an application*

1 *under subsection (b) by not later than 60 days after*
2 *the earlier of—*

3 “(A) *the date on which the Secretary makes*
4 *a recommendation under subsection (c)(1); and*

5 “(B) *the date on which the Secretary is re-*
6 *quired to make a recommendation under sub-*
7 *section (c)(1).*

8 “(2) *NO ACTION.—*

9 “(A) *IN GENERAL.—Subject to subpara-*
10 *graph (B), if the President does not grant or*
11 *deny the Presidential permit for an application*
12 *under subsection (b) by the deadline described in*
13 *paragraph (1), the Presidential permit shall be*
14 *considered to have been granted as of that dead-*
15 *line.*

16 “(B) *REQUIREMENT.—As a condition on a*
17 *Presidential permit considered to be granted*
18 *under subparagraph (A), the eligible applicant*
19 *shall complete all applicable environmental docu-*
20 *ments required pursuant to Public Law 91–190*
21 *(42 U.S.C. 4321 et seq.).*

22 “(e) *DOCUMENT REQUIREMENTS.—Notwithstanding*
23 *any other provision of law, the Secretary shall not require*
24 *an eligible applicant for a Presidential permit—*

1 “(1) to include in the application under sub-
 2 section (b) environmental documents prepared pursu-
 3 ant to Public Law 91–190 (42 U.S.C. 4321 et seq.);
 4 or

5 “(2) to have completed any environmental review
 6 under Public Law 91–190 (42 U.S.C. 4321 et seq.)
 7 prior to the President granting a Presidential permit
 8 under subsection (d).

9 “(f) *RULES OF CONSTRUCTION.*—Nothing in this sec-
 10 tion—

11 “(1) prohibits the President from granting a
 12 Presidential permit conditioned on the eligible appli-
 13 cant completing all environmental documents pursu-
 14 ant to Public Law 91–190 (42 U.S.C. 4321 et seq.);

15 “(2) prohibits the Secretary from requesting a
 16 list of all permits and approvals from Federal, State,
 17 and local agencies that the eligible applicant believes
 18 are required in connection with the international
 19 bridge, or a brief description of how those permits
 20 and approvals will be acquired; or

21 “(3) exempts an eligible applicant from the re-
 22 quirement to complete all environmental documents
 23 pursuant to Public Law 91–190 (42 U.S.C. 4321 et
 24 seq.) prior to construction of an international
 25 bridge.”.

1 ***TITLE LXVIII—AUKUS MATTERS***

2 ***SEC. 6801. DEFINITIONS.***

3 *In this title:*

4 (1) *APPROPRIATE CONGRESSIONAL COMMIT-*
5 *TEES.—The term “appropriate congressional commit-*
6 *tees” means—*

7 (A) *the Committee on Foreign Relations*
8 *and the Committee on Armed Services of the*
9 *Senate; and*

10 (B) *the Committee on Foreign Affairs and*
11 *the Committee on Armed Services of the House*
12 *of Representatives.*

13 (2) *AUKUS PARTNERSHIP.—*

14 (A) *IN GENERAL.—The term “AUKUS*
15 *partnership” means the enhanced trilateral secu-*
16 *rity partnership between Australia, the United*
17 *Kingdom, and the United States announced in*
18 *September 2021.*

19 (B) *PILLARS.—The AUKUS partnership*
20 *includes the following two pillars:*

21 (i) *Pillar One is focused on developing*
22 *a pathway for Australia to acquire conven-*
23 *tionally armed, nuclear-powered sub-*
24 *marines.*

1 (ii) *Pillar Two* is focused on enhancing
 2 trilateral collaboration on advanced defense
 3 capabilities, including hypersonic and
 4 counter hypersonic capabilities, quantum
 5 technologies, undersea technologies, and ar-
 6 tificial intelligence.

7 (3) *INTERNATIONAL TRAFFIC IN ARMS REGULA-*
 8 *TIONS.*—The term “*International Traffic in Arms*
 9 *Regulations*” means subchapter M of chapter I of title
 10 22, *Code of Federal Regulations* (or successor regula-
 11 tions).

12 ***Subtitle A—Outlining the AUKUS***
 13 ***Partnership***

14 ***SEC. 6811. STATEMENT OF POLICY ON THE AUKUS PART-***
 15 ***nership.***

16 (a) *STATEMENT OF POLICY.*—It is the policy of the
 17 United States that—

18 (1) *the AUKUS partnership is integral to*
 19 *United States national security, increasing United*
 20 *States and allied capability in the undersea domain*
 21 *of the Indo-Pacific, and developing cutting edge mili-*
 22 *tary capabilities;*

23 (2) *the transfer of conventionally armed, nu-*
 24 *clear-powered submarines to Australia, if imple-*
 25 *mented appropriately, will position the United States*

1 *and its allies to maintain peace and security in the*
2 *Indo-Pacific;*

3 *(3) the transfer of conventionally armed, nu-*
4 *clear-powered submarines to Australia will be safely*
5 *implemented with the highest nonproliferation stand-*
6 *ards in alignment with—*

7 *(A) safeguards established by the Inter-*
8 *national Atomic Energy Agency; and*

9 *(B) the Additional Protocol to the Agree-*
10 *ment between Australia and the International*
11 *Atomic Energy Agency for the application of*
12 *safeguards in connection with the Treaty on the*
13 *Non-Proliferation of Nuclear Weapons, signed at*
14 *Vienna September 23, 1997;*

15 *(4) the United States will enter into a mutual*
16 *defense agreement with Australia, modeled on the*
17 *1958 bilateral mutual defense agreement with the*
18 *United Kingdom, for the sole purpose of facilitating*
19 *the transfer of naval nuclear propulsion technology to*
20 *Australia;*

21 *(5) working with the United Kingdom and Aus-*
22 *tralia to develop and provide joint advanced military*
23 *capabilities to promote security and stability in the*
24 *Indo-Pacific will have tangible impacts on United*
25 *States military effectiveness across the world;*

1 (6) *in order to better facilitate cooperation under*
 2 *Pillar 2 of the AUKUS partnership, it is imperative*
 3 *that every effort be made to streamline United States*
 4 *export controls consistent with necessary and recip-*
 5 *rocal security safeguards on United States technology*
 6 *at least comparable to those of the United States;*

7 (7) *the trade authorization mechanism for the*
 8 *AUKUS partnership administered by the Department*
 9 *is a critical first step in reimagining the United*
 10 *States export control system to carry out the AUKUS*
 11 *partnership and expedite technology sharing and de-*
 12 *fense trade among the United States, Australia, and*
 13 *the United Kingdom; and*

14 (8) *the vast majority of United States defense*
 15 *trade with Australia is conducted through the Foreign*
 16 *Military Sales (FMS) process, the preponderance of*
 17 *defense trade with the United Kingdom is conducted*
 18 *through Direct Commercial Sales (DCS), and efforts*
 19 *to streamline United States export controls should*
 20 *focus on both Foreign Military Sales and Direct Com-*
 21 *mercial Sales.*

22 **SEC. 6812. SENIOR ADVISOR FOR THE AUKUS PARTNERSHIP**
 23 **AT THE DEPARTMENT OF STATE.**

24 (a) *IN GENERAL.*—*There shall be a Senior Advisor for*
 25 *the AUKUS partnership at the Department, who—*

1 (1) *shall report directly to the Secretary; and*

2 (2) *may not hold another position in the Depart-*
3 *ment concurrently while holding the position of Sen-*
4 *ior Advisor for the AUKUS partnership.*

5 (b) *DUTIES.—The Senior Advisor shall—*

6 (1) *be responsible for coordinating efforts related*
7 *to the AUKUS partnership across the Department,*
8 *including the bureaus engaged in nonproliferation,*
9 *defense trade, security assistance, and diplomatic re-*
10 *lations in the Indo-Pacific;*

11 (2) *serve as the lead within the Department for*
12 *implementation of the AUKUS partnership in inter-*
13 *agency processes, consulting with counterparts in the*
14 *Department of Defense, the Department of Commerce,*
15 *the Department of Energy, the Office of Naval Reac-*
16 *tors, and any other relevant agencies;*

17 (3) *lead diplomatic efforts related to the AUKUS*
18 *partnership with other governments to explain how*
19 *the partnership will enhance security and stability in*
20 *the Indo-Pacific; and*

21 (4) *consult regularly with the appropriate con-*
22 *gressional committees, and keep such committees fully*
23 *and currently informed, on issues related to the*
24 *AUKUS partnership, including in relation to the*
25 *AUKUS Pillar 1 objective of supporting Australia's*

1 *acquisition of conventionally armed, nuclear-powered*
2 *submarines and the Pillar 2 objective of jointly devel-*
3 *oping advanced military capabilities to support secu-*
4 *rity and stability in the Indo-Pacific, as affirmed by*
5 *the President of the United States, the Prime Minister*
6 *of the United Kingdom, and the Prime Minister of*
7 *Australia on April 5, 2022.*

8 *(c) PERSONNEL TO SUPPORT THE SENIOR ADVISOR.—*
9 *The Secretary shall ensure that the Senior Advisor is ade-*
10 *quately staffed, including through encouraging details, or*
11 *assignment of employees of the Department, with expertise*
12 *related to the implementation of the AUKUS partnership,*
13 *including staff with expertise in—*

14 *(1) nuclear policy, including nonproliferation;*
15 *(2) defense trade and security cooperation, in-*
16 *cluding security assistance; and*
17 *(3) relations with respect to political-military*
18 *issues in the Indo-Pacific and Europe.*

19 *(d) NOTIFICATION.—Not later than 180 days after the*
20 *date of the enactment of this Act, and not later than 90*
21 *days after a Senior Advisor assumes such position, the Sec-*
22 *retary shall notify the appropriate congressional commit-*
23 *tees of the number of full-time equivalent positions, relevant*
24 *expertise, and duties of any employees of the Department*
25 *or detailees supporting the Senior Advisor.*

1 (e) *SUNSET.*—

2 (1) *IN GENERAL.*—*The position of the Senior Ad-*
 3 *visor for the AUKUS partnership shall terminate on*
 4 *the date that is 8 years after the date of the enact-*
 5 *ment of this Act.*

6 (2) *RENEWAL.*—*The Secretary may renew the*
 7 *position of the Senior Advisor for the AUKUS part-*
 8 *nership for 1 additional period of 4 years, following*
 9 *notification to the appropriate congressional commit-*
 10 *tees of the renewal.*

11 ***Subtitle B—Authorization for***
 12 ***AUKUS Submarine Training***

13 ***SEC. 6823. AUSTRALIA, UNITED KINGDOM, AND UNITED***
 14 ***STATES SUBMARINE SECURITY TRAINING.***

15 (a) *IN GENERAL.*—*The President may transfer or ex-*
 16 *port directly to private individuals in Australia defense*
 17 *services that may be transferred to the Government of Aus-*
 18 *tralia under the Arms Export Control Act (22 U.S.C. 2751*
 19 *et seq.) to support the development of the submarine indus-*
 20 *trial base of Australia necessary for submarine security ac-*
 21 *tivities between Australia, the United Kingdom, and the*
 22 *United States, including if such individuals are not officers,*
 23 *employees, or agents of the Government of Australia.*

24 (b) *SECURITY CONTROLS.*—

1 (1) *IN GENERAL.*—Any defense service trans-
2 ferred or exported under subsection (a) shall be subject
3 to appropriate security controls to ensure that any
4 sensitive information conveyed by such transfer or ex-
5 port is protected from disclosure to persons unauthor-
6 ized by the United States to receive such information.

7 (2) *CERTIFICATION.*—Not later than 30 days be-
8 fore the first transfer or export of a defense service
9 under subsection (a), and annually thereafter, the
10 President shall certify to the Committee on Foreign
11 Relations of the Senate and the Committee on Foreign
12 Affairs of the House of Representatives that the con-
13 trols described in paragraph (1) will protect the in-
14 formation described in such paragraph for the defense
15 services so transferred or exported.

16 (c) *APPLICATION OF REQUIREMENTS FOR RE-*
17 *TRANSFER AND REEXPORT.*—Any person who receives any
18 defense service transferred or exported under subsection (a)
19 may retransfer or reexport such service to other persons only
20 in accordance with the requirements of the Arms Export
21 Control Act (22 U.S.C. 2751 et seq.).

1 ***Subtitle C—Streamlining and Pro-***
 2 ***tecting Transfers of United***
 3 ***States Military Technology From***
 4 ***Compromise***

5 ***SEC. 6831. PRIORITY FOR AUSTRALIA AND THE UNITED***
 6 ***KINGDOM IN FOREIGN MILITARY SALES AND***
 7 ***DIRECT COMMERCIAL SALES.***

8 (a) *IN GENERAL.*—*The President shall institute poli-*
 9 *cies and procedures for letters of request from Australia and*
 10 *the United Kingdom to transfer defense articles and services*
 11 *under section 21 of the Arms Export Control Act (22 U.S.C.*
 12 *2761) related to AUKUS to receive expedited consideration*
 13 *and processing relative to all other letters of request other*
 14 *than from Taiwan and Ukraine.*

15 (b) *TECHNOLOGY TRANSFER POLICY FOR AUSTRALIA,*
 16 *CANADA, AND THE UNITED KINGDOM.*—

17 (1) *IN GENERAL.*—*The Secretary, in consultation*
 18 *with the Secretary of Defense, shall create an antici-*
 19 *patory release policy for the transfer of technologies*
 20 *described in paragraph (2) to Australia, the United*
 21 *Kingdom, and Canada through Foreign Military*
 22 *Sales and Direct Commercial Sales that are not cov-*
 23 *ered by an exemption under the International Traffic*
 24 *in Arms Regulations.*

1 (2) *CAPABILITIES DESCRIBED.*—*The capabilities*
2 *described in this paragraph are—*

3 (A) *Pillar One-related technologies associ-*
4 *ated with submarine and associated combat sys-*
5 *tems; and*

6 (B) *Pillar Two-related technologies, includ-*
7 *ing hypersonic missiles, cyber capabilities, artifi-*
8 *cial intelligence, quantum technologies, undersea*
9 *capabilities, and other advanced technologies.*

10 (3) *EXPEDITED DECISION-MAKING.*—*Review of a*
11 *transfer under the policy established under paragraph*
12 *(1) shall be subject to an expedited decision-making*
13 *process.*

14 (c) *INTERAGENCY POLICY AND GUIDANCE.*—*The Sec-*
15 *retary and the Secretary of Defense shall jointly review and*
16 *update interagency policies and implementation guidance*
17 *related to requests for Foreign Military Sales and Direct*
18 *Commercial Sales, including by incorporating the antici-*
19 *patory release provisions of this section.*

1 **SEC. 6832. IDENTIFICATION AND PRE-CLEARANCE OF PLAT-**
2 **FORMS, TECHNOLOGIES, AND EQUIPMENT**
3 **FOR SALE TO AUSTRALIA AND THE UNITED**
4 **KINGDOM THROUGH FOREIGN MILITARY**
5 **SALES AND DIRECT COMMERCIAL SALES.**

6 *Not later than 90 days after the date of the enactment*
7 *of this Act, and on a biennial basis thereafter for 8 years,*
8 *the President shall submit to the Committee on Foreign Re-*
9 *lations of the Senate and the Committee on Foreign Affairs*
10 *of the House of Representatives a report that includes a list*
11 *of advanced military platforms, technologies, and equip-*
12 *ment that are pre-cleared and prioritized for sale and re-*
13 *lease to Australia, the United Kingdom and Canada*
14 *through the Foreign Military Sales and Direct Commercial*
15 *Sales programs without regard to whether a letter of request*
16 *or license to purchase such platforms, technologies, or equip-*
17 *ment has been received from any of such country. Each list*
18 *may include items that are not related to the AUKUS part-*
19 *nership but may not include items that are not covered by*
20 *an exemption under the International Traffic in Arms Reg-*
21 *ulations except unmanned aerial or hypersonic systems.*

22 **SEC. 6833. EXPORT CONTROL EXEMPTIONS AND STAND-**
23 **ARDS.**

24 *(a) IN GENERAL.—Section 38 of the Arms Export Con-*
25 *trol Act of 1976 (22 U.S.C. 2778) is amended by adding*
26 *at the end the following new subsection:*

1 “(l) *AUKUS DEFENSE TRADE COOPERATION.*—

2 “(1) *EXEMPTION FROM LICENSING AND AP-*
 3 *PROVAL REQUIREMENTS.*—*Subject to paragraph (2)*
 4 *and notwithstanding any other provision of this sec-*
 5 *tion, the Secretary of State may exempt from the li-*
 6 *censing or other approval requirements of this section*
 7 *exports and transfers (including reexports, retrans-*
 8 *fers, temporary imports, and brokering activities) of*
 9 *defense articles and defense services between or among*
 10 *the United States, the United Kingdom, and Aus-*
 11 *tralia that—*

12 “(A) *are not excluded by those countries;*

13 “(B) *are not referred to in sub-*
 14 *section(j)(1)(C)(ii); and*

15 “(C) *involve only persons or entities that*
 16 *are approved by—*

17 “(i) *the Secretary of State; and*

18 “(ii) *the Ministry of Defense, the Min-*
 19 *istry of Foreign Affairs, or other similar*
 20 *authority within those countries.*

21 “(2) *LIMITATION.*—*The authority provided in*
 22 *subparagraph (1) shall not apply to any activity, in-*
 23 *cluding exports, transfers, reexports, retransfers, tem-*
 24 *porary imports, or brokering, of United States defense*
 25 *articles and defense services involving any country or*

1 *a person or entity of any country other than the*
 2 *United States, the United Kingdom, and Australia.”.*

3 *(b) REQUIRED STANDARDS OF EXPORT CONTROLS.—*

4 *The Secretary may only exercise the authority under sub-*
 5 *section (l)(1) of section 38 of the Arms Export Control Act*
 6 *of 1976, as added by subsection (a) of this section, with*
 7 *respect to the United Kingdom or Australia 30 days after*
 8 *the Secretary submits to the appropriate congressional com-*
 9 *mittees an unclassified certification and detailed unclassi-*
 10 *fied assessment (which may include a classified annex) that*
 11 *the country concerned has implemented standards for a sys-*
 12 *tem of export controls that satisfies the elements of section*
 13 *38(j)(2) of the Arms Export Control Act (22 U.S.C.*
 14 *2778(j)(2)) for United States-origin defense articles and de-*
 15 *fense services, and for controlling the provision of military*
 16 *training, that are comparable to those standards adminis-*
 17 *tered by the United States in effect on the date of the enact-*
 18 *ment of this Act.*

19 *(c) CERTAIN REQUIREMENTS NOT APPLICABLE.—*

20 *(1) IN GENERAL.—Paragraphs (1), (2), and (3)*
 21 *of section 3(d) of the Arms Export Control Act (22*
 22 *U.S.C. 2753(d)) shall not apply to any export or*
 23 *transfer that is the subject of an exemption under sub-*
 24 *section (l)(1) of section 38 of the Arms Export Control*
 25 *Act of 1976, as added by subsection (a) of this section.*

1 (2) *QUARTERLY REPORTS.*—*The Secretary*
 2 *shall—*

3 (A) *require all exports and transfers that*
 4 *would be subject to the requirements of para-*
 5 *graphs (1), (2), and (3) of section 3(d) of the*
 6 *Arms Export Control Act (22 U.S.C. 2753(d))*
 7 *but for the application of subsection (l)(1) of sec-*
 8 *tion 38 of the Arms Export Control Act of 1976,*
 9 *as added by subsection (a) of this section, to be*
 10 *reported to the Secretary; and*

11 (B) *submit such reports to the Committee*
 12 *on Foreign Relations of the Senate and Com-*
 13 *mittee on Foreign Affairs of the House of Rep-*
 14 *resentatives on a quarterly basis.*

15 (d) *SUNSET.*—*Any exemption under subsection (l)(1)*
 16 *of section 38 of the Arms Export Control Act of 1976, as*
 17 *added by subsection (a) of this section, shall terminate on*
 18 *the date that is 15 years after the date of the enactment*
 19 *of this Act. The Secretary of State may renew such exemp-*
 20 *tion for 5 years upon a certification to the Committee on*
 21 *Foreign Relations of the Senate and the Committee on For-*
 22 *ign Affairs of the House of Representatives that such ex-*
 23 *emption is in the vital national interest of the United*
 24 *States with a detailed justification for such certification.*

25 (e) *REPORTS.*—

1 (1) *ANNUAL REPORT.*—

2 (A) *IN GENERAL.*—Not later than one year
3 after the date of the enactment of this Act, and
4 annually thereafter until no exemptions under
5 subsection (l)(1) of section 38 of the Arms Export
6 Control Act of 1976, as added by subsection (a)
7 of this section, remain in effect, the Secretary
8 shall submit to the Committee on Foreign Rela-
9 tions of the Senate and the Committee on For-
10 eign Affairs of the House of Representatives a re-
11 port on the operation of exemptions issued under
12 such subsection (l)(1), including whether any
13 changes to such exemptions are likely to be made
14 in the coming year.

15 (B) *INITIAL REPORT.*—The first report sub-
16 mitted under subparagraph (A) shall also in-
17 clude an assessment of key recommendations the
18 United States Government has provided to the
19 Governments of Australia and the United King-
20 dom to revise laws, regulations, and policies of
21 such countries that are required to implement
22 the AUKUS partnership.

23 (2) *REPORT ON EXPEDITED REVIEW OF EXPORT*
24 *LICENSES FOR EXPORTS OF ADVANCED TECH-*
25 *NOLOGIES.*—Not later than 180 days after the date of

1 *the enactment of this Act, the Secretary of State, in*
2 *coordination with the Secretary of Defense, shall re-*
3 *port on the practical application of a possible “fast*
4 *track” decision-making process for applications, clas-*
5 *sified or unclassified, to export defense articles and*
6 *defense services to Australia, the United Kingdom,*
7 *and Canada.*

8 **SEC. 6834. EXPEDITED REVIEW OF EXPORT LICENSES FOR**
9 **EXPORTS OF ADVANCED TECHNOLOGIES TO**
10 **AUSTRALIA, THE UNITED KINGDOM, AND CAN-**
11 **ADA.**

12 (a) *IN GENERAL.*—Not later than 180 days after the
13 *date of the enactment of this Act, the Secretary, in coordina-*
14 *tion with the Secretary of Defense, shall initiate a rule-*
15 *making to establish an expedited decision-making process,*
16 *classified or unclassified, for applications to export to Aus-*
17 *tralia, the United Kingdom, and Canada commercial, ad-*
18 *vanced-technology defense articles and defense services that*
19 *are not covered by an exemption under the International*
20 *Traffic in Arms Regulations.*

21 (b) *ELIGIBILITY.*—To qualify for the expedited deci-
22 *sion-making process described in subsection (a), an applica-*
23 *tion shall be for an export of defense articles or defense serv-*
24 *ices that will take place wholly within or between the phys-*
25 *ical territory of Australia, Canada, or the United Kingdom*

1 *and the United States and with governments or corporate*
 2 *entities from such countries.*

3 (c) *AVAILABILITY OF EXPEDITED PROCESS.*—*The ex-*
 4 *pedited decision-making process described in subsection (a)*
 5 *shall be available for both classified and unclassified items,*
 6 *and the process must satisfy the following criteria to the*
 7 *extent practicable:*

8 (1) *Any licensing application to export defense*
 9 *articles and services that is related to a government*
 10 *to government agreement must be approved, returned,*
 11 *or denied within 30 days of submission.*

12 (2) *For all other licensing requests, any review*
 13 *shall be completed not later than 45 calendar days*
 14 *after the date of application.*

15 **SEC. 6835. UNITED STATES MUNITIONS LIST.**

16 (a) *EXEMPTION FOR THE GOVERNMENTS OF THE*
 17 *UNITED KINGDOM AND AUSTRALIA FROM CERTIFICATION*
 18 *AND CONGRESSIONAL NOTIFICATION REQUIREMENTS AP-*
 19 *PLICABLE TO CERTAIN TRANSFERS.*—*Section 38(f)(3) of the*
 20 *Arms Export Control Act (22 U.S.C. 2778(f)(3)) is amend-*
 21 *ed by inserting “, the United Kingdom, or Australia” after*
 22 *“Canada”.*

23 (b) *UNITED STATES MUNITIONS LIST PERIODIC RE-*
 24 *VIEWS.*—

1 (1) *IN GENERAL.*—*The Secretary, acting through*
2 *authority delegated by the President to carry out*
3 *periodic reviews of items on the United States Muni-*
4 *tions List under section 38(f) of the Arms Export*
5 *Control Act (22 U.S.C. 2778(f)) and in coordination*
6 *with the Secretary of Defense, the Secretary of En-*
7 *ergy, the Secretary of Commerce, and the Director of*
8 *the Office of Management and Budget, shall carry out*
9 *such reviews not less frequently than every 3 years.*

10 (2) *SCOPE.*—*The periodic reviews described in*
11 *paragraph (1) shall focus on matters including—*

12 (A) *interagency resources to address current*
13 *threats faced by the United States;*

14 (B) *the evolving technological and economic*
15 *landscape;*

16 (C) *the widespread availability of certain*
17 *technologies and items on the United States Mu-*
18 *nitions List; and*

19 (D) *risks of misuse of United States-origin*
20 *defense articles.*

21 (3) *CONSULTATION.*—*The Department of State*
22 *may consult with the Defense Trade Advisory Group*
23 *(DTAG) and other interested parties in conducting*
24 *the periodic review described in paragraph (1).*

1 ***Subtitle D—Other AUKUS Matters***

2 ***SEC. 6841. REPORTING RELATED TO THE AUKUS PARTNER-***
 3 ***SHIP.***

4 *(a) REPORT ON INSTRUMENTS.—*

5 *(1) IN GENERAL.—Not later than 30 days after*
 6 *the signature, conclusion, or other finalization of any*
 7 *non-binding instrument related to the AUKUS part-*
 8 *nership, the President shall submit to the appropriate*
 9 *congressional committees the text of such instrument.*

10 *(2) NON-DUPLICATION OF EFFORTS; RULE OF*
 11 *CONSTRUCTION.—To the extent the text of a non-bind-*
 12 *ing instrument is submitted to the appropriate con-*
 13 *gressional committees pursuant to subsection (a), such*
 14 *text does not need to be submitted to Congress pursu-*
 15 *ant to section 112b(a)(1)(A)(ii) of title 1, United*
 16 *States Code, as amended by section 5947 of the James*
 17 *M. Inhofe National Defense Authorization Act for Fis-*
 18 *cal Year 2023 (Public Law 117–263; 136 Stat. 3476).*
 19 *Paragraph (1) shall not be construed to relieve the ex-*
 20 *ecutive branch of any other requirement of section*
 21 *112b of title 1, United States Code, as amended so*
 22 *amended, or any other provision of law.*

23 *(3) DEFINITIONS.—In this section:*

24 *(A) IN GENERAL.—The term “text”, with*
 25 *respect to a non-binding instrument, includes—*

1 (i) *any annex, appendix, codicil, side*
 2 *agreement, side letter, or any document of*
 3 *similar purpose or function to the afore-*
 4 *mentioned, regardless of the title of the doc-*
 5 *ument, that is entered into contempora-*
 6 *neously and in conjunction with the non-*
 7 *binding instrument; and*

8 (ii) *any implementing agreement or*
 9 *arrangement, or any document of similar*
 10 *purpose or function to the aforementioned,*
 11 *regardless of the title of the document, that*
 12 *is entered into contemporaneously and in*
 13 *conjunction with the non-binding instru-*
 14 *ment.*

15 (B) *CONTEMPORANEOUSLY AND IN CON-*
 16 *JUNCTION WITH.*—*As used in subparagraph (A),*
 17 *the term “contemporaneously and in conjunction*
 18 *with”—*

19 (i) *shall be construed liberally; and*

20 (ii) *may not be interpreted to require*
 21 *any action to have occurred simultaneously*
 22 *or on the same day.*

23 (b) *REPORT ON AUKUS PARTNERSHIP.*—

24 (1) *IN GENERAL.*—*Not later than one year after*
 25 *the date of the enactment of this Act, and biennially*

1 *thereafter, the Secretary, in coordination with the*
2 *Secretary of Defense and other appropriate heads of*
3 *agencies, shall submit to the appropriate congres-*
4 *sional committees a report on the AUKUS partner-*
5 *ship.*

6 (2) *ELEMENTS.—Each report required under*
7 *paragraph (1) shall include the following elements:*

8 (A) *STRATEGY.—*

9 (i) *An identification of the defensive*
10 *military capability gaps and capacity*
11 *shortfalls that the AUKUS partnership*
12 *seeks to offset.*

13 (ii) *An explanation of the total cost to*
14 *the United States associated with Pillar*
15 *One of the AUKUS partnership.*

16 (iii) *A detailed explanation of how en-*
17 *hanced access to the industrial base of Aus-*
18 *tralia is contributing to strengthening the*
19 *United States strategic position in Asia.*

20 (iv) *A detailed explanation of the mili-*
21 *tary and strategic benefit provided by the*
22 *improved access provided by naval bases of*
23 *Australia.*

24 (v) *A detailed assessment of how Aus-*
25 *tralia's sovereign conventionally armed nu-*

1 *clear attack submarines contribute to*
2 *United States defense and deterrence objec-*
3 *tives in the Indo-Pacific region.*

4 *(B) IMPLEMENT THE AUKUS PARTNER-*
5 *SHIP.—*

6 *(i) Progress made on achieving the Op-*
7 *timal Pathway established for Australia's*
8 *development of conventionally armed, nu-*
9 *clear-powered submarines, including the fol-*
10 *lowing elements:*

11 *(I) A description of progress made*
12 *by Australia, the United Kingdom,*
13 *and the United States to conclude an*
14 *Article 14 arrangement with the Inter-*
15 *national Atomic Energy Agency.*

16 *(II) A description of the status of*
17 *efforts of Australia, the United King-*
18 *dom, and the United States to build*
19 *the supporting infrastructure to base*
20 *conventionally armed, nuclear-powered*
21 *attack submarines.*

22 *(III) Updates on the efforts by*
23 *Australia, the United Kingdom, and*
24 *the United States to train a workforce*
25 *that can build, sustain, and operate*

1 *conventionally armed, nuclear-powered*
2 *attack submarines.*

3 *(IV) A description of progress in*
4 *establishing submarine support facili-*
5 *ties capable of hosting rotational forces*
6 *in western Australia by 2027.*

7 *(V) A description of progress*
8 *made in improving United States sub-*
9 *marine production capabilities that*
10 *will enable the United States to meet—*

11 *(aa) its objectives of pro-*
12 *viding up to five Virginia Class*
13 *submarines to Australia by the*
14 *early to mid-2030's; and*

15 *(bb) United States submarine*
16 *production requirements.*

17 *(ii) Progress made on Pillar Two of*
18 *the AUKUS partnership, including the fol-*
19 *lowing elements:*

20 *(I) An assessment of the efforts of*
21 *Australia, the United Kingdom, and*
22 *the United States to enhance collabora-*
23 *tion across the following eight tri-*
24 *lateral lines of effort:*

25 *(aa) Underseas capabilities.*

- 1 (bb) Quantum technologies.
- 2 (cc) Artificial intelligence
- 3 and autonomy.
- 4 (dd) Advanced cyber capa-
- 5 bilities.
- 6 (ee) Hypersonic and counter-
- 7 hypersonic capabilities.
- 8 (ff) Electronic warfare.
- 9 (gg) Innovation.
- 10 (hh) Information sharing.
- 11 (II) An assessment of any new
- 12 lines of effort established.

13 ***DIVISION G—UNIDENTIFIED***

14 ***ANOMALOUS PHENOMENA***

15 ***DISCLOSURE***

16 ***SEC. 9001. SHORT TITLE.***

17 *This division may be cited as the “Unidentified Anom-*

18 *alous Phenomena Disclosure Act of 2023” or the “UAP Dis-*

19 *closure Act of 2023”.*

20 ***SEC. 9002. FINDINGS, DECLARATIONS, AND PURPOSES.***

21 (a) *FINDINGS AND DECLARATIONS.*—Congress finds

22 and declares the following:

23 (1) *All Federal Government records related to*

24 *unidentified anomalous phenomena should be pre-*

1 *served and centralized for historical and Federal Gov-*
2 *ernment purposes.*

3 *(2) All Federal Government records concerning*
4 *unidentified anomalous phenomena should carry a*
5 *presumption of immediate disclosure and all records*
6 *should be eventually disclosed to enable the public to*
7 *become fully informed about the history of the Federal*
8 *Government's knowledge and involvement sur-*
9 *rounding unidentified anomalous phenomena.*

10 *(3) Legislation is necessary to create an enforce-*
11 *able, independent, and accountable process for the*
12 *public disclosure of such records.*

13 *(4) Legislation is necessary because credible evi-*
14 *dence and testimony indicates that Federal Govern-*
15 *ment unidentified anomalous phenomena records exist*
16 *that have not been declassified or subject to manda-*
17 *tory declassification review as set forth in Executive*
18 *Order 13526 (50 U.S.C. 3161 note; relating to classi-*
19 *fied national security information) due in part to ex-*
20 *emptions under the Atomic Energy Act of 1954 (42*
21 *U.S.C. 2011 et seq.), as well as an over-broad inter-*
22 *pretation of "transclassified foreign nuclear informa-*
23 *tion", which is also exempt from mandatory declas-*
24 *sification, thereby preventing public disclosure under*
25 *existing provisions of law.*

1 (5) *Legislation is necessary because section 552*
2 *of title 5, United States Code (commonly referred to*
3 *as the “Freedom of Information Act”), as imple-*
4 *mented by the Executive branch of the Federal Gov-*
5 *ernment, has proven inadequate in achieving the*
6 *timely public disclosure of Government unidentified*
7 *anomalous phenomena records that are subject to*
8 *mandatory declassification review.*

9 (6) *Legislation is necessary to restore proper*
10 *oversight over unidentified anomalous phenomena*
11 *records by elected officials in both the executive and*
12 *legislative branches of the Federal Government that*
13 *has otherwise been lacking as of the enactment of this*
14 *Act.*

15 (7) *Legislation is necessary to afford complete*
16 *and timely access to all knowledge gained by the Fed-*
17 *eral Government concerning unidentified anomalous*
18 *phenomena in furtherance of comprehensive open sci-*
19 *entific and technological research and development es-*
20 *sential to avoiding or mitigating potential techno-*
21 *logical surprise in furtherance of urgent national se-*
22 *curity concerns and the public interest.*

23 (b) *PURPOSES.—The purposes of this division are—*

1 (1) *to provide for the creation of the unidentified*
 2 *anomalous phenomena Records Collection at the Na-*
 3 *tional Archives and Records Administration; and*

4 (2) *to require the expeditious public trans-*
 5 *mission to the Archivist and public disclosure of such*
 6 *records.*

7 **SEC. 9003. DEFINITIONS.**

8 *In this division:*

9 (1) *ARCHIVIST.*—*The term “Archivist” means*
 10 *the Archivist of the United States.*

11 (2) *CLOSE OBSERVER.*—*The term “close ob-*
 12 *server” means anyone who has come into close prox-*
 13 *imity to unidentified anomalous phenomena or non-*
 14 *human intelligence.*

15 (3) *COLLECTION.*—*The term “Collection” means*
 16 *the Unidentified Anomalous Phenomena Records Col-*
 17 *lection established under section 9004.*

18 (4) *CONTROLLED DISCLOSURE CAMPAIGN*
 19 *PLAN.*—*The term “Controlled Disclosure Campaign*
 20 *Plan” means the Controlled Disclosure Campaign*
 21 *Plan required by section 9009(c)(3).*

22 (5) *CONTROLLING AUTHORITY.*—*The term “con-*
 23 *trolling authority” means any Federal, State, or local*
 24 *government department, office, agency, committee,*
 25 *commission, commercial company, academic institu-*

tion, or private sector entity in physical possession of technologies of unknown origin or biological evidence of non-human intelligence.

(6) *DIRECTOR*.—The term “Director” means the Director of the Office of Government Ethics.

(7) *EXECUTIVE AGENCY*.—The term “Executive agency” means an Executive agency, as defined in subsection 552(f) of title 5, United States Code.

(8) *GOVERNMENT OFFICE*.—The term “Government office” means any department, office, agency, committee, or commission of the Federal Government and any independent office or agency without exception that has possession or control, including via contract or other agreement, of unidentified anomalous phenomena records.

(9) *IDENTIFICATION AID*.—The term “identification aid” means the written description prepared for each record, as required in section 9004.

(10) *LEADERSHIP OF CONGRESS*.—The term “leadership of Congress” means—

(A) the majority leader of the Senate;

(B) the minority leader of the Senate;

(C) the Speaker of the House of Representatives; and

1 (D) *the minority leader of the House of*
2 Representatives.

3 (11) *LEGACY PROGRAM.*—*The term “legacy pro-*
4 *gram” means all Federal, State, and local govern-*
5 *ment, commercial industry, academic, and private*
6 *sector endeavors to collect, exploit, or reverse engineer*
7 *technologies of unknown origin or examine biological*
8 *evidence of living or deceased non-human intelligence*
9 *that pre-dates the date of the enactment of this Act.*

10 (12) *NATIONAL ARCHIVES.*—*The term “National*
11 *Archives” means the National Archives and Records*
12 *Administration and all components thereof, including*
13 *presidential archival depositories established under*
14 *section 2112 of title 44, United States Code.*

15 (13) *NON-HUMAN INTELLIGENCE.*—*The term*
16 *“non-human intelligence” means any sentient intel-*
17 *ligent non-human lifeform regardless of nature or ul-*
18 *timate origin that may be presumed responsible for*
19 *unidentified anomalous phenomena or of which the*
20 *Federal Government has become aware.*

21 (14) *ORIGINATING BODY.*—*The term “originating*
22 *body” means the Executive agency, Federal Govern-*
23 *ment commission, committee of Congress, or other*
24 *Governmental entity that created a record or par-*
25 *ticular information within a record.*

1 (15) *PROSAIC ATTRIBUTION*.—The term “prosaic
2 *attribution*” means having a human (either foreign or
3 *domestic*) origin and operating according to current,
4 *proven*, and generally understood scientific and engi-
5 *neering principles and established laws-of-nature and*
6 *not attributable to non-human intelligence.*

7 (16) *PUBLIC INTEREST*.—The term “public in-
8 *terest*” means the compelling interest in the prompt
9 *public disclosure of unidentified anomalous phe-*
10 *nomena records for historical and Governmental pur-*
11 *poses and for the purpose of fully informing the peo-*
12 *ple of the United States about the history of the Fed-*
13 *eral Government’s knowledge and involvement sur-*
14 *rounding unidentified anomalous phenomena.*

15 (17) *RECORD*.—The term “record” includes a
16 *book, paper, report, memorandum, directive, email,*
17 *text, or other form of communication, or map, photo-*
18 *graph, sound or video recording, machine-readable*
19 *material, computerized, digitized, or electronic infor-*
20 *mation, including intelligence, surveillance, recon-*
21 *naissance, and target acquisition sensor data, regard-*
22 *less of the medium on which it is stored, or other doc-*
23 *umentary material, regardless of its physical form or*
24 *characteristics.*

1 (18) *REVIEW BOARD.*—*The term “Review*
 2 *Board” means the Unidentified Anomalous Phe-*
 3 *nomena Records Review Board established by section*
 4 *9007.*

5 (19) *TECHNOLOGIES OF UNKNOWN ORIGIN.*—*The*
 6 *term “technologies of unknown origin” means any*
 7 *materials or meta-materials, ejecta, crash debris,*
 8 *mechanisms, machinery, equipment, assemblies or*
 9 *sub-assemblies, engineering models or processes, dam-*
 10 *aged or intact aerospace vehicles, and damaged or in-*
 11 *tact ocean-surface and undersea craft associated with*
 12 *unidentified anomalous phenomena or incorporating*
 13 *science and technology that lacks prosaic attribution*
 14 *or known means of human manufacture.*

15 (20) *TEMPORARILY NON-ATTRIBUTED OB-*
 16 *JECTS.*—

17 (A) *IN GENERAL.*—*The term “temporarily*
 18 *non-attributed objects” means the class of objects*
 19 *that temporarily resist prosaic attribution by the*
 20 *initial observer as a result of environmental or*
 21 *system limitations associated with the observa-*
 22 *tion process that nevertheless ultimately have an*
 23 *accepted human origin or known physical cause.*
 24 *Although some unidentified anomalous phe-*
 25 *nomena may at first be interpreted as tempo-*

1 *rarily non-attributed objects, they are not tempo-*
 2 *rarily non-attributed objects, and the two cat-*
 3 *egories are mutually exclusive.*

4 (B) *INCLUSION.—The term “temporarily*
 5 *non-attributed objects” includes—*

6 (i) *natural celestial, meteorological,*
 7 *and undersea weather phenomena;*

8 (ii) *mundane human-made airborne*
 9 *objects, clutter, and marine debris;*

10 (iii) *Federal, State, and local govern-*
 11 *ment, commercial industry, academic, and*
 12 *private sector aerospace platforms;*

13 (iv) *Federal, State, and local govern-*
 14 *ment, commercial industry, academic, and*
 15 *private sector ocean-surface and undersea*
 16 *vehicles; and*

17 (v) *known foreign systems.*

18 (21) *THIRD AGENCY.—The term “third agency”*
 19 *means a Government agency that originated a un-*
 20 *identified anomalous phenomena record that is in the*
 21 *possession of another Government agency.*

22 (22) *UNIDENTIFIED ANOMALOUS PHENOMENA.—*

23 (A) *IN GENERAL.—The term “unidentified*
 24 *anomalous phenomena” means any object oper-*
 25 *ating or judged capable of operating in outer-*

space, the atmosphere, ocean surfaces, or undersea lacking prosaic attribution due to performance characteristics and properties not previously known to be achievable based upon commonly accepted physical principles. Unidentified anomalous phenomena are differentiated from both attributed and temporarily non-attributed objects by one or more of the following observables:

(i) *Instantaneous acceleration absent apparent inertia.*

(ii) *Hypersonic velocity absent a thermal signature and sonic shockwave.*

(iii) *Transmedium (such as space-to-ground and air-to-undersea) travel.*

(iv) *Positive lift contrary to known aerodynamic principles.*

(v) *Multispectral signature control.*

(vi) *Physical or invasive biological effects to close observers and the environment.*

(B) *INCLUSIONS.*—The term “unidentified anomalous phenomena” includes what were previously described as—

(i) *flying discs;*

(ii) *flying saucers;*

- 1 (iii) unidentified aerial phenomena;
- 2 (iv) unidentified flying objects (UFOs);
- 3 and
- 4 (v) unidentified submerged objects
- 5 (USOs).

6 (23) UNIDENTIFIED ANOMALOUS PHENOMENA
 7 RECORD.—The term “unidentified anomalous phe-
 8 nomena record” means a record that is related to un-
 9 identified anomalous phenomena, technologies of un-
 10 known origin, or non-human intelligence (and all
 11 equivalent subjects by any other name with the spe-
 12 cific and sole exclusion of temporarily non-attributed
 13 objects) that was created or made available for use by,
 14 obtained by, or otherwise came into the possession
 15 of—

- 16 (A) the Executive Office of the President;
- 17 (B) the Department of Defense and its pro-
- 18 genitors, the Department of War and the Depart-
- 19 ment of the Navy;
- 20 (C) the Department of the Army;
- 21 (D) the Department of the Navy;
- 22 (E) the Department of the Air Force, spe-
- 23 cifically the Air Force Office of Special Inves-
- 24 tigations;

1 (F) the Department of Energy and its pro-
2 genitors, the Manhattan Project, the Atomic En-
3 ergy Commission, and the Energy Research and
4 Development Administration;

5 (G) the Office of the Director of National
6 Intelligence;

7 (H) the Central Intelligence Agency and its
8 progenitor, the Office of Strategic Services;

9 (I) the National Reconnaissance Office;

10 (J) the Defense Intelligence Agency;

11 (K) the National Security Agency;

12 (L) the National Geospatial-Intelligence
13 Agency;

14 (M) the National Aeronautics and Space
15 Administration;

16 (N) the Federal Bureau of Investigation;

17 (O) the Federal Aviation Administration;

18 (P) the National Oceanic and Atmospheric
19 Administration;

20 (Q) the Library of Congress;

21 (R) the National Archives and Records Ad-
22 ministration;

23 (S) any Presidential library;

24 (T) any Executive agency;

25 (U) any independent office or agency;

1 (V) any other department, office, agency,
2 committee, or commission of the Federal Govern-
3 ment;

4 (W) any State or local government depart-
5 ment, office, agency, committee, or commission
6 that provided support or assistance or performed
7 work, in connection with a Federal inquiry into
8 unidentified anomalous phenomena, technologies
9 of unknown origin, or non-human intelligence;
10 and

11 (X) any private sector person or entity for-
12 merly or currently under contract or some other
13 agreement with the Federal Government.

14 **SEC. 9004. UNIDENTIFIED ANOMALOUS PHENOMENA**
15 **RECORDS COLLECTION AT THE NATIONAL AR-**
16 **CHIVES AND RECORDS ADMINISTRATION.**

17 (a) *ESTABLISHMENT.*—

18 (1) *IN GENERAL.*—(A) Not later than 60 days
19 after the date of the enactment of this Act, the Archi-
20 vist shall commence establishment of a collection of
21 records in the National Archives to be known as the
22 “Unidentified Anomalous Phenomena Records Collec-
23 tion”.

24 (B) In carrying out subparagraph (A), the Ar-
25 chivist shall ensure the physical integrity and origi-

1 *nal provenance (or if indeterminate, the earliest his-*
2 *torical owner) of all records in the Collection.*

3 *(C) The Collection shall consist of record copies*
4 *of all Government, Government-provided, or Govern-*
5 *ment-funded records relating to unidentified anoma-*
6 *lous phenomena, technologies of unknown origin, and*
7 *non-human intelligence (or equivalent subjects by any*
8 *other name with the specific and sole exclusion of*
9 *temporarily non-attributed objects), which shall be*
10 *transmitted to the National Archives in accordance*
11 *with section 2107 of title 44, United States Code.*

12 *(D) The Archivist shall prepare and publish a*
13 *subject guidebook and index to the Collection.*

14 *(2) CONTENTS.—The Collection shall include the*
15 *following:*

16 *(A) All unidentified anomalous phenomena*
17 *records, regardless of age or date of creation—*

18 *(i) that have been transmitted to the*
19 *National Archives or disclosed to the public*
20 *in an unredacted form prior to the date of*
21 *the enactment of this Act;*

22 *(ii) that are required to be transmitted*
23 *to the National Archives; and*

24 *(iii) that the disclosure of which is*
25 *postponed under this Act.*

1 (B) *A central directory comprised of identi-*
 2 *fication aids created for each record transmitted*
 3 *to the Archivist under section 9005.*

4 (C) *All Review Board records as required*
 5 *by this Act.*

6 (b) *DISCLOSURE OF RECORDS.—All unidentified*
 7 *anomalous phenomena records transmitted to the National*
 8 *Archives for disclosure to the public shall—*

9 (1) *be included in the Collection; and*

10 (2) *be available to the public—*

11 (A) *for inspection and copying at the Na-*
 12 *tional Archives within 30 days after their trans-*
 13 *mission to the National Archives; and*

14 (B) *digitally via the National Archives on-*
 15 *line database within a reasonable amount of*
 16 *time not to exceed 180 days thereafter.*

17 (c) *FEES FOR COPYING.—*

18 (1) *IN GENERAL.—The Archivist shall—*

19 (A) *charge fees for copying unidentified*
 20 *anomalous phenomena records; and*

21 (B) *grant waivers of such fees pursuant to*
 22 *the standards established by section 552(a)(4) of*
 23 *title 5, United States Code.*

24 (2) *AMOUNT OF FEES.—The amount of a fee*
 25 *charged by the Archivist pursuant to paragraph*

1 (1)(A) *for the copying of an unidentified anomalous*
2 *phenomena record shall be such amount as the Archi-*
3 *vist determines appropriate to cover the costs in-*
4 *curring by the National Archives in making and pro-*
5 *viding such copy, except that in no case may the*
6 *amount of the fee charged exceed the actual expenses*
7 *incurred by the National Archives in making and*
8 *providing such copy.*

9 (d) *ADDITIONAL REQUIREMENTS.—*

10 (1) *USE OF FUNDS.—The Collection shall be pre-*
11 *served, protected, archived, digitized, and made avail-*
12 *able to the public at the National Archives and via*
13 *the official National Archives online database using*
14 *appropriations authorized, specified, and restricted*
15 *for use under the terms of this Act.*

16 (2) *SECURITY OF RECORDS.—The National Secu-*
17 *rity Program Office at the National Archives, in con-*
18 *sultation with the National Archives Information Se-*
19 *curity Oversight Office, shall establish a program to*
20 *ensure the security of the postponed unidentified*
21 *anomalous phenomena records in the protected, and*
22 *yet-to-be disclosed or classified portion of the Collec-*
23 *tion.*

24 (e) *OVERSIGHT.—*

1 (1) *SENATE.*—*The Committee on Homeland Se-*
 2 *curity and Governmental Affairs of the Senate shall*
 3 *have continuing legislative oversight jurisdiction in*
 4 *the Senate with respect to the Collection.*

5 (2) *HOUSE OF REPRESENTATIVES.*—*The Com-*
 6 *mittee on Oversight and Accountability of the House*
 7 *of Representatives shall have continuing legislative*
 8 *oversight jurisdiction in the House of Representatives*
 9 *with respect to the Collection.*

10 **SEC. 9005. REVIEW, IDENTIFICATION, TRANSMISSION TO**
 11 **THE NATIONAL ARCHIVES, AND PUBLIC DIS-**
 12 **CLOSURE OF UNIDENTIFIED ANOMALOUS**
 13 **PHENOMENA RECORDS BY GOVERNMENT OF-**
 14 **FICES.**

15 (a) *IDENTIFICATION, ORGANIZATION, AND PREPARA-*
 16 *TION FOR TRANSMISSION.*—

17 (1) *IN GENERAL.*—*As soon as practicable after*
 18 *the date of the enactment of this Act, each head of a*
 19 *Government office shall—*

20 (A) *identify and organize records in the*
 21 *possession of the Government office or under the*
 22 *control of the Government office relating to un-*
 23 *identified anomalous phenomena; and*

24 (B) *prepare such records for transmission to*
 25 *the Archivist for inclusion in the Collection.*

1 (2) *PROHIBITIONS.—(A) No unidentified anomalous*
2 *phenomena record shall be destroyed, altered, or*
3 *mutilated in any way.*

4 *(B) No unidentified anomalous phenomena*
5 *record made available or disclosed to the public prior*
6 *to the date of the enactment of this Act may be with-*
7 *held, redacted, postponed for public disclosure, or re-*
8 *classified.*

9 *(C) No unidentified anomalous phenomena*
10 *record created by a person or entity outside the Fed-*
11 *eral Government (excluding names or identities con-*
12 *sistent with the requirements of section 9006) shall be*
13 *withheld, redacted, postponed for public disclosure, or*
14 *reclassified.*

15 **(b) CUSTODY OF UNIDENTIFIED ANOMALOUS PHE-**
16 **NOMENA RECORDS PENDING REVIEW.**—*During the review*
17 *by the heads of Government offices under subsection (c) and*
18 *pending review activity by the Review Board, each head*
19 *of a Government office shall retain custody of the unidenti-*
20 *fied anomalous phenomena records of the office for purposes*
21 *of preservation, security, and efficiency, unless—*

22 *(1) the Review Board requires the physical*
23 *transfer of the records for purposes of conducting an*
24 *independent and impartial review;*

1 (2) *transfer is necessary for an administrative*
 2 *hearing or other Review Board function; or*

3 (3) *it is a third agency record described in sub-*
 4 *section (c)(2)(C).*

5 (c) *REVIEW BY HEADS OF GOVERNMENT OFFICES.—*

6 (1) *IN GENERAL.—Not later than 300 days after*
 7 *the date of the enactment of this Act, each head of a*
 8 *Government office shall review, identify, and organize*
 9 *each unidentified anomalous phenomena record in the*
 10 *custody or possession of the office for—*

11 (A) *disclosure to the public;*

12 (B) *review by the Review Board; and*

13 (C) *transmission to the Archivist.*

14 (2) *REQUIREMENTS.—In carrying out para-*
 15 *graph (1), the head of a Government office shall—*

16 (A) *determine which of the records of the of-*
 17 *fice are unidentified anomalous phenomena*
 18 *records;*

19 (B) *determine which of the unidentified*
 20 *anomalous phenomena records of the office have*
 21 *been officially disclosed or made publicly avail-*
 22 *able in a complete and unredacted form;*

23 (C)(i) *determine which of the unidentified*
 24 *anomalous phenomena records of the office, or*
 25 *particular information contained in such a*

1 *record, was created by a third agency or by an-*
2 *other Government office; and*

3 *(ii) transmit to a third agency or other*
4 *Government office those records, or particular in-*
5 *formation contained in those records, or complete*
6 *and accurate copies thereof;*

7 *(D)(i) determine whether the unidentified*
8 *anomalous phenomena records of the office or*
9 *particular information in unidentified anoma-*
10 *lous phenomena records of the office are covered*
11 *by the standards for postponement of public dis-*
12 *closure under this division; and*

13 *(ii) specify on the identification aid re-*
14 *quired by subsection (d) the applicable postpone-*
15 *ment provision contained in section 9006;*

16 *(E) organize and make available to the Re-*
17 *view Board all unidentified anomalous phe-*
18 *nomena records identified under subparagraph*
19 *(D) the public disclosure of, which in-whole or*
20 *in-part, may be postponed under this division;*

21 *(F) organize and make available to the Re-*
22 *view Board any record concerning which the of-*
23 *fice has any uncertainty as to whether the record*
24 *is an unidentified anomalous phenomena record*
25 *governed by this division;*

1 (G) give precedence of work to—

2 (i) the identification, review, and
3 transmission of unidentified anomalous
4 phenomena records not already publicly
5 available or disclosed as of the date of the
6 enactment of this Act;

7 (ii) the identification, review, and
8 transmission of all records that most unam-
9 biguously and definitively pertain to un-
10 identified anomalous phenomena, tech-
11 nologies of unknown origin, and non-human
12 intelligence;

13 (iii) the identification, review, and
14 transmission of unidentified anomalous
15 phenomena records that on the date of the
16 enactment of this Act are the subject of liti-
17 gation under section 552 of title 5, United
18 States Code; and

19 (iv) the identification, review, and
20 transmission of unidentified anomalous
21 phenomena records with earliest provenance
22 when not inconsistent with clauses (i)
23 through (iii) and otherwise feasible; and

24 (H) make available to the Review Board
25 any additional information and records that the

1 *Review Board has reason to believe the Review*
 2 *Board requires for conducting a review under*
 3 *this division.*

4 (3) *PRIORITY OF EXPEDITED REVIEW FOR DI-*
 5 *RECTORS OF CERTAIN ARCHIVAL DEPOSITORIES.—The*
 6 *Director of each archival depository established under*
 7 *section 2112 of title 44, United States Code, shall*
 8 *have as a priority the expedited review for public dis-*
 9 *closure of unidentified anomalous phenomena records*
 10 *in the possession and custody of the depository, and*
 11 *shall make such records available to the Review Board*
 12 *as required by this division.*

13 (d) *IDENTIFICATION AIDS.—*

14 (1) *IN GENERAL.—(A) Not later than 45 days*
 15 *after the date of the enactment of this Act, the Archi-*
 16 *vist, in consultation with the heads of such Govern-*
 17 *ment offices as the Archivist considers appropriate,*
 18 *shall prepare and make available to all Government*
 19 *offices a standard form of identification, or finding*
 20 *aid, for use with each unidentified anomalous phe-*
 21 *nomena record subject to review under this division*
 22 *whether in hardcopy (physical), softcopy (electronic),*
 23 *or digitized data format as may be appropriate.*

24 (B) *The Archivist shall ensure that the identi-*
 25 *fication aid program is established in such a manner*

1 *as to result in the creation of a uniform system for*
 2 *cataloging and finding every unidentified anomalous*
 3 *phenomena record subject to review under this divi-*
 4 *sion where ever and how ever stored in hardcopy*
 5 *(physical), softcopy (electronic), or digitized data for-*
 6 *mat.*

7 (2) *REQUIREMENTS FOR GOVERNMENT OF-*
 8 *FICES.—Upon completion of an identification aid*
 9 *using the standard form of identification prepared*
 10 *and made available under subparagraph (A) of para-*
 11 *graph (1) for the program established pursuant to*
 12 *subparagraph (B) of such paragraph, the head of a*
 13 *Government office shall—*

14 (A) *attach a printed copy to each physical*
 15 *unidentified anomalous phenomena record, and*
 16 *an electronic copy to each softcopy or digitized*
 17 *data unidentified anomalous phenomena record,*
 18 *the identification aid describes;*

19 (B) *transmit to the Review Board a printed*
 20 *copy for each physical unidentified anomalous*
 21 *phenomena record and an electronic copy for*
 22 *each softcopy or digitized data unidentified*
 23 *anomalous phenomena record the identification*
 24 *aid describes; and*

1 (C) attach a printed copy to each physical
 2 unidentified anomalous phenomena record, and
 3 an electronic copy to each softcopy or digitized
 4 data unidentified anomalous phenomena record
 5 the identification aid describes, when trans-
 6 mitted to the Archivist.

7 (3) *RECORDS OF THE NATIONAL ARCHIVES THAT*
 8 *ARE PUBLICLY AVAILABLE.*—Unidentified anomalous
 9 phenomena records which are in the possession of the
 10 National Archives on the date of the enactment of this
 11 Act, and which have been publicly available in their
 12 entirety without redaction, shall be made available in
 13 the Collection without any additional review by the
 14 Review Board or another authorized office under this
 15 division, and shall not be required to have such an
 16 identification aid unless required by the Archivist.

17 (e) *TRANSMISSION TO THE NATIONAL ARCHIVES.*—
 18 Each head of a Government office shall—

19 (1) transmit to the Archivist, and make imme-
 20 diately available to the public, all unidentified anom-
 21 alous phenomena records of the Government office
 22 that can be publicly disclosed, including those that
 23 are publicly available on the date of the enactment of
 24 this Act, without any redaction, adjustment, or with-
 25 holding under the standards of this division; and

1 (2) *transmit to the Archivist upon approval for*
 2 *postponement by the Review Board or upon comple-*
 3 *tion of other action authorized by this division, all*
 4 *unidentified anomalous phenomena records of the*
 5 *Government office the public disclosure of which has*
 6 *been postponed, in whole or in part, under the stand-*
 7 *ards of this division, to become part of the protected,*
 8 *yet-to-be disclosed, or classified portion of the Collec-*
 9 *tion.*

10 (f) *CUSTODY OF POSTPONED UNIDENTIFIED ANOMA-*
 11 *LOUS PHENOMENA RECORDS.*—*An unidentified anomalous*
 12 *phenomena record the public disclosure of which has been*
 13 *postponed shall, pending transmission to the Archivist, be*
 14 *held for reasons of security and preservation by the origi-*
 15 *nating body until such time as the information security*
 16 *program has been established at the National Archives as*
 17 *required in section 9004(d)(2).*

18 (g) *PERIODIC REVIEW OF POSTPONED UNIDENTIFIED*
 19 *ANOMALOUS PHENOMENA RECORDS.*—

20 (1) *IN GENERAL.*—*All postponed or redacted*
 21 *records shall be reviewed periodically by the origi-*
 22 *nating agency and the Archivist consistent with the*
 23 *recommendations of the Review Board in the Con-*
 24 *trolled Disclosure Campaign Plan under section*
 25 *9009(c)(3)(B).*

1 (2) *REQUIREMENTS.*—(A) *A periodic review*
2 *under paragraph (1) shall address the public disclo-*
3 *sure of additional unidentified anomalous phenomena*
4 *records in the Collection under the standards of this*
5 *division.*

6 (B) *All postponed unidentified anomalous phe-*
7 *nomena records determined to require continued post-*
8 *ponement shall require an unclassified written de-*
9 *scription of the reason for such continued postpone-*
10 *ment relevant to these specific records. Such descrip-*
11 *tion shall be provided to the Archivist and published*
12 *in the Federal Register upon determination.*

13 (C) *The time and release requirements specified*
14 *in the Controlled Disclosure Campaign Plan shall be*
15 *revised or amended only if the Review Board is still*
16 *in session and concurs with the rationale for post-*
17 *ponement, subject to the limitations in section*
18 *9009(d)(1).*

19 (D) *The periodic review of postponed unidenti-*
20 *fied anomalous phenomena records shall serve to*
21 *downgrade and declassify security classified informa-*
22 *tion.*

23 (E) *Each unidentified anomalous phenomena*
24 *record shall be publicly disclosed in full, and avail-*
25 *able in the Collection, not later than the date that is*

1 *25 years after the date of the first creation of the*
 2 *record by the originating body, unless the President*
 3 *certifies, as required by this division, that—*

4 *(i) continued postponement is made nec-*
 5 *essary by an identifiable harm to the military*
 6 *defense, intelligence operations, law enforcement,*
 7 *or conduct of foreign relations; and*

8 *(ii) the identifiable harm is of such gravity*
 9 *that it outweighs the public interest in disclo-*
 10 *sure.*

11 *(h) REQUIREMENTS FOR EXECUTIVE AGENCIES.—*

12 *(1) IN GENERAL.—Executive agencies shall—*

13 *(A) transmit digital records electronically*
 14 *in accordance with section 2107 of title 44,*
 15 *United States Code;*

16 *(B) charge fees for copying unidentified*
 17 *anomalous phenomena records; and*

18 *(C) grant waivers of such fees pursuant to*
 19 *the standards established by section 552(a)(4) of*
 20 *title 5, United States Code.*

21 *(2) AMOUNT OF FEES.—The amount of a fee*
 22 *charged by the head of an Executive agency pursuant*
 23 *to paragraph (1)(B) for the copying of an unidenti-*
 24 *fied anomalous phenomena record shall be such*
 25 *amount as the head determines appropriate to cover*

1 *the costs incurred by the Executive agency in making*
 2 *and providing such copy, except that in no case may*
 3 *the amount of the fee charged exceed the actual ex-*
 4 *penses incurred by the Executive agency in making*
 5 *and providing such copy.*

6 **SEC. 9006. GROUNDS FOR POSTPONEMENT OF PUBLIC DIS-**
 7 **CLOSURE OF UNIDENTIFIED ANOMALOUS**
 8 **PHENOMENA RECORDS.**

9 *Disclosure of unidentified anomalous phenomena*
 10 *records or particular information in unidentified anoma-*
 11 *lous phenomena records to the public may be postponed sub-*
 12 *ject to the limitations of this division if there is clear and*
 13 *convincing evidence that—*

14 *(1) the threat to the military defense, intelligence*
 15 *operations, or conduct of foreign relations of the*
 16 *United States posed by the public disclosure of the*
 17 *unidentified anomalous phenomena record is of such*
 18 *gravity that it outweighs the public interest in disclo-*
 19 *sure, and such public disclosure would reveal—*

20 *(A) an intelligence agent whose identity*
 21 *currently requires protection;*

22 *(B) an intelligence source or method which*
 23 *is currently utilized, or reasonably expected to be*
 24 *utilized, by the Federal Government and which*
 25 *has not been officially disclosed, the disclosure of*

1 *which would interfere with the conduct of intel-*
2 *ligence activities; or*

3 (C) *any other matter currently relating to*
4 *the military defense, intelligence operations, or*
5 *conduct of foreign relations of the United States,*
6 *the disclosure of which would demonstrably and*
7 *substantially impair the national security of the*
8 *United States;*

9 (2) *the public disclosure of the unidentified*
10 *anomalous phenomena record would reveal the name*
11 *or identity of a living person who provided confiden-*
12 *tial information to the Federal Government and*
13 *would pose a substantial risk of harm to that person;*

14 (3) *the public disclosure of the unidentified*
15 *anomalous phenomena record could reasonably be ex-*
16 *pected to constitute an unwarranted invasion of per-*
17 *sonal privacy, and that invasion of privacy is so sub-*
18 *stantial that it outweighs the public interest; or*

19 (4) *the public disclosure of the unidentified*
20 *anomalous phenomena record would compromise the*
21 *existence of an understanding of confidentiality cur-*
22 *rently requiring protection between a Federal Govern-*
23 *ment agent and a cooperating individual or a foreign*
24 *government, and public disclosure would be so harm-*
25 *ful that it outweighs the public interest.*

1 **SEC. 9007. ESTABLISHMENT AND POWERS OF THE UNIDEN-**
2 **TIFIED ANOMALOUS PHENOMENA RECORDS**
3 **REVIEW BOARD.**

4 (a) *ESTABLISHMENT.*—*There is established as an inde-*
5 *pendent agency a board to be known as the “Unidentified*
6 *Anomalous Phenomena Records Review Board”.*

7 (b) *APPOINTMENT.*—

8 (1) *IN GENERAL.*—*The President, by and with*
9 *the advice and consent of the Senate, shall appoint,*
10 *without regard to political affiliation, 9 citizens of the*
11 *United States to serve as members of the Review*
12 *Board to ensure and facilitate the review, trans-*
13 *mission to the Archivist, and public disclosure of gov-*
14 *ernment records relating to unidentified anomalous*
15 *phenomena.*

16 (2) *PERIOD FOR NOMINATIONS.*—(A) *The Presi-*
17 *dent shall make nominations to the Review Board not*
18 *later than 90 calendar days after the date of the en-*
19 *actment of this Act.*

20 (B) *If the Senate votes not to confirm a nomina-*
21 *tion to the Review Board, the President shall make an*
22 *additional nomination not later than 30 days there-*
23 *after.*

24 (3) *CONSIDERATION OF RECOMMENDATIONS.*—
25 (A) *The President shall make nominations to the Re-*

1 *view Board after considering persons recommended by*
2 *the following:*

3 *(i) The majority leader of the Senate.*

4 *(ii) The minority leader of the Senate.*

5 *(iii) The Speaker of the House of Represent-*
6 *atives.*

7 *(iv) The minority leader of the House of*
8 *Representatives.*

9 *(v) The Secretary of Defense.*

10 *(vi) The National Academy of Sciences.*

11 *(vii) Established nonprofit research organi-*
12 *zations relating to unidentified anomalous phe-*
13 *nomena.*

14 *(viii) The American Historical Association.*

15 *(ix) Such other persons and organizations*
16 *as the President considers appropriate.*

17 *(B) If an individual or organization described in*
18 *subparagraph (A) does not recommend at least 2*
19 *nominees meeting the qualifications stated in para-*
20 *graph (5) by the date that is 45 days after the date*
21 *of the enactment of this Act, the President shall con-*
22 *sider for nomination the persons recommended by the*
23 *other individuals and organizations described in such*
24 *subparagraph.*

1 (C) *The President may request an individual or*
2 *organization described in subparagraph (A) to submit*
3 *additional nominations.*

4 (4) *QUALIFICATIONS.—Persons nominated to the*
5 *Review Board—*

6 (A) *shall be impartial citizens, none of*
7 *whom shall have had any previous or current in-*
8 *volvement with any legacy program or control-*
9 *ling authority relating to the collection, exploi-*
10 *tation, or reverse engineering of technologies of*
11 *unknown origin or the examination of biological*
12 *evidence of living or deceased non-human intel-*
13 *ligence;*

14 (B) *shall be distinguished persons of high*
15 *national professional reputation in their respec-*
16 *tive fields who are capable of exercising the inde-*
17 *pendent and objective judgment necessary to the*
18 *fulfillment of their role in ensuring and facili-*
19 *tating the review, transmission to the public,*
20 *and public disclosure of records related to the*
21 *government's understanding of, and activities as-*
22 *sociated with unidentified anomalous phe-*
23 *nomena, technologies of unknown origin, and*
24 *non-human intelligence and who possess an ap-*

1 *preciation of the value of such material to the*
 2 *public, scholars, and government; and*

3 *(C) shall include at least—*

4 *(i) 1 current or former national secu-*
 5 *rity official;*

6 *(ii) 1 current or former foreign service*
 7 *official;*

8 *(iii) 1 scientist or engineer;*

9 *(iv) 1 economist;*

10 *(v) 1 professional historian; and*

11 *(vi) 1 sociologist.*

12 *(5) MANDATORY CONFLICTS OF INTEREST RE-*
 13 *VIEW.—*

14 *(A) IN GENERAL.—The Director shall con-*
 15 *duct a review of each individual nominated and*
 16 *appointed to the position of member of the Re-*
 17 *view Board to ensure the member does not have*
 18 *any conflict of interest during the term of the*
 19 *service of the member.*

20 *(B) REPORTS.—During the course of the re-*
 21 *view under subparagraph (A), if the Director be-*
 22 *comes aware that the member being reviewed*
 23 *possesses a conflict of interest to the mission of*
 24 *the Review Board, the Director shall, not later*
 25 *than 30 days after the date on which the Direc-*

1 *tor became aware of the conflict of interest, sub-*
 2 *mit to the Committee on Homeland Security and*
 3 *Governmental Affairs of the Senate and the*
 4 *Committee on Oversight and Accountability of*
 5 *the House of Representatives a report on the con-*
 6 *flict of interest.*

7 *(c) SECURITY CLEARANCES.—*

8 *(1) IN GENERAL.—All Review Board nominees*
 9 *shall be granted the necessary security clearances and*
 10 *accesses, including any and all relevant Presidential,*
 11 *departmental, and agency special access programs, in*
 12 *an accelerated manner subject to the standard proce-*
 13 *dures for granting such clearances.*

14 *(2) QUALIFICATION FOR NOMINEES.—All nomi-*
 15 *nees for appointment to the Review Board under sub-*
 16 *section (b) shall qualify for the necessary security*
 17 *clearances and accesses prior to being considered for*
 18 *confirmation by the Committee on Homeland Secu-*
 19 *rity and Governmental Affairs of the Senate.*

20 *(d) CONSIDERATION BY THE SENATE.—Nominations*
 21 *for appointment under subsection (b) shall be referred to*
 22 *the Committee on Homeland Security and Governmental*
 23 *Affairs of the Senate for consideration.*

1 (e) *VACANCY.*—*A vacancy on the Review Board shall*
 2 *be filled in the same manner as specified for original ap-*
 3 *pointment within 30 days of the occurrence of the vacancy.*

4 (f) *REMOVAL OF REVIEW BOARD MEMBER.*—

5 (1) *IN GENERAL.*—*No member of the Review*
 6 *Board shall be removed from office, other than—*

7 (A) *by impeachment and conviction; or*

8 (B) *by the action of the President for ineffi-*
 9 *ciency, neglect of duty, malfeasance in office,*
 10 *physical disability, mental incapacity, or any*
 11 *other condition that substantially impairs the*
 12 *performance of the member's duties.*

13 (2) *NOTICE OF REMOVAL.*—(A) *If a member of*
 14 *the Review Board is removed from office, and that re-*
 15 *moval is by the President, not later than 10 days*
 16 *after the removal, the President shall submit to the*
 17 *leadership of Congress, the Committee on Homeland*
 18 *Security and Governmental Affairs of the Senate and*
 19 *the Committee on Oversight and Reform of the House*
 20 *of Representatives a report specifying the facts found*
 21 *and the grounds for the removal.*

22 (B) *The President shall publish in the Federal*
 23 *Register a report submitted under subparagraph (A),*
 24 *except that the President may, if necessary to protect*
 25 *the rights of a person named in the report or to pre-*

1 *vent undue interference with any pending prosecu-*
 2 *tion, postpone or refrain from publishing any or all*
 3 *of the report until the completion of such pending*
 4 *cases or pursuant to privacy protection requirements*
 5 *in law.*

6 (3) *JUDICIAL REVIEW.*—(A) *A member of the Re-*
 7 *view Board removed from office may obtain judicial*
 8 *review of the removal in a civil action commenced in*
 9 *the United States District Court for the District of*
 10 *Columbia.*

11 (B) *The member may be reinstated or granted*
 12 *other appropriate relief by order of the court.*

13 (g) *COMPENSATION OF MEMBERS.*—

14 (1) *IN GENERAL.*—A *member of the Review*
 15 *Board, other than the Executive Director under sec-*
 16 *tion 9008(c)(1), shall be compensated at a rate equal*
 17 *to the daily equivalent of the annual rate of basic pay*
 18 *prescribed for level IV of the Executive Schedule*
 19 *under section 5315 of title 5, United States Code, for*
 20 *each day (including travel time) during which the*
 21 *member is engaged in the performance of the duties*
 22 *of the Review Board.*

23 (2) *TRAVEL EXPENSES.*—A *member of the Re-*
 24 *view Board shall be allowed reasonable travel ex-*
 25 *penses, including per diem in lieu of subsistence, at*

1 *rates for employees of agencies under subchapter I of*
 2 *chapter 57 of title 5, United States Code, while away*
 3 *from the member's home or regular place of business*
 4 *in the performance of services for the Review Board.*

5 *(h) DUTIES OF THE REVIEW BOARD.—*

6 *(1) IN GENERAL.—The Review Board shall con-*
 7 *sider and render decisions on a determination by a*
 8 *Government office to seek to postpone the disclosure of*
 9 *unidentified anomalous phenomena records.*

10 *(2) CONSIDERATIONS AND RENDERING OF DECI-*
 11 *SIONS.—In carrying out paragraph (1), the Review*
 12 *Board shall consider and render decisions—*

13 *(A) whether a record constitutes a unidenti-*
 14 *fied anomalous phenomena record; and*

15 *(B) whether a unidentified anomalous phe-*
 16 *nomena record or particular information in a*
 17 *record qualifies for postponement of disclosure*
 18 *under this division.*

19 *(i) POWERS.—*

20 *(1) IN GENERAL.—The Review Board shall have*
 21 *the authority to act in a manner prescribed under*
 22 *this division, including authority—*

23 *(A) to direct Government offices to complete*
 24 *identification aids and organize unidentified*
 25 *anomalous phenomena records;*

1 (B) to direct Government offices to transmit
2 to the Archivist unidentified anomalous phe-
3 nomena records as required under this division,
4 including segregable portions of unidentified
5 anomalous phenomena records and substitutes
6 and summaries of unidentified anomalous phe-
7 nomena records that can be publicly disclosed to
8 the fullest extent;

9 (C)(i) to obtain access to unidentified
10 anomalous phenomena records that have been
11 identified and organized by a Government office;

12 (ii) to direct a Government office to make
13 available to the Review Board, and if necessary
14 investigate the facts surrounding, additional in-
15 formation, records, or testimony from individ-
16 uals which the Review Board has reason to be-
17 lieve are required to fulfill its functions and re-
18 sponsibilities under this division; and

19 (iii) request the Attorney General to sub-
20 poena private persons to compel testimony,
21 records, and other information relevant to its re-
22 sponsibilities under this division;

23 (D) require any Government office to ac-
24 count in writing for the destruction of any
25 records relating to unidentified anomalous phe-

1 *nomena, technologies of unknown origin, or non-*
2 *human intelligence;*

3 *(E) receive information from the public re-*
4 *garding the identification and public disclosure*
5 *of unidentified anomalous phenomena records;*

6 *(F) hold hearings, administer oaths, and*
7 *subpoena witnesses and documents;*

8 *(G) use the Federal Acquisition Service in*
9 *the same manner and under the same conditions*
10 *as other Executive agencies; and*

11 *(H) use the United States mails in the same*
12 *manner and under the same conditions as other*
13 *Executive agencies.*

14 *(2) ENFORCEMENT OF SUBPOENA.—A subpoena*
15 *issued under paragraph (1)(C)(iii) may be enforced*
16 *by any appropriate Federal court acting pursuant to*
17 *a lawful request of the Review Board.*

18 *(j) WITNESS IMMUNITY.—The Review Board shall be*
19 *considered to be an agency of the United States for purposes*
20 *of section 6001 of title 18, United States Code. Witnesses,*
21 *close observers, and whistleblowers providing information*
22 *directly to the Review Board shall also be afforded the pro-*
23 *tections provided to such persons specified under section*
24 *1673(b) of the James M. Inhofe National Defense Authoriza-*
25 *tion Act for Fiscal Year 2023 (50 U.S.C. 3373b(b)).*

1 (k) *OVERSIGHT.*—

2 (1) *SENATE.*—*The Committee on Homeland Se-*
3 *curity and Governmental Affairs of the Senate shall*
4 *have continuing legislative oversight jurisdiction in*
5 *the Senate with respect to the official conduct of the*
6 *Review Board and the disposition of postponed*
7 *records after termination of the Review Board, and*
8 *shall have access to any records held or created by the*
9 *Review Board.*

10 (2) *HOUSE OF REPRESENTATIVES.*—*Unless oth-*
11 *erwise determined appropriate by the House of Rep-*
12 *resentatives, the Committee on Oversight and Ac-*
13 *countability of the House of Representatives shall*
14 *have continuing legislative oversight jurisdiction in*
15 *the House of Representatives with respect to the offi-*
16 *cial conduct of the Review Board and the disposition*
17 *of postponed records after termination of the Review*
18 *Board, and shall have access to any records held or*
19 *created by the Review Board.*

20 (3) *DUTY TO COOPERATE.*—*The Review Board*
21 *shall have the duty to cooperate with the exercise of*
22 *oversight jurisdiction described in this subsection.*

23 (4) *SECURITY CLEARANCES.*—*The Chairmen and*
24 *Ranking Members of the Committee on Homeland Se-*
25 *curity and Governmental Affairs of the Senate and*

1 *the Committee on Oversight and Accountability of the*
 2 *House of Representatives, and staff of such committees*
 3 *designated by such Chairmen and Ranking Members,*
 4 *shall be granted all security clearances and accesses*
 5 *held by the Review Board, including to relevant Pres-*
 6 *idential and department or agency special access and*
 7 *compartmented access programs.*

8 *(l) SUPPORT SERVICES.—The Administrator of the*
 9 *General Services Administration shall provide administra-*
 10 *tive services for the Review Board on a reimbursable basis.*

11 *(m) INTERPRETIVE REGULATIONS.—The Review*
 12 *Board may issue interpretive regulations.*

13 *(n) TERMINATION AND WINDING DOWN.—*

14 *(1) IN GENERAL.—The Review Board and the*
 15 *terms of its members shall terminate not later than*
 16 *September 30, 2030, unless extended by Congress.*

17 *(2) REPORTS.—Upon its termination, the Re-*
 18 *view Board shall submit to the President and Con-*
 19 *gress reports, including a complete and accurate ac-*
 20 *counting of expenditures during its existence and*
 21 *shall complete all other reporting requirements under*
 22 *this division.*

23 *(3) TRANSFER OF RECORDS.—Upon termination*
 24 *and winding down, the Review Board shall transfer*
 25 *all of its records to the Archivist for inclusion in the*

1 *Collection, and no record of the Review Board shall*
2 *be destroyed.*

3 **SEC. 9008. UNIDENTIFIED ANOMALOUS PHENOMENA**
4 **RECORDS REVIEW BOARD PERSONNEL.**

5 *(a) EXECUTIVE DIRECTOR.—*

6 *(1) APPOINTMENT.—Not later than 45 days after*
7 *the date of the enactment of this Act, the President*
8 *shall appoint 1 citizen of the United States, without*
9 *regard to political affiliation, to the position of Exec-*
10 *utive Director of the Review Board. This position*
11 *counts as 1 of the 9 Review Board members under*
12 *section 9007(b)(1).*

13 *(2) QUALIFICATIONS.—The person appointed as*
14 *Executive Director shall be a private citizen of integ-*
15 *egrity and impartiality who—*

16 *(A) is a distinguished professional; and*

17 *(B) is not a present employee of the Federal*
18 *Government; and*

19 *(C) has had no previous or current involve-*
20 *ment with any legacy program or controlling*
21 *authority relating to the collection, exploitation,*
22 *or reverse engineering of technologies of unknown*
23 *origin or the examination of biological evidence*
24 *of living or deceased non-human intelligence.*

1 (3) *MANDATORY CONFLICTS OF INTEREST RE-*
2 *VIEW.*—

3 (A) *IN GENERAL.*—*The Director shall con-*
4 *duct a review of each individual appointed to the*
5 *position of Executive Director to ensure the Ex-*
6 *ecutive Director does not have any conflict of in-*
7 *terest during the term of the service of the Execu-*
8 *tive Director.*

9 (B) *REPORTS.*—*During the course of the re-*
10 *view under subparagraph (A), if the Director be-*
11 *comes aware that the Executive Director pos-*
12 *sesses a conflict of interest to the mission of the*
13 *Review Board, the Director shall, not later than*
14 *30 days after the date on which the Director be-*
15 *came aware of the conflict of interest, submit to*
16 *the Committee on Homeland Security and Gov-*
17 *ernmental Affairs of the Senate and the Com-*
18 *mittee on Oversight and Accountability of the*
19 *House of Representatives a report on the conflict*
20 *of interest.*

21 (4) *SECURITY CLEARANCES.*—(A) *A candidate*
22 *for Executive Director shall be granted all the nec-*
23 *essary security clearances and accesses, including to*
24 *relevant Presidential and department or agency spe-*
25 *cial access and compartmented access programs in an*

1 *accelerated manner subject to the standard procedures*
2 *for granting such clearances.*

3 *(B) A candidate shall qualify for the necessary*
4 *security clearances and accesses prior to being ap-*
5 *pointed by the President.*

6 *(5) FUNCTIONS.—The Executive Director shall—*

7 *(A) serve as principal liaison to the Execu-*
8 *tive Office of the President and Congress;*

9 *(B) serve as Chairperson of the Review*
10 *Board;*

11 *(C) be responsible for the administration*
12 *and coordination of the Review Board's review of*
13 *records;*

14 *(D) be responsible for the administration of*
15 *all official activities conducted by the Review*
16 *Board;*

17 *(E) exercise tie-breaking Review Board au-*
18 *thority to decide or determine whether any*
19 *record should be disclosed to the public or post-*
20 *poned for disclosure; and*

21 *(F) retain right-of-appeal directly to the*
22 *President for decisions pertaining to executive*
23 *branch unidentified anomalous phenomena*
24 *records for which the Executive Director and Re-*
25 *view Board members may disagree.*

1 (6) *REMOVAL.*—*The Executive Director shall not*
2 *be removed for reasons other for cause on the grounds*
3 *of inefficiency, neglect of duty, malfeasance in office,*
4 *physical disability, mental incapacity, or any other*
5 *condition that substantially impairs the performance*
6 *of the responsibilities of the Executive Director or the*
7 *staff of the Review Board.*

8 (b) *STAFF.*—

9 (1) *IN GENERAL.*—*The Review Board, without*
10 *regard to the civil service laws, may appoint and ter-*
11 *minate additional personnel as are necessary to en-*
12 *able the Review Board and its Executive Director to*
13 *perform the duties of the Review Board.*

14 (2) *QUALIFICATIONS.*—

15 (A) *IN GENERAL.*—*Except as provided in*
16 *subparagraph (B), a person appointed to the*
17 *staff of the Review Board shall be a citizen of in-*
18 *tegrity and impartiality who has had no pre-*
19 *vious or current involvement with any legacy*
20 *program or controlling authority relating to the*
21 *collection, exploitation, or reverse engineering of*
22 *technologies of unknown origin or the examina-*
23 *tion of biological evidence of living or deceased*
24 *non-human intelligence.*

1 (B) CONSULTATION WITH DIRECTOR OF THE
2 OFFICE OF GOVERNMENT ETHICS.—*In their con-*
3 sideration of persons to be appointed as staff of
4 the Review Board under paragraph (1), the Re-
5 view Board shall consult with the Director—

6 (i) to determine criteria for possible
7 conflicts of interest of staff of the Review
8 Board, consistent with ethics laws, statutes,
9 and regulations for employees of the execu-
10 tive branch of the Federal Government; and

11 (ii) ensure that no person selected for
12 such position of staff of the Review Board
13 possesses a conflict of interests in accord-
14 ance with the criteria determined pursuant
15 to clause (i).

16 (3) SECURITY CLEARANCES.—(A) A candidate
17 for staff shall be granted the necessary security clear-
18 ances (including all necessary special access program
19 clearances) in an accelerated manner subject to the
20 standard procedures for granting such clearances.

21 (B)(i) The Review Board may offer conditional
22 employment to a candidate for a staff position pend-
23 ing the completion of security clearance background
24 investigations. During the pendency of such investiga-
25 tions, the Review Board shall ensure that any such

1 *employee does not have access to, or responsibility in-*
2 *volving, classified or otherwise restricted unidentified*
3 *anomalous phenomena record materials.*

4 *(ii) If a person hired on a conditional basis*
5 *under clause (i) is denied or otherwise does not qual-*
6 *ify for all security clearances necessary to carry out*
7 *the responsibilities of the position for which condi-*
8 *tional employment has been offered, the Review Board*
9 *shall immediately terminate the person's employment.*

10 *(4) SUPPORT FROM NATIONAL DECLASSIFICATION*
11 *CENTER.—The Archivist shall assign one representa-*
12 *tive in full-time equivalent status from the National*
13 *Declassification Center to advise and support the Re-*
14 *view Board disclosure postponement review process in*
15 *a non-voting staff capacity.*

16 *(c) COMPENSATION.—Subject to such rules as may be*
17 *adopted by the Review Board, without regard to the provi-*
18 *sions of title 5, United States Code, governing appointments*
19 *in the competitive service and without regard to the provi-*
20 *sions of chapter 51 and subchapter III of chapter 53 of that*
21 *title relating to classification and General Schedule pay*
22 *rates—*

23 *(1) the Executive Director shall be compensated*
24 *at a rate not to exceed the rate of basic pay for level*

1 *II of the Executive Schedule and shall serve the entire*
 2 *tenure as one full-time equivalent; and*

3 *(2) the Executive Director shall appoint and fix*
 4 *compensation of such other personnel as may be nec-*
 5 *essary to carry out this division.*

6 *(d) ADVISORY COMMITTEES.—*

7 *(1) AUTHORITY.—The Review Board may create*
 8 *advisory committees to assist in fulfilling the respon-*
 9 *sibilities of the Review Board under this division.*

10 *(2) FACA.—Any advisory committee created by*
 11 *the Review Board shall be subject to chapter 10 of*
 12 *title 5, United States Code.*

13 *(e) SECURITY CLEARANCE REQUIRED.—An individual*
 14 *employed in any position by the Review Board (including*
 15 *an individual appointed as Executive Director) shall be re-*
 16 *quired to qualify for any necessary security clearance prior*
 17 *to taking office in that position, but may be employed con-*
 18 *ditionally in accordance with subsection (b)(3)(B) before*
 19 *qualifying for that clearance.*

20 **SEC. 9009. REVIEW OF RECORDS BY THE UNIDENTIFIED**
 21 **ANOMALOUS PHENOMENA RECORDS REVIEW**
 22 **BOARD.**

23 *(a) CUSTODY OF RECORDS REVIEWED BY REVIEW*
 24 *BOARD.—Pending the outcome of a review of activity by*
 25 *the Review Board, a Government office shall retain custody*

1 *of its unidentified anomalous phenomena records for pur-*
2 *poses of preservation, security, and efficiency, unless—*

3 *(1) the Review Board requires the physical*
4 *transfer of records for reasons of conducting an inde-*
5 *pendent and impartial review; or*

6 *(2) such transfer is necessary for an administra-*
7 *tive hearing or other official Review Board function.*

8 *(b) STARTUP REQUIREMENTS.—The Review Board*
9 *shall—*

10 *(1) not later than 90 days after the date of its*
11 *appointment, publish a schedule in the Federal Reg-*
12 *ister for review of all unidentified anomalous phe-*
13 *nomena records;*

14 *(2) not later than 180 days after the date of the*
15 *enactment of this Act, begin its review of unidentified*
16 *anomalous phenomena records under this division;*
17 *and*

18 *(3) periodically thereafter as warranted, but not*
19 *less frequently than semiannually, publish a revised*
20 *schedule in the Federal Register addressing the review*
21 *and inclusion of any unidentified anomalous phe-*
22 *nomena records subsequently discovered.*

23 *(c) DETERMINATIONS OF THE REVIEW BOARD.—*

24 *(1) IN GENERAL.—The Review Board shall direct*
25 *that all unidentified anomalous phenomena records be*

1 *transmitted to the Archivist and disclosed to the pub-*
2 *lic in the Collection in the absence of clear and con-*
3 *vincing evidence that—*

4 *(A) a Government record is not an uniden-*
5 *tified anomalous phenomena record; or*

6 *(B) a Government record, or particular in-*
7 *formation within an unidentified anomalous*
8 *phenomena record, qualifies for postponement of*
9 *public disclosure under this division.*

10 (2) *REQUIREMENTS.—In approving postpone-*
11 *ment of public disclosure of a unidentified anomalous*
12 *phenomena record, the Review Board shall seek to—*

13 *(A) provide for the disclosure of segregable*
14 *parts, substitutes, or summaries of such a record;*
15 *and*

16 *(B) determine, in consultation with the*
17 *originating body and consistent with the stand-*
18 *ards for postponement under this division, which*
19 *of the following alternative forms of disclosure*
20 *shall be made by the originating body:*

21 *(i) Any reasonably segregable par-*
22 *ticular information in a unidentified anom-*
23 *alous phenomena record.*

24 *(ii) A substitute record for that infor-*
25 *mation which is postponed.*

1 (iii) *A summary of a unidentified*
2 *anomalous phenomena record.*

3 (3) *CONTROLLED DISCLOSURE CAMPAIGN*
4 *PLAN.—With respect to unidentified anomalous phe-*
5 *nomena records, particular information in unidenti-*
6 *fied anomalous phenomena records, recovered tech-*
7 *nologies of unknown origin, and biological evidence*
8 *for non-human intelligence the public disclosure of*
9 *which is postponed pursuant to section 9006, or for*
10 *which only substitutions or summaries have been dis-*
11 *closed to the public, the Review Board shall create*
12 *and transmit to the President, the Archivist, the Com-*
13 *mittee on Homeland Security and Governmental Af-*
14 *airs of the Senate, and the Committee on Oversight*
15 *and Accountability of the House of Representatives a*
16 *Controlled Disclosure Campaign Plan, with classified*
17 *appendix, containing—*

18 (A) *a description of actions by the Review*
19 *Board, the originating body, the President, or*
20 *any Government office (including a justification*
21 *of any such action to postpone disclosure of any*
22 *record or part of any record) and of any official*
23 *proceedings conducted by the Review Board with*
24 *regard to specific unidentified anomalous phe-*
25 *nomena records; and*

1 (B) a benchmark-driven plan, based upon a
2 review of the proceedings and in conformity with
3 the decisions reflected therein, recommending
4 precise requirements for periodic review, down-
5 grading, and declassification as well as the exact
6 time or specified occurrence following which each
7 postponed item may be appropriately disclosed
8 to the public under this division.

9 (4) NOTICE FOLLOWING REVIEW AND DETER-
10 MINATION.—(A) Following its review and a deter-
11 mination that a unidentified anomalous phenomena
12 record shall be publicly disclosed in the Collection or
13 postponed for disclosure and held in the protected Col-
14 lection, the Review Board shall notify the head of the
15 originating body of the determination of the Review
16 Board and publish a copy of the determination in the
17 Federal Register within 14 days after the determina-
18 tion is made.

19 (B) Contemporaneous notice shall be made to the
20 President for Review Board determinations regarding
21 unidentified anomalous phenomena records of the ex-
22 ecutive branch of the Federal Government, and to the
23 oversight committees designated in this division in
24 the case of records of the legislative branch of the Fed-
25 eral Government. Such notice shall contain a written

1 *unclassified justification for public disclosure or post-*
2 *ponement of disclosure, including an explanation of*
3 *the application of any standards contained in section*
4 *9006.*

5 *(d) PRESIDENTIAL AUTHORITY OVER REVIEW BOARD*
6 *DETERMINATION.—*

7 *(1) PUBLIC DISCLOSURE OR POSTPONEMENT OF*
8 *DISCLOSURE.—After the Review Board has made a*
9 *formal determination concerning the public disclosure*
10 *or postponement of disclosure of an unidentified*
11 *anomalous phenomena record of the executive branch*
12 *of the Federal Government or information within*
13 *such a record, or of any information contained in a*
14 *unidentified anomalous phenomena record, obtained*
15 *or developed solely within the executive branch of the*
16 *Federal Government, the President shall—*

17 *(A) have the sole and nondelegable authority*
18 *to require the disclosure or postponement of such*
19 *record or information under the standards set*
20 *forth in section 9006; and*

21 *(B) provide the Review Board with both an*
22 *unclassified and classified written certification*
23 *specifying the President's decision within 30*
24 *days after the Review Board's determination and*
25 *notice to the executive branch agency as required*

1 *under this division, stating the justification for*
2 *the President's decision, including the applicable*
3 *grounds for postponement under section 9006,*
4 *accompanied by a copy of the identification aid*
5 *required under section 9004.*

6 (2) *PERIODIC REVIEW.—(A) Any unidentified*
7 *anomalous phenomena record postponed by the Presi-*
8 *dent shall henceforth be subject to the requirements of*
9 *periodic review, downgrading, declassification, and*
10 *public disclosure in accordance with the recommended*
11 *timeline and associated requirements specified in the*
12 *Controlled Disclosure Campaign Plan unless these*
13 *conflict with the standards set forth in section 9006.*

14 (B) *This paragraph supersedes all prior declas-*
15 *sification review standards that may previously have*
16 *been deemed applicable to unidentified anomalous*
17 *phenomena records.*

18 (3) *RECORD OF PRESIDENTIAL POSTPONE-*
19 *MENT.—The Review Board shall, upon its receipt—*

20 (A) *publish in the Federal Register a copy*
21 *of any unclassified written certification, state-*
22 *ment, and other materials transmitted by or on*
23 *behalf of the President with regard to postpone-*
24 *ment of unidentified anomalous phenomena*
25 *records; and*

1 (B) revise or amend recommendations in
2 the Controlled Disclosure Campaign Plan ac-
3 cordingly.

4 (e) NOTICE TO PUBLIC.—Every 30 calendar days, be-
5 ginning on the date that is 60 calendar days after the date
6 on which the Review Board first approves the postponement
7 of disclosure of a unidentified anomalous phenomena
8 record, the Review Board shall publish in the Federal Reg-
9 ister a notice that summarizes the postponements approved
10 by the Review Board or initiated by the President, the Sen-
11 ate, or the House of Representatives, including a description
12 of the subject, originating agency, length or other physical
13 description, and each ground for postponement that is re-
14 lied upon to the maximum extent classification restrictions
15 permitting.

16 (f) REPORTS BY THE REVIEW BOARD.—

17 (1) IN GENERAL.—The Review Board shall re-
18 port its activities to the leadership of Congress, the
19 Committee on Homeland Security and Governmental
20 Affairs of the Senate, the Committee on Oversight and
21 Reform of the House of Representatives, the President,
22 the Archivist, and the head of any Government office
23 whose records have been the subject of Review Board
24 activity.

1 (2) *FIRST REPORT.*—*The first report shall be*
2 *issued on the date that is 1 year after the date of en-*
3 *actment of this Act, and subsequent reports every 1*
4 *year thereafter until termination of the Review*
5 *Board.*

6 (3) *CONTENTS.*—*A report under paragraph (1)*
7 *shall include the following information:*

8 (A) *A financial report of the expenses for all*
9 *official activities and requirements of the Review*
10 *Board and its personnel.*

11 (B) *The progress made on review, trans-*
12 *mission to the Archivist, and public disclosure of*
13 *unidentified anomalous phenomena records.*

14 (C) *The estimated time and volume of un-*
15 *identified anomalous phenomena records in-*
16 *volved in the completion of the Review Board's*
17 *performance under this division.*

18 (D) *Any special problems, including re-*
19 *quests and the level of cooperation of Government*
20 *offices, with regard to the ability of the Review*
21 *Board to operate as required by this division.*

22 (E) *A record of review activities, including*
23 *a record of postponement decisions by the Review*
24 *Board or other related actions authorized by this*

1 *division, and a record of the volume of records*
2 *reviewed and postponed.*

3 *(F) Suggestions and requests to Congress for*
4 *additional legislative authority needs.*

5 *(4) COPIES AND BRIEFS.—Coincident with the*
6 *reporting requirements in paragraph (2), or more fre-*
7 *quently as warranted by new information, the Review*
8 *Board shall provide copies to, and fully brief, at a*
9 *minimum the President, the Archivist, leadership of*
10 *Congress, the Chairmen and Ranking Members of the*
11 *Committee on Homeland Security and Governmental*
12 *Affairs of the Senate and the Committee on Oversight*
13 *and Accountability of the House of Representatives,*
14 *and the Chairs and Chairmen, as the case may be,*
15 *and Ranking Members and Vice Chairmen, as the*
16 *case may be, of such other committees as leadership*
17 *of Congress determines appropriate on the Controlled*
18 *Disclosure Campaign Plan, classified appendix, and*
19 *postponed disclosures, specifically addressing—*

20 *(A) recommendations for periodic review,*
21 *downgrading, and declassification as well as the*
22 *exact time or specified occurrence following*
23 *which specific unidentified anomalous phe-*
24 *nomena records and material may be appro-*
25 *priately disclosed;*

1 (B) the rationale behind each postponement
2 determination and the recommended means to
3 achieve disclosure of each postponed item;

4 (C) any other findings that the Review
5 Board chooses to offer; and

6 (D) an addendum containing copies of re-
7 ports of postponed records to the Archivist re-
8 quired under subsection (c)(3) made since the
9 date of the preceding report under this sub-
10 section.

11 (5) NOTICE.—At least 90 calendar days before
12 completing its work, the Review Board shall provide
13 written notice to the President and Congress of its in-
14 tention to terminate its operations at a specified date.

15 (6) BRIEFING THE ALL-DOMAIN ANOMALY RESO-
16 LUTION OFFICE.—Coincident with the provision in
17 paragraph (5), if not accomplished earlier under
18 paragraph (4), the Review Board shall brief the All-
19 domain Anomaly Resolution Office established pursu-
20 ant to section 1683 of the National Defense Author-
21 ization Act for Fiscal Year 2022 (50 U.S.C. 3373), or
22 its successor, as subsequently designated by Act of
23 Congress, on the Controlled Disclosure Campaign
24 Plan, classified appendix, and postponed disclosures.

1 **SEC. 9010. DISCLOSURE OF RECOVERED TECHNOLOGIES OF**
2 **UNKNOWN ORIGIN AND BIOLOGICAL EVI-**
3 **DENCE OF NON-HUMAN INTELLIGENCE.**

4 (a) *EXERCISE OF EMINENT DOMAIN.*—*The Federal*
5 *Government shall exercise eminent domain over any and*
6 *all recovered technologies of unknown origin and biological*
7 *evidence of non-human intelligence that may be controlled*
8 *by private persons or entities in the interests of the public*
9 *good.*

10 (b) *AVAILABILITY TO REVIEW BOARD.*—*Any and all*
11 *such material, should it exist, shall be made available to*
12 *the Review Board for personal examination and subsequent*
13 *disclosure determination at a location suitable to the con-*
14 *trolling authority of said material and in a timely manner*
15 *conducive to the objectives of the Review Board in accord-*
16 *ance with the requirements of this division.*

17 (c) *ACTIONS OF REVIEW BOARD.*—*In carrying out*
18 *subsection (b), the Review Board shall consider and render*
19 *decisions—*

20 (1) *whether the material examined constitutes*
21 *technologies of unknown origin or biological evidence*
22 *of non-human intelligence beyond a reasonable doubt;*

23 (2) *whether recovered technologies of unknown*
24 *origin, biological evidence of non-human intelligence,*
25 *or a particular subset of material qualifies for post-*
26 *ponement of disclosure under this division; and*

(e) SOLICITATION OF ADDITIONAL WITNESSES.—The Review Board shall solicit additional unidentified anomalous phenomena witness and whistleblower testimony and afford protections under section 1673(b) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (50 U.S.C. 3373b(b)) if deemed beneficial in fulfilling Review Board responsibilities under this division.

21 (a) *MATERIALS UNDER SEAL OF COURT.*—

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1 *tified anomalous phenomena, technologies of unknown*
 2 *origin, or non-human intelligence that is held under*
 3 *seal of the court.*

4 (2) *INFORMATION HELD UNDER INJUNCTION OF*
 5 *SECRETARY OF GRAND JURY.—(A) The Review Board*
 6 *may request the Attorney General to petition any*
 7 *court in the United States to release any information*
 8 *relevant to unidentified anomalous phenomena, tech-*
 9 *nologies of unknown origin, or non-human intel-*
 10 *ligence that is held under the injunction of secrecy of*
 11 *a grand jury.*

12 (B) *A request for disclosure of unidentified*
 13 *anomalous phenomena, technologies of unknown ori-*
 14 *gin, and non-human intelligence materials under this*
 15 *division shall be deemed to constitute a showing of*
 16 *particularized need under rule 6 of the Federal Rules*
 17 *of Criminal Procedure.*

18 (b) *SENSE OF CONGRESS.—It is the sense of the Con-*
 19 *gress that—*

20 (1) *the Attorney General should assist the Re-*
 21 *view Board in good faith to unseal any records that*
 22 *the Review Board determines to be relevant and held*
 23 *under seal by a court or under the injunction of se-*
 24 *crecy of a grand jury;*

1 (2) *the Secretary of State should contact any for-*
 2 *ign government that may hold material relevant to*
 3 *unidentified anomalous phenomena, technologies of*
 4 *unknown origin, or non-human intelligence and seek*
 5 *disclosure of such material; and*

6 (3) *all heads of Executive agencies should cooper-*
 7 *ate in full with the Review Board to seek the disclo-*
 8 *sure of all material relevant to unidentified anoma-*
 9 *lous phenomena, technologies of unknown origin, and*
 10 *non-human intelligence consistent with the public in-*
 11 *terest.*

12 **SEC. 9012. RULES OF CONSTRUCTION.**

13 (a) *PRECEDENCE OVER OTHER LAW.*—*When this divi-*
 14 *sion requires transmission of a record to the Archivist or*
 15 *public disclosure, it shall take precedence over any other*
 16 *provision of law (except section 6103 of the Internal Rev-*
 17 *enue Code of 1986 specifying confidentiality and disclosure*
 18 *of tax returns and tax return information), judicial deci-*
 19 *sion construing such provision of law, or common law doc-*
 20 *trine that would otherwise prohibit such transmission or*
 21 *disclosure, with the exception of deeds governing access to*
 22 *or transfer or release of gifts and donations of records to*
 23 *the United States Government.*

24 (b) *FREEDOM OF INFORMATION ACT.*—*Nothing in this*
 25 *division shall be construed to eliminate or limit any right*

1 *to file requests with any executive agency or seek judicial*
 2 *review of the decisions pursuant to section 552 of title 5,*
 3 *United States Code.*

4 (c) *JUDICIAL REVIEW.*—*Nothing in this division shall*
 5 *be construed to preclude judicial review, under chapter 7*
 6 *of title 5, United States Code, of final actions taken or re-*
 7 *quired to be taken under this division.*

8 (d) *EXISTING AUTHORITY.*—*Nothing in this division*
 9 *revokes or limits the existing authority of the President, any*
 10 *executive agency, the Senate, or the House of Representa-*
 11 *tives, or any other entity of the Federal Government to pub-*
 12 *licly disclose records in its possession.*

13 (e) *RULES OF THE SENATE AND HOUSE OF REP-*
 14 *RESENTATIVES.*—*To the extent that any provision of this*
 15 *division establishes a procedure to be followed in the Senate*
 16 *or the House of Representatives, such provision is adopt-*
 17 *ed—*

18 (1) *as an exercise of the rulemaking power of the*
 19 *Senate and House of Representatives, respectively,*
 20 *and is deemed to be part of the rules of each House,*
 21 *respectively, but applicable only with respect to the*
 22 *procedure to be followed in that House, and it super-*
 23 *cedes other rules only to the extent that it is incon-*
 24 *sistent with such rules; and*

1 (2) *with full recognition of the constitutional*
 2 *right of either House to change the rules (so far as*
 3 *they relate to the procedure of that House) at any*
 4 *time, in the same manner, and to the same extent as*
 5 *in the case of any other rule of that House.*

6 **SEC. 9013. TERMINATION OF EFFECT OF DIVISION.**

7 (a) *PROVISIONS PERTAINING TO THE REVIEW*
 8 *BOARD.—The provisions of this division that pertain to the*
 9 *appointment and operation of the Review Board shall cease*
 10 *to be effective when the Review Board and the terms of its*
 11 *members have terminated pursuant to section 9007(n).*

12 (b) *OTHER PROVISIONS.—(1) The remaining provi-*
 13 *sions of this division shall continue in effect until such time*
 14 *as the Archivist certifies to the President and Congress that*
 15 *all unidentified anomalous phenomena records have been*
 16 *made available to the public in accordance with this divi-*
 17 *sion.*

18 (2) *In facilitation of the provision in paragraph (1),*
 19 *the All-domain Anomaly Resolution Office established pur-*
 20 *suant to section 1683 of the National Defense Authorization*
 21 *Act for Fiscal Year 2022 (50 U.S.C. 3373), or its successor*
 22 *as subsequently designated by Act of Congress, shall develop*
 23 *standardized unidentified anomalous phenomena declas-*
 24 *sification guidance applicable to any and all unidentified*
 25 *anomalous phenomena records generated by originating*

1 *bodies subsequent to termination of the Review Board con-*
 2 *sistent with the requirements and intent of the Controlled*
 3 *Disclosure Campaign Plan with respect to unidentified*
 4 *anomalous phenomena records originated prior to Review*
 5 *Board termination.*

6 **SEC. 9014. AUTHORIZATION OF APPROPRIATIONS.**

7 *There is authorized to be appropriated to carry out*
 8 *the provisions of this division \$20,000,000 for fiscal year*
 9 *2024.*

10 **SEC. 9015. SEVERABILITY.**

11 *If any provision of this division or the application*
 12 *thereof to any person or circumstance is held invalid, the*
 13 *remainder of this division and the application of that pro-*
 14 *vision to other persons not similarly situated or to other*
 15 *circumstances shall not be affected by the invalidation.*

16 ***DIVISION H—ARCHITECT OF THE***
 17 ***CAPITOL APPOINTMENT ACT***
 18 ***OF 2023***

19 **SEC. 10001. SHORT TITLE.**

20 *This division may be cited as the “Architect of the*
 21 *Capitol Appointment Act of 2023”.*

22 **SEC. 10002. APPOINTMENT AND TERM OF SERVICE OF AR-**
 23 ***CHITECT OF THE CAPITOL.***

24 *(a) APPOINTMENT.—The Architect of the Capitol shall*
 25 *be appointed, without regard to political affiliation and*

1 *solely on the basis of fitness to perform the duties of the*
 2 *office, upon a majority vote of a congressional commission*
 3 *(referred to in this section as the “commission”) consisting*
 4 *of the Speaker of the House of Representatives, the majority*
 5 *leader of the Senate, the minority leaders of the House of*
 6 *Representatives and Senate, the chair and ranking minor-*
 7 *ity member of the Committee on Appropriations of the*
 8 *House of Representatives, the chairman and ranking mi-*
 9 *nority member of the Committee on Appropriations of the*
 10 *Senate, the chair and ranking minority member of the*
 11 *Committee on House Administration of the House of Rep-*
 12 *resentatives, and the chairman and ranking minority mem-*
 13 *ber of the Committee on Rules and Administration of the*
 14 *Senate.*

15 (b) *TERM OF SERVICE.*—*The Architect of the Capitol*
 16 *shall be appointed for a term of 10 years and, upon a ma-*
 17 *jority vote of the members of the commission, may be re-*
 18 *appointed for additional 10-year terms.*

19 (c) *REMOVAL.*—*The Architect of the Capitol may be*
 20 *removed from office at any time upon a majority vote of*
 21 *the members of the commission.*

22 (d) *CONFORMING AMENDMENTS.*—

23 (1) *Section 319 of the Legislative Branch Appro-*
 24 *priations Act, 1990 (2 U.S.C. 1801) is repealed.*

1 (2) *The matter under the heading “FOR THE*
 2 *CAPITOL.” under the heading “DEPARTMENT OF*
 3 *THE INTERIOR.” of the Act of February 14, 1902*
 4 *(32 Stat. 19, chapter 17; incorporated in 2 U.S.C.*
 5 *1811) is amended by striking “, and he shall be ap-*
 6 *pointed by the President”.*

7 (e) *EFFECTIVE DATE.—This section, and the amend-*
 8 *ments made by this section, shall apply with respect to ap-*
 9 *pointments made on or after the date of enactment of this*
 10 *Act.*

11 **SEC. 10003. APPOINTMENT OF DEPUTY ARCHITECT OF THE**
 12 **CAPITOL; VACANCY IN ARCHITECT OR DEP-**
 13 **UTY ARCHITECT.**

14 *Section 1203 of title I of division H of the Consolidated*
 15 *Appropriations Resolution, 2003 (2 U.S.C. 1805) is amend-*
 16 *ed—*

17 (1) *in subsection (a)—*

18 (A) *by inserting “(in this section referred to*
 19 *as the ‘Architect’)” after “The Architect of the*
 20 *Capitol”; and*

21 (B) *by inserting “(in this section referred to*
 22 *as the ‘Deputy Architect’)” after “Deputy Archi-*
 23 *tect of the Capitol”;*

24 (2) *by redesignating subsection (b) as subsection*
 25 (c);

1 (3) *by inserting after subsection (a) the fol-*
 2 *lowing:*

3 “(b) *DEADLINE.—The Architect shall appoint a Dep-*
 4 *uty Architect under subsection (a) not later than 120 days*
 5 *after—*

6 *“(1) the date on which the Architect is appointed*
 7 *under section 10002 of the Architect of the Capitol*
 8 *Appointment Act of 2023, if there is no Deputy Ar-*
 9 *chitect on the date of the appointment; or*

10 *“(2) the date on which a vacancy arises in the*
 11 *office of the Deputy Architect.”;*

12 (4) *in subsection (c), as so redesignated, by strik-*
 13 *ing “of the Capitol” each place it appears; and*

14 (5) *by adding at the end the following:*

15 “(d) *FAILURE TO APPOINT.—If the Architect does not*
 16 *appoint a Deputy Architect on or before the applicable date*
 17 *specified in subsection (b), the congressional commission de-*
 18 *scribed in section 10002(a) of the Architect of the Capitol*
 19 *Appointment Act of 2023 shall appoint the Deputy Archi-*
 20 *tect by a majority vote of the members of the commission.*

21 “(e) *NOTIFICATION.—If the position of Deputy Archi-*
 22 *tect becomes vacant, the Architect shall immediately notify*
 23 *the members of the congressional commission described in*
 24 *section 10002(a) of the Architect of the Capitol Appoint-*
 25 *ment Act of 2023.”.*

1 **SEC. 10004. DEPUTY ARCHITECT OF THE CAPITOL TO SERVE**
 2 **AS ACTING IN CASE OF ABSENCE, DISABILITY,**
 3 **OR VACANCY.**

4 (a) *IN GENERAL.*—*The Deputy Architect of the Capitol*
 5 *(in this section referred to as the “Deputy Architect”)* shall
 6 *act as Architect of the Capitol (in this section referred to*
 7 *as the “Architect”)* if the Architect is absent or disabled or
 8 *there is no Architect.*

9 (b) *ABSENCE, DISABILITY, OR VACANCY IN OFFICE OF*
 10 *DEPUTY ARCHITECT.*—*For purposes of subsection (a), if the*
 11 *Deputy Architect is also absent or disabled or there is no*
 12 *Deputy Architect, the congressional commission described*
 13 *in section 10002(a) shall designate, by a majority vote of*
 14 *the members of the commission, an individual to serve as*
 15 *acting Architect until—*

16 (1) *the end of the absence or disability of the Ar-*
 17 *chitect or the Deputy Architect; or*

18 (2) *in the case of vacancies in both positions, an*
 19 *Architect has been appointed under section 10002(a).*

20 (c) *AUTHORITY.*—*An officer serving as acting Archi-*
 21 *tect under subsection (a) or (b) shall perform all the duties*
 22 *and exercise all the authorities of the Architect, including*
 23 *the authority to delegate the duties and authorities of the*
 24 *Architect in accordance with the matter under the heading*
 25 *“OFFICE OF THE ARCHITECT OF THE CAPITOL” under the*

1 heading “ARCHITECT OF THE CAPITOL” of the Legis-
 2 lative Appropriation Act, 1956 (2 U.S.C. 1803).

3 (d) CONFORMING AMENDMENT.—The matter under the
 4 heading “SALARIES” under the heading “OFFICE OF THE
 5 ARCHITECT OF THE CAPITOL” under the heading “ARCHI-
 6 TECT OF THE CAPITOL” of the Legislative Branch Ap-
 7 propriation Act, 1971 (2 U.S.C. 1804) is amended by strik-
 8 ing “: Provided,” and all that follows through “no Archi-
 9 tect”.

10 **DIVISION I—FAIR DEBT COLLEC-**
 11 **TION PRACTICES FOR**
 12 **SERVICEMEMBERS**

13 **SEC. 11001. SHORT TITLE.**

14 This division may be cited as the “Fair Debt Collec-
 15 tion Practices for Servicemembers Act”.

16 **SEC. 11002. ENHANCED PROTECTION AGAINST DEBT COL-**
 17 **LECTOR HARASSMENT OF SERVICEMEMBERS.**

18 (a) COMMUNICATION IN CONNECTION WITH DEBT
 19 COLLECTION.—Section 805 of the Fair Debt Collection
 20 Practices Act (15 U.S.C. 1692c) is amended by adding at
 21 the end the following:

22 “(e) COMMUNICATIONS CONCERNING SERVICEMEMBER
 23 DEBTS.—

24 “(1) DEFINITION.—In this subsection, the term
 25 ‘covered member’ means—

1 “(A) a covered member or a dependent as
2 defined in section 987(i) of title 10, United
3 States Code; and

4 “(B)(i) an individual who was separated,
5 discharged, or released from duty described in
6 such section 987(i)(1), but only during the 365-
7 day period beginning on the date of separation,
8 discharge, or release; or

9 “(ii) a person, with respect to an individual
10 described in clause (i), described in subpara-
11 graph (A), (D), (E), or (I) of section 1072(2) of
12 title 10, United States Code.

13 “(2) PROHIBITIONS.—A debt collector may not,
14 in connection with the collection of any debt of a cov-
15 ered member—

16 “(A) threaten to have the covered member
17 reduced in rank;

18 “(B) threaten to have the covered member’s
19 security clearance revoked; or

20 “(C) threaten to have the covered member
21 prosecuted under chapter 47 of title 10, United
22 States Code (the Uniform Code of Military Jus-
23 tice).”.

1 (b) *UNFAIR PRACTICES*.—Section 808 of the *Fair Debt*
 2 *Collection Practices Act* (15 U.S.C. 1692f) is amended by
 3 adding at the end the following:

4 “(9) The representation to any covered member
 5 (as defined under section 805(e)(1)) that failure to co-
 6 operate with a debt collector will result in—

7 “(A) a reduction in rank of the covered
 8 member;

9 “(B) a revocation of the covered member’s
 10 security clearance; or

11 “(C) prosecution under chapter 47 of title
 12 10, *United States Code* (the *Uniform Code of*
 13 *Military Justice*).”.

14 **SEC. 11003. GAO STUDY.**

15 *The Comptroller General of the United States shall*
 16 *conduct a study and submit a report to Congress on the*
 17 *impact of this division on—*

18 (1) *the timely delivery of information to a cov-*
 19 *ered member (as defined in section 805(e) of the Fair*
 20 *Debt Collection Practices Act, as added by this divi-*
 21 *sion);*

22 (2) *military readiness; and*

23 (3) *national security, including the extent to*
 24 *which covered members with security clearances*
 25 *would be impacted by uncollected debt.*

1 ***DIVISION J—NATIVE AMERICAN***
 2 ***HOUSING ASSISTANCE AND***
 3 ***SELF-DETERMINATION REAU-***
 4 ***THORIZATION ACT OF 2023***

5 ***SEC. 11001. SHORT TITLE.***

6 *This division may be cited as the “Native American*
 7 *Housing Assistance and Self-Determination Reauthoriza-*
 8 *tion Act of 2023”.*

9 ***SEC. 11002. CONSOLIDATION OF ENVIRONMENTAL REVIEW***
 10 ***REQUIREMENTS.***

11 *Section 105 of the Native American Housing Assist-*
 12 *ance and Self-Determination Act of 1996 (25 U.S.C. 4115)*
 13 *is amended by adding at the end the following:*

14 *“(e) CONSOLIDATION OF ENVIRONMENTAL REVIEW RE-*
 15 *QUIREMENTS.—*

16 *“(1) IN GENERAL.—In the case of a recipient of*
 17 *grant amounts under this Act that is carrying out a*
 18 *project that qualifies as an affordable housing activity*
 19 *under section 202, if the recipient is using 1 or more*
 20 *additional sources of Federal funds to carry out the*
 21 *project, and the grant amounts received under this*
 22 *Act constitute the largest single source of Federal*
 23 *funds that the recipient reasonably expects to commit*
 24 *to the project at the time of environmental review, the*
 25 *Indian tribe of the recipient may assume, in addition*

1 to all of the responsibilities for environmental review,
2 decision making, and action under subsection (a), all
3 of the additional responsibilities for environmental re-
4 view, decision making, and action under provisions of
5 law that would apply to each Federal agency pro-
6 viding additional funding were the Federal agency to
7 carry out the project as a Federal project.

8 “(2) *DISCHARGE.*—The assumption by the In-
9 dian tribe of the additional responsibilities for envi-
10 ronmental review, decision making, and action under
11 paragraph (1) with respect to a project shall be
12 deemed to discharge the responsibility of the applica-
13 ble Federal agency for environmental review, decision
14 making, and action with respect to the project.

15 “(3) *CERTIFICATION.*—An Indian tribe that as-
16 sumes the additional responsibilities under paragraph
17 (1), shall certify, in addition to the requirements
18 under subsection (c)—

19 “(A) the additional responsibilities that the
20 Indian tribe has fully carried out under this sub-
21 section; and

22 “(B) that the certifying officer consents to
23 assume the status of a responsible Federal offi-
24 cial under the provisions of law that would

1 *apply to each Federal agency providing addi-*
2 *tional funding under paragraph (1).*

3 “(4) *LIABILITY.*—

4 “(A) *IN GENERAL.*—*An Indian tribe that*
5 *completes an environmental review under this*
6 *subsection shall assume sole liability for the con-*
7 *tent and quality of the review.*

8 “(B) *REMEDIES AND SANCTIONS.*—*Except*
9 *as provided in subparagraph (C), if the Sec-*
10 *retary approves a certification and release of*
11 *funds to an Indian tribe for a project in accord-*
12 *ance with subsection (b), but the Secretary or the*
13 *head of another Federal agency providing fund-*
14 *ing for the project subsequently learns that the*
15 *Indian tribe failed to carry out the responsibil-*
16 *ities of the Indian tribe as described in sub-*
17 *section (a) or paragraph (1), as applicable, the*
18 *Secretary or other head, as applicable, may im-*
19 *pose appropriate remedies and sanctions in ac-*
20 *cordance with—*

21 “(i) *the regulations issued pursuant to*
22 *section 106; or*

23 “(ii) *such regulations as are issued by*
24 *the other head.*

1 “(C) *STATUTORY VIOLATION WAIVERS.*—If
 2 *the Secretary waives the requirements under this*
 3 *section in accordance with subsection (d) with*
 4 *respect to a project for which an Indian tribe as-*
 5 *sumes additional responsibilities under para-*
 6 *graph (1), the waiver shall prohibit any other*
 7 *Federal agency providing additional funding for*
 8 *the project from imposing remedies or sanctions*
 9 *for failure to comply with requirements for envi-*
 10 *ronmental review, decision making, and action*
 11 *under provisions of law that would apply to the*
 12 *Federal agency.”.*

13 ***SEC. 11003. AUTHORIZATION OF APPROPRIATIONS.***

14 *Section 108 of the Native American Housing Assist-*
 15 *ance and Self-Determination Act of 1996 (25 U.S.C. 4117)*
 16 *is amended, in the first sentence, by striking “2009 through*
 17 *2013” and inserting “2024 through 2030”.*

18 ***SEC. 11004. STUDENT HOUSING ASSISTANCE.***

19 *Section 202(3) of the Native American Housing Assist-*
 20 *ance and Self-Determination Act of 1996 (25 U.S.C.*
 21 *4132(3)) is amended by inserting “including college hous-*
 22 *ing assistance” after “self-sufficiency and other services,”.*

1 **SEC. 11005. APPLICATION OF RENT RULE ONLY TO UNITS**
 2 **OWNED OR OPERATED BY INDIAN TRIBE OR**
 3 **TRIBALLY DESIGNATED HOUSING ENTITY.**

4 *Section 203(a)(2) of the Native American Housing As-*
 5 *sistance and Self-Determination Act of 1996 (25 U.S.C.*
 6 *4133(a)(2)) is amended by inserting “owned or operated*
 7 *by a recipient and” after “residing in a dwelling unit”.*

8 **SEC. 11006. DE MINIMIS EXEMPTION FOR PROCUREMENT**
 9 **OF GOODS AND SERVICES.**

10 *Section 203(g) of the Native American Housing Assist-*
 11 *ance and Self-Determination Act of 1996 (25 U.S.C.*
 12 *4133(g)) is amended by striking “\$5,000” and inserting*
 13 *“\$7,000”.*

14 **SEC. 11007. HOMEOWNERSHIP OR LEASE-TO-OWN LOW-IN-**
 15 **COME REQUIREMENT AND INCOME TAR-**
 16 **GETING.**

17 *Section 205 of the Native American Housing Assist-*
 18 *ance and Self-Determination Act of 1996 (25 U.S.C. 4135)*
 19 *is amended—*

20 *(1) in subsection (a)(1)—*

21 *(A) in subparagraph (C), by striking “and”*
 22 *at the end; and*

23 *(B) by adding at the end the following:*

24 *“(E) notwithstanding any other provision*
 25 *of this paragraph, in the case of rental housing*
 26 *that is made available to a current rental family*

1 *for conversion to a homebuyer or a lease-pur-*
 2 *chase unit, that the current rental family can*
 3 *purchase through a contract of sale, lease-pur-*
 4 *chase agreement, or any other sales agreement, is*
 5 *made available for purchase only by the current*
 6 *rental family, if the rental family was a low-in-*
 7 *come family at the time of their initial occu-*
 8 *pancy of such unit; and”;* and

9 *(2) in subsection (c)—*

10 *(A) by striking “The provisions” and in-*
 11 *serting the following:*

12 *“(1) IN GENERAL.—The provisions”;* and

13 *(B) by adding at the end the following:*

14 *“(2) APPLICABILITY TO IMPROVEMENTS.—The*
 15 *provisions of subsection (a)(2) regarding binding*
 16 *commitments for the remaining useful life of property*
 17 *shall not apply to improvements of privately owned*
 18 *homes if the cost of the improvements do not exceed*
 19 *10 percent of the maximum total development cost for*
 20 *the home.”.*

21 **SEC. 11008. LEASE REQUIREMENTS AND TENANT SELEC-**
 22 **TION.**

23 *Section 207 of the Native American Housing Assist-*
 24 *ance and Self-Determination Act of 1996 (25 U.S.C. 4137)*
 25 *is amended by adding at the end the following:*

1 “(c) *NOTICE OF TERMINATION.*—*The notice period de-*
 2 *scribed in subsection (a)(3) shall apply to projects and pro-*
 3 *grams funded in part by amounts authorized under this*
 4 *Act.*”.

5 **SEC. 11009. INDIAN HEALTH SERVICE.**

6 (a) *IN GENERAL.*—*Subtitle A of title II of the Native*
 7 *American Housing Assistance and Self-Determination Act*
 8 *of 1996 (25 U.S.C. 4131 et seq.) is amended by adding at*
 9 *the end the following:*

10 **“SEC. 211. IHS SANITATION FACILITIES CONSTRUCTION.**

11 *“Notwithstanding any other provision of law, the Di-*
 12 *rector of the Indian Health Service, or a recipient receiving*
 13 *funding for a housing construction or renovation project*
 14 *under this title, may use funding from the Indian Health*
 15 *Service for the construction of sanitation facilities under*
 16 *that project.*”.

17 (b) *CLERICAL AMENDMENT.*—*The table of contents in*
 18 *section 1(b) of the Native American Housing Assistance and*
 19 *Self-Determination Act of 1996 (Public Law 104–330; 110*
 20 *Stat. 4016) is amended by inserting after the item relating*
 21 *to section 210 the following:*

“Sec. 211. IHS sanitation facilities construction.”.

1 **SEC. 11010. STATUTORY AUTHORITY TO SUSPEND GRANT**
 2 **FUNDS IN EMERGENCIES.**

3 *Section 401(a)(4) of the Native American Housing As-*
 4 *sistance and Self-Determination Act of 1996 (25 U.S.C.*
 5 *4161(a)(4)) is amended—*

6 *(1) in subparagraph (A), by striking “may take*
 7 *an action described in paragraph (1)(C)” and insert-*
 8 *ing “may immediately take an action described in*
 9 *paragraph (1)(C)”;* and

10 *(2) by striking subparagraph (B) and inserting*
 11 *the following:*

12 *“(B) PROCEDURAL REQUIREMENTS.—*

13 *“(i) IN GENERAL.—If the Secretary*
 14 *takes an action described in subparagraph*
 15 *(A), the Secretary shall provide notice to the*
 16 *recipient at the time that the Secretary*
 17 *takes that action.*

18 *“(ii) NOTICE REQUIREMENTS.—The*
 19 *notice under clause (i) shall inform the re-*
 20 *cipient that the recipient may request a*
 21 *hearing by not later than 30 days after the*
 22 *date on which the Secretary provides the*
 23 *notice.*

24 *“(iii) HEARING REQUIREMENTS.—A*
 25 *hearing requested under clause (ii) shall be*
 26 *conducted—*

1 “(I) in accordance with subpart A
 2 of part 26 of title 24, Code of Federal
 3 Regulations (or successor regulations);
 4 and

5 “(II) to the maximum extent
 6 practicable, on an expedited basis.

7 “(iv) *FAILURE TO CONDUCT A HEAR-*
 8 *ING.—If a hearing requested under clause*
 9 *(ii) is not completed by the date that is 180*
 10 *days after the date on which the recipient*
 11 *requests the hearing, the action of the Sec-*
 12 *retary to limit the availability of payments*
 13 *shall no longer be effective.”.*

14 **SEC. 11011. REPORTS TO CONGRESS.**

15 Section 407 of the Native American Housing Assist-
 16 ance and Self-Determination Act of 1996 (25 U.S.C. 4167)
 17 is amended—

18 (1) in subsection (a), by striking “Congress” and
 19 inserting “Committee on Indian Affairs and the Com-
 20 mittee on Banking, Housing and Urban Affairs of the
 21 Senate and the Committee on Financial Services of
 22 the House of Representatives”; and
 23 (2) by adding at the end the following:

1 “(c) *PUBLIC AVAILABILITY.*—The report described in
2 subsection (a) shall be made publicly available, including
3 to recipients.”.

4 **SEC. 11012. 99-YEAR LEASEHOLD INTEREST IN TRUST OR**
5 **RESTRICTED LANDS FOR HOUSING PUR-**
6 **POSES.**

7 Section 702 of the Native American Housing Assist-
8 ance and Self-Determination Act of 1996 (25 U.S.C. 4211)
9 is amended—

10 (1) in the section heading, by striking “**50-**
11 **YEAR**” and inserting “**99-YEAR**”;

12 (2) in subsection (b), by striking “50 years” and
13 inserting “99 years”; and

14 (3) in subsection (c)(2), by striking “50 years”
15 and inserting “99 years”.

16 **SEC. 11013. AMENDMENTS FOR BLOCK GRANTS FOR AF-**
17 **FORDABLE HOUSING ACTIVITIES.**

18 Section 802(e) of the Native American Housing Assist-
19 ance and Self-Determination Act of 1996 (25 U.S.C.
20 4222(e)) is amended by—

21 (1) by striking “The Director” and inserting the
22 following:

23 “(1) *IN GENERAL.*—The Director”; and

24 (2) by adding at the end the following:

1 “(2) *SUBAWARDS.*—*Notwithstanding any other*
 2 *provision of law, including provisions of State law re-*
 3 *quiring competitive procurement, the Director may*
 4 *make subawards to subrecipients, except for for-profit*
 5 *entities, using amounts provided under this title to*
 6 *carry out affordable housing activities upon a deter-*
 7 *mination by the Director that such subrecipients have*
 8 *adequate capacity to carry out activities in accord-*
 9 *ance with this Act.*”.

10 **SEC. 11014. REAUTHORIZATION OF NATIVE HAWAIIAN**
 11 **HOMEOWNERSHIP PROVISIONS.**

12 *Section 824 of the Native American Housing Assist-*
 13 *ance and Self-Determination Act of 1996 (25 U.S.C. 4243)*
 14 *is amended by striking “such sums as may be necessary”*
 15 *and all that follows through the period at the end and in-*
 16 *serting “such sums as may be necessary for each of fiscal*
 17 *years 2024 through 2030.”.*

18 **SEC. 11015. TOTAL DEVELOPMENT COST MAXIMUM**
 19 **PROJECT COST.**

20 *Affordable housing (as defined in section 4 of the Na-*
 21 *tive American Housing Assistance and Self-Determination*
 22 *Act of 1996 (25 U.S.C. 4103)) that is developed, acquired,*
 23 *or assisted under the block grant program established under*
 24 *section 101 of the Native American Housing Assistance and*
 25 *Self-Determination Act of 1996 (25 U.S.C. 4111) shall not*

1 *exceed by more than 20 percent, without prior approval of*
 2 *the Secretary of Housing and Urban Development, the total*
 3 *development cost maximum cost for all housing assisted*
 4 *under an affordable housing activity, including develop-*
 5 *ment and model activities.*

6 **SEC. 11016. COMMUNITY-BASED DEVELOPMENT ORGANIZA-**
 7 **TIONS AND SPECIAL ACTIVITIES BY INDIAN**
 8 **TRIBES.**

9 *Section 105 of the Housing and Community Develop-*
 10 *ment Act of 1974 (42 U.S.C. 5305) is amended by adding*
 11 *at the end the following:*

12 *“(i) INDIAN TRIBES AND TRIBALLY DESIGNATED*
 13 *HOUSING ENTITIES AS COMMUNITY-BASED DEVELOPMENT*
 14 *ORGANIZATIONS.—*

15 *“(1) DEFINITION.—In this subsection, the term*
 16 *‘tribally designated housing entity’ has the meaning*
 17 *given the term in section 4 of the Native American*
 18 *Housing Assistance and Self-Determination Act of*
 19 *1996 (25 U.S.C. 4103).*

20 *“(2) QUALIFICATION.—An Indian tribe, a trib-*
 21 *ally designated housing entity, or a tribal organiza-*
 22 *tion shall qualify as a community-based development*
 23 *organization for purposes of carrying out new hous-*
 24 *ing construction under this subsection under a grant*
 25 *made under section 106(a)(1).*

1 “(j) *SPECIAL ACTIVITIES BY INDIAN TRIBES.*—An In-
 2 dian tribe receiving a grant under paragraph (1) of section
 3 106(a)(1) shall be authorized to directly carry out activities
 4 described in paragraph (15) of such section 106(a)(1).”.

5 **SEC. 11017. SECTION 184 INDIAN HOME LOAN GUARANTEE**
 6 **PROGRAM.**

7 (a) *IN GENERAL.*—Section 184 of the Housing and
 8 Community Development Act of 1992 (12 U.S.C. 1715z–
 9 13a) is amended—

10 (1) by amending subsection (a) to read as fol-
 11 lows:

12 “(a) *AUTHORITY.*—To provide access to sources of pri-
 13 vate financing to Indian families, Indian housing authori-
 14 ties, and Indian Tribes, who otherwise could not acquire
 15 housing financing because of the unique legal status of In-
 16 dian lands and the unique nature of tribal economies, and
 17 to expand homeownership opportunities to Indian families,
 18 Indian housing authorities and Indian tribes on fee simple
 19 lands, the Secretary may guarantee not to exceed 100 per-
 20 cent of the unpaid principal and interest due on any loan
 21 eligible under subsection (b) made to an Indian family, In-
 22 dian housing authority, or Indian Tribe on trust land and
 23 fee simple land.”; and

24 (2) in subsection (b)—

1 (A) by amending paragraph (2) to read as
2 follows:

3 “(2) *ELIGIBLE HOUSING.*—The loan shall be
4 used to construct, acquire, refinance, or rehabilitate 1-
5 to 4-family dwellings that are standard housing.”;

6 (B) in paragraph (4)—

7 (i) by redesignating subparagraphs (A)
8 through (D) as clauses (i) through (iv), re-
9 spectively, and adjusting the margins ac-
10 cordingly;

11 (ii) by striking “The loan” and insert-
12 ing the following:

13 “(A) *IN GENERAL.*—The loan”;

14 (iii) in subparagraph (A), as so des-
15 ignated, by adding at the end the following:

16 “(v) Any other lender that is super-
17 vised, approved, regulated, or insured by
18 any agency of the Federal Government, in-
19 cluding any entity certified as a community
20 development financial institution by the
21 Community Development Financial Institu-
22 tions Fund established under section 104(a)
23 of the Riegle Community Development and
24 Regulatory Improvement Act of 1994 (12
25 U.S.C. 4703(a)).”; and

1 (iv) by adding at the end the following:

2 “(B) *DIRECT GUARANTEE PROCESS.*—

3 “(i) *AUTHORIZATION.*—*The Secretary*
 4 *may authorize qualifying lenders to partici-*
 5 *pate in a direct guarantee process for ap-*
 6 *proving loans under this section.*

7 “(ii) *INDEMNIFICATION.*—

8 “(I) *IN GENERAL.*—*If the Sec-*
 9 *retary determines that a mortgage*
 10 *guaranteed through a direct guarantee*
 11 *process under this subparagraph was*
 12 *not originated in accordance with the*
 13 *requirements established by the Sec-*
 14 *retary, the Secretary may require the*
 15 *lender approved under this subpara-*
 16 *graph to indemnify the Secretary for*
 17 *the loss, irrespective of whether the vio-*
 18 *lation caused the mortgage default.*

19 “(II) *FRAUD OR MISREPRESENTA-*
 20 *TION.*—*If fraud or misrepresentation is*
 21 *involved in a direct guarantee process*
 22 *under this subparagraph, the Secretary*
 23 *shall require the original lender ap-*
 24 *proved under this subparagraph to in-*
 25 *demnify the Secretary for the loss re-*

1 *ardless of when an insurance claim is*
2 *paid.*

3 “(C) *REVIEW OF MORTGAGEES.*—

4 “(i) *IN GENERAL.*—*The Secretary may*
5 *periodically review the mortgagees origi-*
6 *nating, underwriting, or servicing single*
7 *family mortgage loans under this section.*

8 “(ii) *REQUIREMENTS.*—*In conducting*
9 *a review under clause (i), the Secretary—*

10 “(I) *shall compare the mortgagee*
11 *with other mortgagees originating or*
12 *underwriting loan guarantees for In-*
13 *dian housing based on the rates of de-*
14 *faults and claims for guaranteed mort-*
15 *gage loans originated, underwritten, or*
16 *served by that mortgagee;*

17 “(II) *may compare the mortgagee*
18 *with such other mortgagees based on*
19 *underwriting quality, geographic area*
20 *served, or any commonly used factors*
21 *the Secretary determines necessary for*
22 *comparing mortgage default risk, pro-*
23 *vided that the comparison is of factors*
24 *that the Secretary would expect to af-*

1 *fect the default risk of mortgage loans*
2 *guaranteed by the Secretary;*

3 *“(iii) shall implement such compari-*
4 *sons by regulation, notice, or mortgagee let-*
5 *ter; and*

6 *“(I) may terminate the approval*
7 *of a mortgagee to originate, under-*
8 *write, or service loan guarantees for*
9 *housing under this section if the Sec-*
10 *retary determines that the mortgage*
11 *loans originated, underwritten, or serv-*
12 *iced by the mortgagee present an unac-*
13 *ceptable risk to the Indian Housing*
14 *Loan Guarantee Fund established*
15 *under subsection (i)—*

16 *“(aa) based on a comparison*
17 *of any of the factors set forth in*
18 *this subparagraph; or*

19 *“(bb) by a determination*
20 *that the mortgagee engaged in*
21 *fraud or misrepresentation.”; and*

22 *(C) in paragraph (5)(A), by inserting before*
23 *the semicolon at the end the following: “except,*
24 *as determined by the Secretary, when there is a*

1 loan modification under subsection (h)(1)(B), the
2 term of the loan shall not exceed 40 years”.

3 (b) *LOAN GUARANTEES FOR INDIAN HOUSING.*—Sec-
4 tion 184(i)(5) of the *Housing and Community Development*
5 Act of 1992 (12 U.S.C. 1715z–13a(i)(5)) is amended—

6 (1) in subparagraph (B), by inserting after the
7 first sentence the following: “There are authorized to
8 be appropriated for those costs such sums as may be
9 necessary for each of fiscal years 2024 through 2030.”;
10 and

11 (2) in subparagraph (C), by striking “2008
12 through 2012” and inserting “2024 through 2030”.

13 **SEC. 11018. LOAN GUARANTEES FOR NATIVE HAWAIIAN**
14 **HOUSING.**

15 Section 184A of the *Housing and Community Develop-*
16 ment Act of 1992 (12 U.S.C. 1715z–13b) is amended—

17 (1) in subsection (b), by inserting “, and to ex-
18 pand homeownership opportunities to Native Hawai-
19 ian families who are eligible to receive a homestead
20 under the *Hawaiian Homes Commission Act, 1920*
21 (42 Stat. 108) on fee simple lands in the State of Ha-
22 waii” after “markets”;

23 (2) in subsection (c)—

24 (A) by amending paragraph (2) to read as
25 follows:

1 “(2) *ELIGIBLE HOUSING.*—*The loan shall be*
 2 *used to construct, acquire, refinance, or rehabilitate 1-*
 3 *to 4-family dwellings that are standard housing.*”;

4 *(B) in paragraph (4)—*

5 *(i) in subparagraph (B)—*

6 *(I) by redesignating clause (iv) as*
 7 *clause (v); and*

8 *(II) by adding after clause (iii)*
 9 *the following:*

10 “(iv) *Any other lender that is super-*
 11 *vised, approved, regulated, or insured by*
 12 *any agency of the Federal Government, in-*
 13 *cluding any entity certified as a community*
 14 *development financial institution by the*
 15 *Community Development Financial Institu-*
 16 *tions Fund established under section 104(a)*
 17 *of the Riegle Community Development and*
 18 *Regulatory Improvement Act of 1994 (12*
 19 *U.S.C. 4703(a)).*”; *and*

20 *(ii) by adding at the end the following:*

21 “(C) *INDEMNIFICATION.*—

22 “(i) *IN GENERAL.*—*If the Secretary de-*
 23 *termines that a mortgage guaranteed*
 24 *through a direct guarantee process under*
 25 *this section was not originated in accord-*

1 *ance with the requirements established by*
2 *the Secretary, the Secretary may require the*
3 *lender approved under this section to in-*
4 *demnify the Secretary for the loss, irrespec-*
5 *tive of whether the violation caused the*
6 *mortgage default.*

7 “(ii) *DIRECT GUARANTEE ENDORSE-*
8 *MENT.—The Secretary may, dependent on*
9 *the availability of systems development and*
10 *staffing resources, delegate to eligible lenders*
11 *the authority to directly endorse loans*
12 *under this section.*

13 “(iii) *FRAUD OR MISREPRESENTA-*
14 *TION.—If fraud or misrepresentation was*
15 *involved in the direct guarantee endorse-*
16 *ment process by a lender under this section,*
17 *the Secretary shall require the approved di-*
18 *rect guarantee endorsement lender to indem-*
19 *nify the Secretary for any loss or potential*
20 *loss, regardless of whether the fraud or mis-*
21 *representation caused or may cause the loan*
22 *default.*

23 “(iv) *IMPLEMENTATION.—The Sec-*
24 *retary may implement any requirements*

1 *described in this subparagraph by regula-*
 2 *tion, notice, or Dear Lender Letter.”.*

3 *(C) in paragraph (5)(A), by inserting before*
 4 *the semicolon at the end the following: “except,*
 5 *as determined by the Secretary, when there is a*
 6 *loan modification under subsection (i)(1)(B), the*
 7 *term of the loan shall not exceed 40 years”;*
 8 *(3) in subsection (d)—*

9 *(A) in paragraph (1), by adding at the end*
 10 *the following:*

11 *“(C) EXCEPTION.—When the Secretary ex-*
 12 *ercises its discretion to delegate direct guarantee*
 13 *endorsement authority pursuant to subsection*
 14 *(c)(4)(C)(ii), subparagraphs (A) and (B) of this*
 15 *paragraph shall not apply.”;*

16 *(B) by amending paragraph (2) to read as*
 17 *follows:*

18 *“(2) STANDARD FOR APPROVAL.—*

19 *“(A) APPROVAL.—The Secretary may ap-*
 20 *prove a loan for guarantee under this section*
 21 *and issue a certificate under this subsection only*
 22 *if the Secretary determines that there is a rea-*
 23 *sonable prospect of repayment of the loan.*

24 *“(B) EXCEPTIONS.—When the Secretary ex-*
 25 *ercises its discretion to delegate direct guarantee*

1 endorsement authority pursuant to subsection
2 (c)(4)(C)(ii)—

3 “(i) subparagraph (A) shall not apply;
4 and

5 “(ii) the direct guarantee endorsement
6 lender may issue a certificate under this
7 paragraph as evidence of the guarantee in
8 accordance with requirements prescribed by
9 the Secretary.”; and

10 (C) in paragraph (3)(A), by inserting “or,
11 where applicable, the direct guarantee endorse-
12 ment lender,” after “Secretary” and

13 (4) in subsection (j)(5)(B), by inserting after the
14 first sentence the following: “There are authorized to
15 be appropriated for those costs such sums as may be
16 necessary for each of fiscal years 2024 through 2030.”.

17 **SEC. 11019. DRUG ELIMINATION PROGRAM.**

18 (a) *DEFINITIONS.*—In this section:

19 (1) *CONTROLLED SUBSTANCE.*—The term “con-
20 trolled substance” has the meaning given the term in
21 section 102 of the Controlled Substances Act (21
22 U.S.C. 802).

23 (2) *DRUG-RELATED CRIME.*—The term “drug-re-
24 lated crime” means the illegal manufacture, sale, dis-

1 *tribution, use, or possession with intent to manufac-*
2 *ture, sell, distribute, or use a controlled substance.*

3 (3) *RECIPIENT.*—*The term “recipient”—*

4 (A) *has the meaning given the term in sec-*
5 *tion 4 of the Native American Housing Assist-*
6 *ance and Self-Determination Act of 1996 (25*
7 *U.S.C. 4103); and*

8 (B) *includes a recipient of funds under title*
9 *VIII of that Act (25 U.S.C. 4221 et seq.).*

10 (4) *SECRETARY.*—*The term “Secretary” means*
11 *the Secretary of Housing and Urban Development.*

12 (b) *ESTABLISHMENT.*—*The Secretary may, in con-*
13 *sultation with the Bureau of Indian Affairs and relevant*
14 *Tribal law enforcement agencies, make grants under this*
15 *section to recipients of assistance under the Native Amer-*
16 *ican Housing Assistance and Self-Determination Act of*
17 *1996 (25 U.S.C. 4101 et seq.) for use in eliminating drug-*
18 *related and violent crime.*

19 (c) *ELIGIBLE ACTIVITIES.*—*Grants under this section*
20 *may be used for—*

21 (1) *the employment of security personnel;*

22 (2) *reimbursement of State, local, Tribal, or Bu-*
23 *reau of Indian Affairs law enforcement agencies for*
24 *additional security and protective services;*

1 (3) *physical improvements which are specifically*
2 *designed to enhance security;*

3 (4) *the employment of 1 or more individuals—*

4 (A) *to investigate drug-related or violent*
5 *crime in and around the real property com-*
6 *prising housing assisted under the Native Amer-*
7 *ican Housing Assistance and Self-Determination*
8 *Act of 1996 (25 U.S.C. 4101 et seq.); and*

9 (B) *to provide evidence relating to such*
10 *crime in any administrative or judicial pro-*
11 *ceeding;*

12 (5) *the provision of training, communications*
13 *equipment, and other related equipment for use by*
14 *voluntary tenant patrols acting in cooperation with*
15 *law enforcement officials;*

16 (6) *programs designed to reduce use of drugs in*
17 *and around housing communities funded under the*
18 *Native American Housing Assistance and Self-Deter-*
19 *mination Act of 1996 (25 U.S.C. 4101 et seq.), in-*
20 *cluding drug-abuse prevention, intervention, referral,*
21 *and treatment programs;*

22 (7) *providing funding to nonprofit resident man-*
23 *agement corporations and resident councils to develop*
24 *security and drug abuse prevention programs involv-*
25 *ing site residents;*

1 (8) *sports programs and sports activities that*
 2 *serve primarily youths from housing communities*
 3 *funded through and are operated in conjunction with,*
 4 *or in furtherance of, an organized program or plan*
 5 *designed to reduce or eliminate drugs and drug-re-*
 6 *lated problems in and around those communities; and*

7 (9) *other programs for youth in school settings*
 8 *that address drug prevention and positive alternatives*
 9 *for youth, including education and activities related*
 10 *to science, technology, engineering, and math.*

11 (d) *APPLICATIONS.—*

12 (1) *IN GENERAL.—To receive a grant under this*
 13 *subsection, an eligible applicant shall submit an ap-*
 14 *plication to the Secretary, at such time, in such man-*
 15 *ner, and accompanied by—*

16 (A) *a plan for addressing the problem of*
 17 *drug-related or violent crime in and around of*
 18 *the housing administered or owned by the appli-*
 19 *cant for which the application is being sub-*
 20 *mitted; and*

21 (B) *such additional information as the Sec-*
 22 *retary may reasonably require.*

23 (2) *CRITERIA.—The Secretary shall approve ap-*
 24 *plications submitted under paragraph (1) on the basis*
 25 *of thresholds or criteria such as—*

1 (A) the extent of the drug-related or violent
2 crime problem in and around the housing or
3 projects proposed for assistance;

4 (B) the quality of the plan to address the
5 crime problem in the housing or projects pro-
6 posed for assistance, including the extent to
7 which the plan includes initiatives that can be
8 sustained over a period of several years;

9 (C) the capability of the applicant to carry
10 out the plan; and

11 (D) the extent to which tenants, the Tribal
12 government, and the Tribal community support
13 and participate in the design and implementa-
14 tion of the activities proposed to be funded under
15 the application.

16 (e) *HIGH INTENSITY DRUG TRAFFICKING AREAS.*—In
17 evaluating the extent of the drug-related crime problem pur-
18 suant to subsection (d)(2), the Secretary may consider
19 whether housing or projects proposed for assistance are lo-
20 cated in a high intensity drug trafficking area designated
21 pursuant to section 707(b) of the Office of National Drug
22 Control Policy Reauthorization Act of 1998 (21 U.S.C.
23 1706(b)).

24 (f) *REPORTS.*—

1 (1) *GRANTEE REPORTS.*—*The Secretary shall re-*
 2 *quire grantees under this section to provide periodic*
 3 *reports that include the obligation and expenditure of*
 4 *grant funds, the progress made by the grantee in im-*
 5 *plementing the plan described in subsection (d)(1)(A),*
 6 *and any change in the incidence of drug-related crime*
 7 *in projects assisted under section.*

8 (2) *HUD REPORTS.*—*Not later than 1 year after*
 9 *the date of enactment of this Act, the Secretary shall*
 10 *submit to Congress a report describing the system*
 11 *used to distribute funding to grantees under this sec-*
 12 *tion, which shall include descriptions of—*

13 (A) *the methodology used to distribute*
 14 *amounts made available under this section; and*

15 (B) *actions taken by the Secretary to ensure*
 16 *that amounts made available under section are*
 17 *not used to fund baseline local government serv-*
 18 *ices, as described in subsection (h)(2).*

19 (g) *NOTICE OF FUNDING AWARDS.*—*The Secretary*
 20 *shall publish on the website of the Department a notice of*
 21 *all grant awards made pursuant to section, which shall*
 22 *identify the grantees and the amount of the grants.*

23 (h) *MONITORING.*—

24 (1) *IN GENERAL.*—*The Secretary shall audit and*
 25 *monitor the program funded under this subsection to*

1 *ensure that assistance provided under this subsection*
2 *is administered in accordance with the provisions of*
3 *section.*

4 (2) *PROHIBITION OF FUNDING BASELINE SERV-*
5 *ICES.—*

6 (A) *IN GENERAL.—**Amounts provided under*
7 *this section may not be used to reimburse or sup-*
8 *port any local law enforcement agency or unit of*
9 *general local government for the provision of*
10 *services that are included in the baseline of serv-*
11 *ices required to be provided by any such entity*
12 *pursuant to a local cooperative agreement pursu-*
13 *ant under the Indian Self-Determination and*
14 *Education Assistance Act (25 U.S.C. 5301 et*
15 *seq.) or any provision of an annual contribu-*
16 *tions contract for payments in lieu of taxation*
17 *with the Bureau of Indian Affairs.*

18 (B) *DESCRIPTION.—**Each grantee under*
19 *this section shall describe, in the report under*
20 *subsection (f)(1), such baseline of services for the*
21 *unit of Tribal government in which the jurisdic-*
22 *tion of the grantee is located.*

23 (3) *ENFORCEMENT.—**The Secretary shall provide*
24 *for the effective enforcement of this section, as speci-*

1 *fied in the program requirements published in a no-*
 2 *tice by the Secretary, which may include—*

3 *(A) the use of on-site monitoring, inde-*
 4 *pendent public audit requirements, certification*
 5 *by Tribal or Federal law enforcement or Tribal*
 6 *government officials regarding the performance*
 7 *of baseline services referred to in paragraph (2);*

8 *(B) entering into agreements with the Attor-*
 9 *ney General to achieve compliance, and*
 10 *verification of compliance, with the provisions of*
 11 *this section; and*

12 *(C) adopting enforcement authority that is*
 13 *substantially similar to the authority provided*
 14 *to the Secretary under the Native American*
 15 *Housing Assistance and Self-Determination Act*
 16 *of 1996 (25 U.S.C. 4101 et seq.)*

17 *(i) AUTHORIZATION OF APPROPRIATIONS.—There are*
 18 *authorized to be appropriated such sums as may be nec-*
 19 *essary for each fiscal years 2024 through 2030 to carry out*
 20 *this section.*

21 **SEC. 11020. RENTAL ASSISTANCE FOR HOMELESS OR AT-**
 22 **RISK INDIAN VETERANS.**

23 *Section 8(o)(19) of the United States Housing Act of*
 24 *1937 (42 U.S.C. 1437f(o)(19)) is amended by adding at the*
 25 *end the following:*

1 “(E) *INDIAN VETERANS HOUSING RENTAL*
2 *ASSISTANCE PROGRAM.*—

3 “(i) *DEFINITIONS.*—*In this subpara-*
4 *graph:*

5 “(I) *ELIGIBLE INDIAN VET-*
6 *ERAN.*—*The term ‘eligible Indian vet-*
7 *eran’ means an Indian veteran who*
8 *is—*

9 “(aa) *homeless or at risk of*
10 *homelessness; and*

11 “(bb) *living—*

12 “(AA) *on or near a res-*
13 *ervation; or*

14 “(BB) *in or near any*
15 *other Indian area.*

16 “(II) *ELIGIBLE RECIPIENT.*—*The*
17 *term ‘eligible recipient’ means a recipi-*
18 *ent eligible to receive a grant under*
19 *section 101 of the Native American*
20 *Housing Assistance and Self-Deter-*
21 *mination Act of 1996 (25 U.S.C.*
22 *4111).*

23 “(III) *INDIAN; INDIAN AREA.*—
24 *The terms ‘Indian’ and ‘Indian area’*
25 *have the meanings given those terms in*

1 *section 4 of the Native American Hous-*
2 *ing Assistance and Self-Determination*
3 *Act of 1996 (25 U.S.C. 4103).*

4 “(IV) *INDIAN VETERAN.*—*The*
5 *term ‘Indian veteran’ means an In-*
6 *dian who is a veteran.*

7 “(V) *PROGRAM.*—*The term ‘Pro-*
8 *gram’ means the Tribal HUD–VASH*
9 *program carried out under clause (ii).*

10 “(VI) *TRIBAL ORGANIZATION.*—
11 *The term ‘tribal organization’ has the*
12 *meaning given the term in section 4 of*
13 *the Indian Self-Determination and*
14 *Education Assistance Act (25 U.S.C.*
15 *5304).*

16 “(ii) *PROGRAM SPECIFICATIONS.*—*The*
17 *Secretary shall use not less than 5 percent*
18 *of the amounts made available for rental as-*
19 *sistance under this paragraph to carry out*
20 *a rental assistance and supported housing*
21 *program, to be known as the ‘Tribal HUD–*
22 *VASH program’, in conjunction with the*
23 *Secretary of Veterans Affairs, by awarding*
24 *grants for the benefit of eligible Indian vet-*
25 *erans.*

1 “(iii) *MODEL.*—

2 “(I) *IN GENERAL.*—*Except as pro-*
3 *vided in subclause (II), the Secretary*
4 *shall model the Program on the rental*
5 *assistance and supported housing pro-*
6 *gram authorized under subparagraph*
7 *(A) and applicable appropriations*
8 *Acts, including administration in con-*
9 *junction with the Secretary of Veterans*
10 *Affairs.*

11 “(II) *EXCEPTIONS.*—

12 “(aa) *SECRETARY OF HOUS-*
13 *ING AND URBAN DEVELOPMENT.*—
14 *After consultation with Indian*
15 *tribes, eligible recipients, and any*
16 *other appropriate tribal organiza-*
17 *tions, the Secretary may make*
18 *necessary and appropriate modi-*
19 *fications to facilitate the use of the*
20 *Program by eligible recipients to*
21 *serve eligible Indian veterans.*

22 “(bb) *SECRETARY OF VET-*
23 *ERANS AFFAIRS.*—*After consulta-*
24 *tion with Indian tribes, eligible*
25 *recipients, and any other appro-*

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1 *priate tribal organizations, the*
2 *Secretary of Veterans Affairs may*
3 *make necessary and appropriate*
4 *modifications to facilitate the use*
5 *of the Program by eligible recipi-*
6 *ents to serve eligible Indian vet-*
7 *erans.*

8 “(iv) *ELIGIBLE RECIPIENTS.*—*The Sec-*
9 *retary shall make amounts for rental assist-*
10 *ance and associated administrative costs*
11 *under the Program available in the form of*
12 *grants to eligible recipients.*

13 “(v) *FUNDING CRITERIA.*—*The Sec-*
14 *retary shall award grants under the Pro-*
15 *gram based on—*

16 “(I) *need;*

17 “(II) *administrative capacity;*

18 *and*

19 “(III) *any other funding criteria*
20 *established by the Secretary in a notice*
21 *published in the Federal Register after*
22 *consulting with the Secretary of Vet-*
23 *erans Affairs.*

24 “(vi) *ADMINISTRATION.*—*Grants*
25 *awarded under the Program shall be ad-*

1 *ministered in accordance with the Native*
2 *American Housing Assistance and Self-De-*
3 *termination Act of 1996 (25 U.S.C. 4101 et*
4 *seq.), except that recipients shall—*

5 *“(I) submit to the Secretary, in a*
6 *manner prescribed by the Secretary,*
7 *reports on the utilization of rental as-*
8 *sistance provided under the Program;*
9 *and*

10 *“(II) provide to the Secretary in-*
11 *formation specified by the Secretary to*
12 *assess the effectiveness of the Program*
13 *in serving eligible Indian veterans.*

14 *“(vii) CONSULTATION.—*

15 *“(I) GRANT RECIPIENTS; TRIBAL*
16 *ORGANIZATIONS.—The Secretary, in*
17 *coordination with the Secretary of Vet-*
18 *erans Affairs, shall consult with eligi-*
19 *ble recipients and any other appro-*
20 *priate tribal organization on the de-*
21 *sign of the Program to ensure the effec-*
22 *tive delivery of rental assistance and*
23 *supportive services to eligible Indian*
24 *veterans under the Program.*

1 “(II) *INDIAN HEALTH SERVICE.*—

2 *The Director of the Indian Health*
3 *Service shall provide any assistance re-*
4 *quested by the Secretary or the Sec-*
5 *retary of Veterans Affairs in carrying*
6 *out the Program.*

7 “(viii) *WAIVER.*—

8 “(I) *IN GENERAL.*—*Except as pro-*
9 *vided in subclause (II), the Secretary*
10 *may waive or specify alternative re-*
11 *quirements for any provision of law*
12 *(including regulations) that the Sec-*
13 *retary administers in connection with*
14 *the use of rental assistance made avail-*
15 *able under the Program if the Sec-*
16 *retary finds that the waiver or alter-*
17 *native requirement is necessary for the*
18 *effective delivery and administration of*
19 *rental assistance under the Program to*
20 *eligible Indian veterans.*

21 “(II) *EXCEPTION.*—*The Secretary*
22 *may not waive or specify alternative*
23 *requirements under subclause (I) for*
24 *any provision of law (including regu-*

lations) relating to labor standards or the environment.

“(ix) *RENEWAL GRANTS.*—The Secretary may—

“(I) set aside, from amounts made available for tenant-based rental assistance under this subsection and without regard to the amounts used for new grants under clause (ii), such amounts as may be necessary to award renewal grants to eligible recipients that received a grant under the Program in a previous year; and

“(II) specify criteria that an eligible recipient must satisfy to receive a renewal grant under subclause (I), including providing data on how the eligible recipient used the amounts of any grant previously received under the Program.

“(x) *REPORTING.*—

“(I) *IN GENERAL.*—Not later than 1 year after the date of enactment of this subparagraph, and every 5 years thereafter, the Secretary, in coordina-

1 *tion with the Secretary of Veterans Af-*
2 *fairs and the Director of the Indian*
3 *Health Service, shall—*

4 *“(aa) conduct a review of the*
5 *implementation of the Program,*
6 *including any factors that may*
7 *have limited its success; and*

8 *“(bb) submit a report de-*
9 *scribing the results of the review*
10 *under item (aa) to—*

11 *“(AA) the Committee on*
12 *Indian Affairs, the Com-*
13 *mittee on Banking, Housing,*
14 *and Urban Affairs, the Com-*
15 *mittee on Veterans’ Affairs,*
16 *and the Committee on Ap-*
17 *propriations of the Senate;*
18 *and*

19 *“(BB) the Subcommittee*
20 *on Indian, Insular and Alas-*
21 *ka Native Affairs of the Com-*
22 *mittee on Natural Resources,*
23 *the Committee on Financial*
24 *Services, the Committee on*
25 *Veterans’ Affairs, and the*

1 *Committee on Appropria-*
2 *tions of the House of Rep-*
3 *resentatives.*

4 “(II) ANALYSIS OF HOUSING
5 STOCK LIMITATION.—The Secretary
6 shall include in the initial report sub-
7 mitted under subclause (I) a descrip-
8 tion of—

9 “(aa) any regulations gov-
10 erning the use of formula current
11 assisted stock (as defined in sec-
12 tion 1000.314 of title 24, Code of
13 Federal Regulations (or any suc-
14 cessor regulation)) within the Pro-
15 gram;

16 “(bb) the number of recipi-
17 ents of grants under the Program
18 that have reported the regulations
19 described in item (aa) as a bar-
20 rier to implementation of the Pro-
21 gram; and

22 “(cc) proposed alternative
23 legislation or regulations devel-
24 oped by the Secretary in consulta-
25 tion with recipients of grants

1 under the Program to allow the
 2 use of formula current assisted
 3 stock within the Program.”.

4 **SEC. 11021. CONTINUUM OF CARE.**

5 (a) *DEFINITIONS.*—In this section—

6 (1) the terms “collaborative applicant” and “eli-
 7 gible entity” have the meanings given those terms in
 8 section 401 of the McKinney-Vento Homeless Assist-
 9 ance Act (42 U.S.C. 11360); and
 10 (2) the terms “Indian tribe” and “tribally des-
 11 ignated housing entity” have the meanings given
 12 those terms in section 4 of the Native American Hous-
 13 ing Assistance and Self-Determination Act of 1996
 14 (25 U.S.C. 4103).

15 (b) *NONAPPLICATION OF CIVIL RIGHTS LAWS.*—With
 16 respect to the funds made available for the Continuum of
 17 Care program authorized under subtitle C of title IV of the
 18 McKinney-Vento Homeless Assistance Act (42 U.S.C. 11381
 19 et seq.) under the heading “Homeless Assistance Grants”
 20 in the Department of Housing and Urban Development Ap-
 21 propriations Act, 2021 (Public Law 116–260) and under
 22 section 231 of the Department of Housing and Urban Devel-
 23 opment Appropriations Act, 2020 (42 U.S.C. 11364a), title
 24 VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.)
 25 and title VIII of the Civil Rights Act of 1968 (42 U.S.C.

1 3601 et seq.) shall not apply to applications by or awards
 2 for projects to be carried out—

3 (1) on or off reservation or trust lands for
 4 awards made to Indian tribes or tribally designated
 5 housing entities; or

6 (2) on reservation or trust lands for awards
 7 made to eligible entities.

8 (c) CERTIFICATION.—With respect to funds made
 9 available for the Continuum of Care program authorized
 10 under subtitle C of title IV of the McKinney-Vento Homeless
 11 Assistance Act (42 U.S.C. 11381 et seq.) under the heading
 12 “Homeless Assistance Grants” under section 231 of the De-
 13 partment of Housing and Urban Development Appropria-
 14 tions Act, 2020 (42 U.S.C. 11364a)—

15 (1) applications for projects to be carried out on
 16 reservations or trust land shall contain a certification
 17 of consistency with an approved Indian housing plan
 18 developed under section 102 of the Native American
 19 Housing Assistance and Self-Determination Act (25
 20 U.S.C. 4112), notwithstanding section 106 of the
 21 Cranston-Gonzalez National Affordable Housing Act
 22 (42 U.S.C. 12706) and section 403 of the McKinney-
 23 Vento Homeless Assistance Act (42 U.S.C. 11361);

24 (2) Indian tribes and tribally designated housing
 25 entities that are recipients of awards for projects on

1 *reservations or trust land shall certify that they are*
2 *following an approved housing plan developed under*
3 *section 102 of the Native American Housing Assist-*
4 *ance and Self-Determination Act (25 U.S.C. 4112);*
5 *and*

6 *(3) a collaborative applicant for a Continuum of*
7 *Care whose geographic area includes only reservation*
8 *and trust land is not required to meet the require-*
9 *ment in section 402(f)(2) of the McKinney-Vento*
10 *Homeless Assistance Act (42 U.S.C. 11360a(f)(2)).*

11 **SEC. 11022. LEVERAGING.**

12 *All funds provided under a grant made pursuant to*
13 *this division or the amendments made by this division may*
14 *be used for purposes of meeting matching or cost participa-*
15 *tion requirements under any other Federal housing pro-*
16 *gram, provided that such grants made pursuant to the Na-*
17 *tive American Housing Assistance and Self-Determination*
18 *Act of 1996 (25 U.S.C. 4101 et seq.) are spent in accordance*
19 *with that Act.*

1 ***DIVISION K—FORT BELKNAP IN-***
 2 ***DIAN COMMUNITY WATER***
 3 ***RIGHTS SETTLEMENT ACT OF***
 4 ***2023***

5 ***SEC. 11001. SHORT TITLE.***

6 *This division may be cited as the “Fort Belknap In-*
 7 *dian Community Water Rights Settlement Act of 2023”.*

8 ***SEC. 11002. PURPOSES.***

9 *The purposes of this division are—*

10 *(1) to achieve a fair, equitable, and final settle-*
 11 *ment of claims to water rights in the State of Mon-*
 12 *tana for—*

13 *(A) the Fort Belknap Indian Community of*
 14 *the Fort Belknap Reservation of Montana; and*

15 *(B) the United States, acting as trustee for*
 16 *the Fort Belknap Indian Community and*
 17 *allottees;*

18 *(2) to authorize, ratify, and confirm the water*
 19 *rights compact entered into by the Fort Belknap In-*
 20 *dian Community and the State, to the extent that the*
 21 *Compact is consistent with this division;*

22 *(3) to authorize and direct the Secretary—*

23 *(A) to execute the Compact; and*

1 (B) to take any other actions necessary to
 2 carry out the Compact in accordance with this
 3 division;

4 (4) to authorize funds necessary for the imple-
 5 mentation of the Compact and this division; and

6 (5) to authorize the exchange and transfer of cer-
 7 tain Federal and State land.

8 **SEC. 11003. DEFINITIONS.**

9 *In this division:*

10 (1) *ALLOTTEE.*—The term “allottee” means an
 11 individual who holds a beneficial real property inter-
 12 est in an allotment of Indian land that is—

13 (A) located within the Reservation; and

14 (B) held in trust by the United States.

15 (2) *BLACKFEET TRIBE.*—The term “Blackfeet
 16 Tribe” means the Blackfeet Tribe of the Blackfeet In-
 17 dian Reservation of Montana.

18 (3) *CERCLA.*—The term “CERCLA” means the
 19 Comprehensive Environmental Response, Compensa-
 20 tion, and Liability Act of 1980 (42 U.S.C. 9601 *et*
 21 *seq.*).

22 (4) *COMMISSIONER.*—The term “Commissioner”
 23 means the Commissioner of Reclamation.

24 (5) *COMPACT.*—The term “Compact” means—

1 (A) the Fort Belknap-Montana water rights
2 compact dated April 16, 2001, as contained in
3 section 85–20–1001 of the Montana Code Anno-
4 tated (2021); and

5 (B) any appendix (including appendix
6 amendments), part, or amendment to the Com-
7 pact that is executed to make the Compact con-
8 sistent with this division.

9 (6) *ENFORCEABILITY DATE.*—The term “enforce-
10 ability date” means the date described in section
11 11011(f).

12 (7) *FORT BELKNAP INDIAN COMMUNITY.*—The
13 term “Fort Belknap Indian Community” means the
14 Gros Ventre and Assiniboine Tribes of the Fort
15 Belknap Reservation of Montana, a federally recog-
16 nized Indian Tribal entity included on the list pub-
17 lished by the Secretary pursuant to section 104(a) of
18 the Federally Recognized Indian Tribe List Act of
19 1994 (25 U.S.C. 5131(a)).

20 (8) *FORT BELKNAP INDIAN COMMUNITY COUN-*
21 *CIL.*—The term “Fort Belknap Indian Community
22 Council” means the governing body of the Fort
23 Belknap Indian Community.

24 (9) *FORT BELKNAP INDIAN IRRIGATION*
25 *PROJECT.*—

1 (A) *IN GENERAL.*—The term “Fort Belknap
2 Indian Irrigation Project” means the Federal
3 Indian irrigation project constructed and oper-
4 ated by the Bureau of Indian Affairs, consisting
5 of the Milk River unit, including—

6 (i) the Three Mile unit; and

7 (ii) the White Bear unit.

8 (B) *INCLUSIONS.*—The term “Fort Belknap
9 Indian Irrigation Project” includes any addition
10 to the Fort Belknap Indian Irrigation Project
11 constructed pursuant to this division, including
12 expansion of the Fort Belknap Indian Irrigation
13 Project, the Pumping Plant, delivery Pipe and
14 Canal, the Fort Belknap Reservoir and Dam,
15 and the Peoples Creek Flood Protection Project.

16 (10) *IMPLEMENTATION FUND.*—The term “Imple-
17 mentation Fund” means the Fort Belknap Indian
18 Community Water Settlement Implementation Fund
19 established by section 11013(a).

20 (11) *INDIAN TRIBE.*—The term “Indian Tribe”
21 has the meaning given the term in section 4 of the In-
22 dian Self-Determination and Education Assistance
23 Act (25 U.S.C. 5304).

24 (12) *LAKE ELWELL.*—The term “Lake Elwell”
25 means the water impounded on the Marias River in

1 *the State by Tiber Dam, a feature of the Lower*
 2 *Marias Unit of the Pick-Sloan Missouri River Basin*
 3 *Program authorized by section 9 of the Act of Decem-*
 4 *ber 22, 1944 (commonly known as the “Flood Control*
 5 *Act of 1944”)* (58 Stat. 891, chapter 665).

6 (13) *MALTA IRRIGATION DISTRICT.*—*The term*
 7 *“Malta Irrigation District” means the public corpora-*
 8 *tion—*

9 (A) *created on December 28, 1923, pursuant*
 10 *to the laws of the State relating to irrigation dis-*
 11 *tricts; and*

12 (B) *headquartered in Malta, Montana.*

13 (14) *MILK RIVER.*—*The term “Milk River”*
 14 *means the mainstem of the Milk River and each trib-*
 15 *utary of the Milk River between the headwaters of the*
 16 *Milk River and the confluence of the Milk River with*
 17 *the Missouri River, consisting of—*

18 (A) *Montana Water Court Basins 40F,*
 19 *40G, 40H, 40I, 40J, 40K, 40L, 40M, 40N, and*
 20 *40O; and*

21 (B) *the portion of the Milk River and each*
 22 *tributary of the Milk River that flows through*
 23 *the Canadian Provinces of Alberta and Saskatch-*
 24 *ewan.*

25 (15) *MILK RIVER PROJECT.*—

1 (A) *IN GENERAL.*—The term “Milk River
2 Project” means the Bureau of Reclamation
3 project conditionally approved by the Secretary
4 on March 14, 1903, pursuant to the Act of June
5 17, 1902 (32 Stat. 388, chapter 1093), com-
6 mencing at Lake Sherburne Reservoir and pro-
7 viding water to a point approximately 6 miles
8 east of Nashua, Montana.

9 (B) *INCLUSIONS.*—The term “Milk River
10 Project” includes—

11 (i) the St. Mary Unit;

12 (ii) the Fresno Dam and Reservoir;

13 and

14 (iii) the Dodson pumping unit.

15 (16) *MISSOURI RIVER BASIN.*—The term “Mis-
16 souri River Basin” means the hydrologic basin of the
17 Missouri River, including tributaries.

18 (17) *OPERATIONS AND MAINTENANCE.*—The term
19 “operations and maintenance” means the Bureau of
20 Indian Affairs operations and maintenance activities
21 related to costs described in section 171.500 of title
22 25, Code of Federal Regulations (or a successor regu-
23 lation).

1 (18) *OPERATIONS, MAINTENANCE, AND REPLACE-*
 2 *MENT.*—*The term “operations, maintenance, and re-*
 3 *placement” means—*

4 (A) *any recurring or ongoing activity asso-*
 5 *ciated with the day-to-day operation of a project;*

6 (B) *any activity relating to scheduled or*
 7 *unscheduled maintenance of a project; and*

8 (C) *any activity relating to repairing, re-*
 9 *placing, or rehabilitating a feature of a project.*

10 (19) *PICK-SLOAN MISSOURI RIVER BASIN PRO-*
 11 *GRAM.*—*The term “Pick-Sloan Missouri River Basin*
 12 *Program” means the Pick-Sloan Missouri River*
 13 *Basin Program (authorized by section 9 of the Act of*
 14 *December 22, 1944 (commonly known as the “Flood*
 15 *Control Act of 1944”) (58 Stat. 891, chapter 665)).*

16 (20) *PMM.*—*The term “PMM” means the Prin-*
 17 *cipal Meridian, Montana.*

18 (21) *RESERVATION.*—

19 (A) *IN GENERAL.*—*The term “Reservation”*
 20 *means the area of the Fort Belknap Reservation*
 21 *in the State, as modified by this division.*

22 (B) *INCLUSIONS.*—*The term “Reservation”*
 23 *includes—*

24 (i) *all land and interests in land estab-*
 25 *lished by—*

1 (I) *the Agreement with the Gros*
 2 *Ventre and Assiniboine Tribes of the*
 3 *Fort Belknap Reservation, ratified by*
 4 *the Act of May 1, 1888 (25 Stat. 113,*
 5 *chapter 212), as modified by the Agree-*
 6 *ment with the Indians of the Fort*
 7 *Belknap Reservation of October 9,*
 8 *1895 (ratified by the Act of June 10,*
 9 *1896) (29 Stat. 350, chapter 398);*

10 (II) *the Act of March 3, 1921 (41*
 11 *Stat. 1355, chapter 135); and*

12 (III) *Public Law 94–114 (25*
 13 *U.S.C. 5501 et seq.);*

14 (ii) *the land known as the “Hancock*
 15 *lands” purchased by the Fort Belknap In-*
 16 *dian Community pursuant to the Fort*
 17 *Belknap Indian Community Council Reso-*
 18 *lution No. 234–89 (October 2, 1989); and*

19 (iii) *all land transferred to the United*
 20 *States to be held in trust for the benefit of*
 21 *the Fort Belknap Indian Community under*
 22 *section 11006.*

23 (22) *SECRETARY.—The term “Secretary” means*
 24 *the Secretary of the Interior.*

25 (23) *ST. MARY UNIT.—*

1 (A) *IN GENERAL.*—The term “St. Mary
2 Unit” means the St. Mary Storage Unit of the
3 Milk River Project authorized by Congress on
4 March 25, 1905.

5 (B) *INCLUSIONS.*—The term “St. Mary
6 Unit” includes—

- 7 (i) *Sherburne Dam and Reservoir;*
8 (ii) *Swift Current Creek Dike;*
9 (iii) *Lower St. Mary Lake;*
10 (iv) *St. Mary Canal Diversion Dam;*
11 and
12 (v) *St. Mary Canal and appur-*
13 *tenances.*

14 (24) *STATE.*—The term “State” means the State
15 of Montana.

16 (25) *TRIBAL WATER CODE.*—The term “Tribal
17 water code” means the Tribal water code enacted by
18 the Fort Belknap Indian Community pursuant to sec-
19 tion 11005(g).

20 (26) *TRIBAL WATER RIGHTS.*—The term “Tribal
21 water rights” means the water rights of the Fort
22 Belknap Indian Community, as described in Article
23 III of the Compact and this division, including the
24 allocation of water to the Fort Belknap Indian Com-
25 munity from Lake Elwell under section 11007.

1 (27) *TRUST FUND.*—*The term “Trust Fund”*
 2 *means the Aaniiih Nakoda Settlement Trust Fund es-*
 3 *tablished for the Fort Belknap Indian Community*
 4 *under section 11012(a).*

5 **SEC. 11004. RATIFICATION OF COMPACT.**

6 (a) *RATIFICATION OF COMPACT.*—

7 (1) *IN GENERAL.*—*As modified by this division,*
 8 *the Compact is authorized, ratified, and confirmed.*

9 (2) *AMENDMENTS.*—*Any amendment to the*
 10 *Compact is authorized, ratified, and confirmed to the*
 11 *extent that the amendment is executed to make the*
 12 *Compact consistent with this division.*

13 (b) *EXECUTION.*—

14 (1) *IN GENERAL.*—*To the extent that the Com-*
 15 *pact does not conflict with this division, the Secretary*
 16 *shall execute the Compact, including all appendices*
 17 *to, or parts of, the Compact requiring the signature*
 18 *of the Secretary.*

19 (2) *MODIFICATIONS.*—*Nothing in this division*
 20 *precludes the Secretary from approving any modifica-*
 21 *tion to an appendix to the Compact that is consistent*
 22 *with this division, to the extent that the modification*
 23 *does not otherwise require congressional approval*
 24 *under section 2116 of the Revised Statutes (25 U.S.C.*
 25 *177) or any other applicable provision of Federal law.*

1 (c) *ENVIRONMENTAL COMPLIANCE.*—

2 (1) *IN GENERAL.*—*In implementing the Compact*
3 *and this division, the Secretary shall comply with all*
4 *applicable provisions of—*

5 (A) *the Endangered Species Act of 1973 (16*
6 *U.S.C. 1531 et seq.);*

7 (B) *the National Environmental Policy Act*
8 *of 1969 (42 U.S.C. 4321 et seq.), including the*
9 *implementing regulations of that Act; and*

10 (C) *other applicable Federal environmental*
11 *laws and regulations.*

12 (2) *COMPLIANCE.*—

13 (A) *IN GENERAL.*—*In implementing the*
14 *Compact and this division, the Fort Belknap In-*
15 *Indian Community shall prepare any necessary*
16 *environmental documents, except for any envi-*
17 *ronmental documents required under section*
18 *11008, consistent with all applicable provisions*
19 *of—*

20 (i) *the Endangered Species Act of 1973*
21 *(16 U.S.C. 1531 et seq.);*

22 (ii) *the National Environmental Policy*
23 *Act of 1969 (42 U.S.C. 4231 et seq.), includ-*
24 *ing the implementing regulations of that*
25 *Act; and*

1 (iii) all other applicable Federal envi-
2 ronmental laws and regulations.

3 (B) *AUTHORIZATIONS.*—The Secretary
4 shall—

5 (i) independently evaluate the docu-
6 mentation submitted under subparagraph
7 (A); and

8 (ii) be responsible for the accuracy,
9 scope, and contents of that documentation.

10 (3) *EFFECT OF EXECUTION.*—The execution of
11 the Compact by the Secretary under this section shall
12 not constitute a major Federal action for purposes of
13 the National Environmental Policy Act of 1969 (42
14 U.S.C. 4321 *et seq.*).

15 (4) *COSTS.*—Any costs associated with the per-
16 formance of the compliance activities described in
17 paragraph (2) shall be paid from funds deposited in
18 the Trust Fund, subject to the condition that any
19 costs associated with the performance of Federal ap-
20 proval or other review of such compliance work or
21 costs associated with inherently Federal functions
22 shall remain the responsibility of the Secretary.

23 **SEC. 11005. TRIBAL WATER RIGHTS.**

24 (a) *CONFIRMATION OF TRIBAL WATER RIGHTS.*—

1 (1) *IN GENERAL.*—*The Tribal water rights are*
2 *ratified, confirmed, and declared to be valid.*

3 (2) *USE.*—*Any use of the Tribal water rights*
4 *shall be subject to the terms and conditions of the*
5 *Compact and this division.*

6 (3) *CONFLICT.*—*In the event of a conflict between*
7 *the Compact and this division, this division shall*
8 *control.*

9 (b) *INTENT OF CONGRESS.*—*It is the intent of Congress*
10 *to provide to each allottee benefits that are equivalent to,*
11 *or exceed, the benefits the allottees possess on the day before*
12 *the date of enactment of this division, taking into consider-*
13 *ation—*

14 (1) *the potential risks, cost, and time delay asso-*
15 *ciated with litigation that would be resolved by the*
16 *Compact and this division;*

17 (2) *the availability of funding under this divi-*
18 *sion and from other sources;*

19 (3) *the availability of water from the Tribal*
20 *water rights; and*

21 (4) *the applicability of section 7 of the Act of*
22 *February 8, 1887 (24 Stat. 390, chapter 119; 25*
23 *U.S.C. 381), and this division to protect the interests*
24 *of allottees.*

1 (c) *TRUST STATUS OF TRIBAL WATER RIGHTS.*—The
2 *Tribal water rights*—

3 (1) *shall be held in trust by the United States for*
4 *the use and benefit of the Fort Belknap Indian Com-*
5 *munity and allottees in accordance with this division;*
6 *and*

7 (2) *shall not be subject to loss through non-use,*
8 *forfeiture, or abandonment.*

9 (d) *ALLOTTEES.*—

10 (1) *APPLICABILITY OF THE ACT OF FEBRUARY 8,*
11 *1887.*—*The provisions of section 7 of the Act of Feb-*
12 *ruary 8, 1887 (24 Stat. 390, chapter 119; 25 U.S.C.*
13 *381), relating to the use of water for irrigation pur-*
14 *poses, shall apply to the Tribal water rights.*

15 (2) *ENTITLEMENT TO WATER.*—*Any entitlement*
16 *to water of an allottee under Federal law shall be sat-*
17 *isfied from the Tribal water rights.*

18 (3) *ALLOCATIONS.*—*An allottee shall be entitled*
19 *to a just and equitable allocation of water for irriga-*
20 *tion purposes.*

21 (4) *CLAIMS.*—

22 (A) *EXHAUSTION OF REMEDIES.*—*Before*
23 *asserting any claim against the United States*
24 *under section 7 of the Act of February 8, 1887*
25 *(24 Stat. 390, chapter 119; 25 U.S.C. 381), or*

1 *any other applicable law, an allottee shall ex-*
 2 *haust remedies available under the Tribal water*
 3 *code or other applicable Tribal law.*

4 *(B) ACTION FOR RELIEF.—After the exhaus-*
 5 *tion of all remedies available under the Tribal*
 6 *water code or other applicable Tribal law, an al-*
 7 *lottee may seek relief under section 7 of the Act*
 8 *of February 8, 1887 (24 Stat. 390, chapter 119;*
 9 *25 U.S.C. 381), or other applicable law.*

10 *(5) AUTHORITY OF THE SECRETARY.—The Sec-*
 11 *retary shall have the authority to protect the rights of*
 12 *allottees in accordance with this section.*

13 *(e) AUTHORITY OF THE FORT BELKNAP INDIAN COM-*
 14 *MUNITY.—*

15 *(1) IN GENERAL.—The Fort Belknap Indian*
 16 *Community shall have the authority to allocate, dis-*
 17 *tribute, and lease the Tribal water rights for use on*
 18 *the Reservation in accordance with the Compact, this*
 19 *division, and applicable Federal law.*

20 *(2) OFF-RESERVATION USE.—The Fort Belknap*
 21 *Indian Community may allocate, distribute, and*
 22 *lease the Tribal water rights for off-Reservation use in*
 23 *accordance with the Compact, this division, and ap-*
 24 *plicable Federal law—*

1 (A) *subject to the approval of the Secretary;*

2 *or*

3 (B) *pursuant to Tribal water leasing regu-*
 4 *lations consistent with the requirements of sub-*
 5 *section (f).*

6 (3) *LAND LEASES BY ALLOTTEES.*—*Notwith-*
 7 *standing paragraph (1), an allottee may lease any in-*
 8 *terest in land held by the allottee, together with any*
 9 *water right determined to be appurtenant to the in-*
 10 *terest in land, in accordance with the Tribal water*
 11 *code.*

12 (f) *TRIBAL WATER LEASING REGULATIONS.*—

13 (1) *IN GENERAL.*—*At the discretion of the Fort*
 14 *Belknap Indian Community, any water lease of the*
 15 *Fort Belknap Indian Community of the Tribal water*
 16 *rights for use on or off the Reservation shall not re-*
 17 *quire the approval of the Secretary if the lease—*

18 (A) *is executed under tribal regulations, ap-*
 19 *proved by the Secretary under this subsection;*

20 (B) *is in accordance with the Compact; and*

21 (C) *does not exceed a term of 100 years, ex-*
 22 *cept that a lease may include an option to renew*
 23 *for 1 additional term of not to exceed 100 years.*

24 (2) *AUTHORITY OF THE SECRETARY OVER TRIB-*
 25 *AL WATER LEASING REGULATIONS.*—

1 (A) *IN GENERAL.*—*The Secretary shall have*
2 *the authority to approve or disapprove any Trib-*
3 *al water leasing regulations issued in accordance*
4 *with paragraph (1).*

5 (B) *CONSIDERATIONS FOR APPROVAL.*—*The*
6 *Secretary shall approve any Tribal water leasing*
7 *regulations issued in accordance with paragraph*
8 *(1) if the Tribal water leasing regulations—*

9 (i) *provide for an environmental re-*
10 *view process that includes—*

11 (I) *the identification and evalua-*
12 *tion of any significant effects of the*
13 *proposed action on the environment;*
14 *and*

15 (II) *a process for ensuring that—*

16 (aa) *the public is informed*
17 *of, and has a reasonable oppor-*
18 *tunity to comment on, any sig-*
19 *nificant environmental impacts of*
20 *the proposed action identified by*
21 *the Fort Belknap Indian Commu-*
22 *nity; and*

23 (bb) *the Fort Belknap Indian*
24 *Community provides responses to*
25 *relevant and substantive public*

1 *comments on those impacts prior*
2 *to its approval of a water lease;*
3 *and*

4 *(ii) are consistent with this division*
5 *and the Compact.*

6 (3) *REVIEW PROCESS.—*

7 (A) *IN GENERAL.—Not later than 120 days*
8 *after the date on which Tribal water leasing reg-*
9 *ulations under paragraph (1) are submitted to*
10 *the Secretary, the Secretary shall review and ap-*
11 *prove or disapprove the regulations.*

12 (B) *WRITTEN DOCUMENTATION.—If the Sec-*
13 *retary disapproves the Tribal water leasing regu-*
14 *lations described in subparagraph (A), the Sec-*
15 *retary shall include written documentation with*
16 *the disapproval notification that describes the*
17 *basis for this disapproval.*

18 (C) *EXTENSION.—The deadline described in*
19 *subparagraph (A) may be extended by the Sec-*
20 *retary, after consultation with the Fort Belknap*
21 *Indian Community.*

22 (4) *FEDERAL ENVIRONMENTAL REVIEW.—Not-*
23 *withstanding paragraphs (2) and (3), if the Fort*
24 *Belknap Indian Community carries out a project or*

1 *activity funded by a Federal agency, the Fort*
2 *Belknap Indian Community—*

3 *(A) shall have the authority to rely on the*
4 *environmental review process of the applicable*
5 *Federal agency; and*

6 *(B) shall not be required to carry out a*
7 *tribal environmental review process under this*
8 *subsection.*

9 *(5) DOCUMENTATION.—If the Fort Belknap In-*
10 *dian Community issues a lease pursuant to Tribal*
11 *water leasing regulations under paragraph (1), the*
12 *Fort Belknap Indian Community shall provide the*
13 *Secretary and the State a copy of the lease, including*
14 *any amendments or renewals to the lease.*

15 *(6) LIMITATION OF LIABILITY.—*

16 *(A) IN GENERAL.—The United States shall*
17 *not be liable in any claim relating to the nego-*
18 *tiation, execution, or approval of any lease or ex-*
19 *change agreement or storage agreement, includ-*
20 *ing any claims relating to the terms included in*
21 *such an agreement, made pursuant to Tribal*
22 *water leasing regulations under paragraph (1).*

23 *(B) OBLIGATIONS.—The United States shall*
24 *have no trust obligation or other obligation to*
25 *monitor, administer, or account for—*

1 (i) *any funds received by the Fort*
 2 *Belknap Indian Community as consider-*
 3 *ation under any lease or exchange agree-*
 4 *ment or storage agreement; or*

5 (ii) *the expenditure of those funds.*

6 (g) *TRIBAL WATER CODE.—*

7 (1) *IN GENERAL.—Notwithstanding Article*
 8 *IV.A.2. of the Compact, not later than 4 years after*
 9 *the date on which the Fort Belknap Indian Commu-*
 10 *nity approves the Compact in accordance with section*
 11 *11011(f)(1), the Fort Belknap Indian Community*
 12 *shall enact a Tribal water code that provides for—*

13 (A) *the administration, management, regu-*
 14 *lation, and governance of all uses of the Tribal*
 15 *water rights in accordance with the Compact*
 16 *and this division; and*

17 (B) *the establishment by the Fort Belknap*
 18 *Indian Community of the conditions, permit re-*
 19 *quirements, and other requirements for the allo-*
 20 *cation, distribution, or use of the Tribal water*
 21 *rights in accordance with the Compact and this*
 22 *division.*

23 (2) *INCLUSIONS.—Subject to the approval of the*
 24 *Secretary, the Tribal water code shall provide—*

1 (A) that use of water by allottees shall be
2 satisfied with water from the Tribal water
3 rights;

4 (B) a process by which an allottee may re-
5 quest that the Fort Belknap Indian Community
6 provide water for irrigation use in accordance
7 with this division, including the provision of
8 water under any allottee lease under section 4 of
9 the Act of June 25, 1910 (36 Stat. 856, chapter
10 431; 25 U.S.C. 403);

11 (C) a due process system for the consider-
12 ation and determination by the Fort Belknap
13 Indian Community of any request of an allottee
14 (or a successor in interest to an allottee) for an
15 allocation of water for irrigation purposes on al-
16 lotted land, including a process for—

17 (i) appeal and adjudication of any de-
18 nied or disputed distribution of water; and

19 (ii) resolution of any contested admin-
20 istrative decision;

21 (D) a requirement that any allottee assert-
22 ing a claim relating to the enforcement of rights
23 of the allottee under the Tribal water code, in-
24 cluding to the quantity of water allocated to land
25 of the allottee, shall exhaust all remedies avail-

1 *able to the allottee under Tribal law before initi-*
2 *ating an action against the United States or pe-*
3 *titioning the Secretary pursuant to subsection*
4 *(d)(4)(B);*

5 *(E) a process by which an owner of fee land*
6 *within the boundaries of the Reservation may*
7 *apply for use of a portion of the Tribal water*
8 *rights; and*

9 *(F) a process for the establishment of a con-*
10 *trolled Groundwater area and for the manage-*
11 *ment of that area in cooperation with establish-*
12 *ment of a contiguous controlled Groundwater*
13 *area off the Reservation established pursuant to*
14 *Section B.2. of Article IV of the Compact and*
15 *State law.*

16 *(3) ACTION BY SECRETARY.—*

17 *(A) IN GENERAL.—During the period begin-*
18 *ning on the date of enactment of this Act and*
19 *ending on the date on which a Tribal water code*
20 *described in paragraphs (1) and (2) is enacted,*
21 *the Secretary shall administer, with respect to*
22 *the rights of allottees, the Tribal water rights in*
23 *accordance with the Compact and this division.*

1 (B) *APPROVAL.*—*The Tribal water code de-*
 2 *scribed in paragraphs (1) and (2) shall not be*
 3 *valid unless—*

4 (i) *the provisions of the Tribal water*
 5 *code required by paragraph (2) are ap-*
 6 *proved by the Secretary; and*

7 (ii) *each amendment to the Tribal*
 8 *water code that affects a right of an allottee*
 9 *is approved by the Secretary.*

10 (C) *APPROVAL PERIOD.*—

11 (i) *IN GENERAL.*—*The Secretary shall*
 12 *approve or disapprove the Tribal water code*
 13 *or an amendment to the Tribal water code*
 14 *by not later than 180 days after the date on*
 15 *which the Tribal water code or amendment*
 16 *to the Tribal water code is submitted to the*
 17 *Secretary.*

18 (ii) *EXTENSIONS.*—*The deadline de-*
 19 *scribed in clause (i) may be extended by the*
 20 *Secretary, after consultation with the Fort*
 21 *Belknap Indian Community.*

22 (h) *ADMINISTRATION.*—

23 (1) *NO ALIENATION.*—*The Fort Belknap Indian*
 24 *Community shall not permanently alienate any por-*
 25 *tion of the Tribal water rights.*

1 (2) *PURCHASES OR GRANTS OF LAND FROM INDI-*
 2 *ANS.—An authorization provided by this division for*
 3 *the allocation, distribution, leasing, or other arrange-*
 4 *ment entered into pursuant to this division shall be*
 5 *considered to satisfy any requirement for authoriza-*
 6 *tion of the action required by Federal law.*

7 (3) *PROHIBITION ON FORFEITURE.—The non-use*
 8 *of all or any portion of the Tribal water rights by*
 9 *any water user shall not result in the forfeiture, aban-*
 10 *donment, relinquishment, or other loss of all or any*
 11 *portion of the Tribal water rights.*

12 (i) *EFFECT.—Except as otherwise expressly provided*
 13 *in this section, nothing in this division—*

14 (1) *authorizes any action by an allottee against*
 15 *any individual or entity, or against the Fort Belknap*
 16 *Indian Community, under Federal, State, Tribal, or*
 17 *local law; or*

18 (2) *alters or affects the status of any action*
 19 *brought pursuant to section 1491(a) of title 28,*
 20 *United States Code.*

21 (j) *PICK-SLOAN MISSOURI RIVER BASIN PROGRAM*
 22 *POWER RATES.—*

23 (1) *IN GENERAL.—Notwithstanding any other*
 24 *provision of law, the Secretary, in cooperation with*
 25 *the Secretary of Energy, shall make available the*

1 *Pick-Sloan Missouri River Basin Program irrigation*
 2 *project pumping power rates to the Fort Belknap In-*
 3 *dian Community, the Fort Belknap Indian Irrigation*
 4 *Project, and any projects funded under this division.*

5 (2) *AUTHORIZED PURPOSES.—The power rates*
 6 *made available under paragraph (1) shall be author-*
 7 *ized for the purposes of wheeling, administration, and*
 8 *payment of irrigation project pumping power rates,*
 9 *including project use power for gravity power.*

10 **SEC. 11006. EXCHANGE AND TRANSFER OF LAND.**

11 (a) *EXCHANGE OF ELIGIBLE LAND AND STATE*
 12 *LAND.—*

13 (1) *DEFINITIONS.—In this subsection:*

14 (A) *ELIGIBLE LAND.—The term “eligible*
 15 *land” means—*

16 (i) *public lands (as defined in section*
 17 *103 of the Federal Land Policy and Man-*
 18 *agement Act of 1976 (43 U.S.C. 1702)) that*
 19 *are administered by the Secretary, acting*
 20 *through the Director of the Bureau of Land*
 21 *Management; and*

22 (ii) *land in the National Forest Sys-*
 23 *tem (as defined in section 11(a) of the For-*
 24 *est and Rangeland Resources Planning Act*
 25 *of 1974 (16 U.S.C. 1609(a)) that is admin-*

1 *istered by the Secretary of Agriculture, act-*
 2 *ing through the Chief of the Forest Service.*

3 (B) *SECRETARY CONCERNED.*—*The term*
 4 *“Secretary concerned” means, as applicable—*

5 *(i) the Secretary, with respect to the el-*
 6 *igible land administered by the Bureau of*
 7 *Land Management; and*

8 *(ii) the Secretary of Agriculture, with*
 9 *respect to eligible land managed by the For-*
 10 *est Service.*

11 (2) *NEGOTIATIONS AUTHORIZED.*—

12 (A) *IN GENERAL.*—*The Secretary concerned*
 13 *shall offer to enter into negotiations with the*
 14 *State for the purpose of exchanging eligible land*
 15 *described in paragraph (4) for the State land de-*
 16 *scribed in paragraph (3).*

17 (B) *REQUIREMENTS.*—*Any exchange of*
 18 *land made pursuant to this subsection shall be*
 19 *subject to the terms and conditions of this sub-*
 20 *section.*

21 (C) *PRIORITY.*—

22 (i) *IN GENERAL.*—*In carrying out this*
 23 *paragraph, the Secretary and the Secretary*
 24 *of Agriculture shall, during the 5-year pe-*
 25 *riod beginning on the date of enactment of*

1 *this Act, give priority to an exchange of eli-*
 2 *gible land located within the State for State*
 3 *land.*

4 *(ii) SECRETARY OF AGRICULTURE.—*
 5 *The responsibility of the Secretary of Agri-*
 6 *culture under clause (i), during the 5-year*
 7 *period described in that clause, shall be lim-*
 8 *ited to negotiating with the State an accept-*
 9 *able package of land in the National Forest*
 10 *System (as defined in section 11(a) of the*
 11 *Forest and Rangeland Resources Planning*
 12 *Act of 1974 (16 U.S.C. 1609(a)).*

13 *(3) STATE LAND.—The Secretary is authorized*
 14 *to accept the following parcels of State land located*
 15 *on and off the Reservation:*

16 *(A) 717.56 acres in T. 26 N., R. 22 E., sec.*
 17 *16.*

18 *(B) 707.04 acres in T. 27 N., R. 22 E., sec.*
 19 *16.*

20 *(C) 640 acres in T. 27 N., R. 21 E., sec. 36.*

21 *(D) 640 acres in T. 26 N., R. 23 E., sec. 16.*

22 *(E) 640 acres in T. 26 N., R. 23 E., sec. 36.*

23 *(F) 640 acres in T. 26 N., R. 26 E., sec. 16.*

24 *(G) 640 acres in T. 26 N., R. 22 E., sec. 36.*

1 (H) 640 acres in T. 27 N., R. 23 E., sec.

2 16.

3 (I) 640 acres in T. 27 N., R. 25 E., sec. 36.

4 (J) 640 acres in T. 28 N., R. 22 E., sec. 36.

5 (K) 640 acres in T. 28 N., R. 23 E., sec. 16.

6 (L) 640 acres in T. 28 N., R. 24 E., sec. 36.

7 (M) 640 acres in T. 28 N., R. 25 E., sec.

8 16.

9 (N) 640 acres in T. 28 N., R. 25 E., sec. 36.

10 (O) 640 acres in T. 28 N., R. 26 E., sec. 16.

11 (P) 94.96 acres in T. 28 N., R. 26 E., sec.

12 36, under lease by the Fort Belknap Indian

13 Community Council on the date of enactment of

14 this Act, comprised of—

15 (i) 30.68 acres in lot 5;

16 (ii) 26.06 acres in lot 6;

17 (iii) 21.42 acres in lot 7; and

18 (iv) 16.8 acres in lot 8.

19 (Q) 652.32 acres in T. 29 N., R. 22 E., sec.

20 16, excluding the 73.36 acres under lease by in-

21 dividuals who are not members of the Fort

22 Belknap Indian Community, on the date of en-

23 actment of this Act.

24 (R) 640 acres in T. 29 N., R. 22 E., sec. 36.

25 (S) 640 acres in T. 29 N., R. 23 E., sec. 16.

1 (T) 640 acres in T. 29 N., R. 24 E., sec. 16.

2 (U) 640 acres in T. 29 N., R. 24 E., sec.

3 36.

4 (V) 640 acres in T. 29 N., R. 25 E., sec. 16.

5 (W) 640 acres in T. 29 N., R. 25 E., sec.

6 36.

7 (X) 640 acres in T. 29 N., R. 26 E., sec. 16.

8 (Y) 663.22 acres in T. 30 N., R. 22 E., sec.

9 16, excluding the 58.72 acres under lease by in-
10 dividuals who are not members of the Fort
11 Belknap Indian Community on the date of en-
12 actment of this Act.

13 (Z) 640 acres in T. 30 N., R. 22 E., sec. 36.

14 (AA) 640 acres in T. 30 N., R. 23 E., sec.

15 16.

16 (BB) 640 acres in T. 30 N., R. 23 E., sec.

17 36.

18 (CC) 640 acres in T. 30 N., R. 24 E., sec.

19 16.

20 (DD) 640 acres in T. 30 N., R. 24 E., sec.

21 36.

22 (EE) 640 acres in T. 30 N., R. 25 E., sec.

23 16.

24 (FF) 275.88 acres in T. 30 N., R. 26 E.,

25 sec. 36, under lease by the Fort Belknap Indian

1 *Community Council on the date of enactment of*
 2 *this Act.*

3 *(GG) 640 acres in T. 31 N., R. 22 E., sec.*
 4 *36.*

5 *(HH) 640 acres in T. 31 N., R. 23 E., sec.*
 6 *16.*

7 *(II) 640 acres in T. 31 N., R. 23 E., sec.*
 8 *36.*

9 *(JJ) 34.04 acres in T. 31 N., R. 26 E., sec.*
 10 *16, lot 4.*

11 *(KK) 640 acres in T. 25 N., R. 22 E., sec.*
 12 *16.*

13 *(4) ELIGIBLE LAND.—*

14 *(A) IN GENERAL.—Subject to valid existing*
 15 *rights, the reservation of easements or rights-of-*
 16 *way deemed necessary to be retained by the Sec-*
 17 *retary concerned, and the requirements of this*
 18 *subsection, the Secretary is authorized and di-*
 19 *rected to convey to the State any eligible land*
 20 *within the State identified in the negotiations*
 21 *authorized by paragraph (2) and agreed to by*
 22 *the Secretary concerned.*

23 *(B) EXCEPTIONS.—The Secretary concerned*
 24 *shall exclude from any conveyance any parcel of*
 25 *eligible land that is—*

1 (i) *included within the National Land-*
2 *scape Conservation System established by*
3 *section 2002(a) of the Omnibus Public Land*
4 *Management Act of 2009 (16 U.S.C.*
5 *7202(a)), without regard to whether that*
6 *land has been identified as available for dis-*
7 *posal in a land use plan;*

8 (ii) *designated as wilderness by Con-*
9 *gress;*

10 (iii) *within a component of the Na-*
11 *tional Wild and Scenic Rivers System; or*

12 (iv) *designated in the Forest Land and*
13 *Resource Management Plan as a Research*
14 *Natural Area.*

15 (C) *ADMINISTRATIVE RESPONSIBILITY.—*

16 *The Secretary shall be responsible for meeting all*
17 *substantive and any procedural requirements*
18 *necessary to complete the exchange and the con-*
19 *veyance of the eligible land.*

20 (5) *LAND INTO TRUST.—On completion of the*
21 *land exchange authorized by this subsection, the Sec-*
22 *retary shall, as soon as practicable after the enforce-*
23 *ability date, take the land received by the United*
24 *States pursuant to this subsection into trust for the*
25 *benefit of the Fort Belknap Indian Community.*

1 (6) *TERMS AND CONDITIONS.*—

2 (A) *EQUAL VALUE.*—*The values of the eligi-*
3 *ble land and State land exchanged under this*
4 *subsection shall be equal, except that the Sec-*
5 *retary concerned may—*

6 (i) *exchange land that is of approxi-*
7 *mately equal value if such an exchange*
8 *complies with the requirements of section*
9 *206(h) of the Federal Land Policy and*
10 *Management Act of 1976 (43 U.S.C.*
11 *1716(h)) (and any regulations imple-*
12 *menting that section) without regard to the*
13 *monetary limitation described in paragraph*
14 *(1)(A) of that section; and*

15 (ii) *make or accept an equalization*
16 *payment, or waive an equalization pay-*
17 *ment, if such a payment or waiver of a*
18 *payment complies with the requirements of*
19 *section 206(b) of that Act (43 U.S.C.*
20 *1716(b)) (and any regulations imple-*
21 *menting that section).*

22 (B) *IMPACTS ON LOCAL GOVERNMENTS.*—*In*
23 *identifying eligible land to be exchanged with the*
24 *State, the Secretary concerned and the State*
25 *may—*

1 (i) *consider the financial impacts of*
 2 *exchanging specific eligible land on local*
 3 *governments; and*

4 (ii) *attempt to minimize the financial*
 5 *impact of the exchange on local govern-*
 6 *ments.*

7 (C) *EXISTING AUTHORIZATIONS.—*

8 (i) *ELIGIBLE LAND CONVEYED TO THE*
 9 *STATE.—*

10 (I) *IN GENERAL.—Any eligible*
 11 *land conveyed to the State under this*
 12 *subsection shall be subject to any valid*
 13 *existing rights, contracts, leases, per-*
 14 *mits, and rights-of-way, unless the*
 15 *holder of the right, contract, lease, per-*
 16 *mit, or right-of-way requests an earlier*
 17 *termination in accordance with exist-*
 18 *ing law.*

19 (II) *ASSUMPTION BY STATE.—The*
 20 *State shall assume all benefits and ob-*
 21 *ligations of the Forest Service or the*
 22 *Bureau of Land Management, as ap-*
 23 *plicable, under the existing rights, con-*
 24 *tracts, leases, permits, and rights-of-*
 25 *way described in subclause (I).*

1 (ii) *STATE LAND CONVEYED TO THE*
2 *UNITED STATES.*—

3 (I) *IN GENERAL.*—*Any State land*
4 *conveyed to the United States under*
5 *this subsection and taken into trust for*
6 *the benefit of the Fort Belknap Indian*
7 *Community subject shall be to any*
8 *valid existing rights, contracts, leases,*
9 *permits, and rights-of-way, unless the*
10 *holder of the right, contract, lease, per-*
11 *mit, or right-of-way requests an earlier*
12 *termination in accordance with exist-*
13 *ing law.*

14 (II) *ASSUMPTION BY BUREAU OF*
15 *INDIAN AFFAIRS.*—*The Bureau of In-*
16 *dian Affairs shall—*

17 (aa) *assume all benefits and*
18 *obligations of the State under the*
19 *existing rights, contracts, leases,*
20 *permits, and rights-of-way de-*
21 *scribed in subclause (I); and*

22 (bb) *disburse to the Fort*
23 *Belknap Indian Community any*
24 *amounts that accrue to the United*
25 *States from those rights, contracts,*

1 leases, permits, and rights-of-way,
 2 after the date of transfer from any
 3 sale, bonus, royalty, or rental re-
 4 lating to that land in the same
 5 manner as amounts received from
 6 other land held by the Secretary
 7 in trust for the benefit of the Fort
 8 Belknap Indian Community.

9 (D) *PERSONAL PROPERTY.*—

10 (i) *IN GENERAL.*—Any improvements
 11 constituting personal property, as defined
 12 by State law, belonging to the holder of a
 13 right, contract, lease, permit, or right-of-
 14 way on land transferred to the United
 15 States under this subsection shall—

16 (I) remain the property of the
 17 holder; and

18 (II) be removed not later than 90
 19 days after the date on which the right,
 20 contract, lease, permit, or right-of-way
 21 expires, unless the Fort Belknap In-
 22 dian Community and the holder agree
 23 otherwise.

24 (ii) *REMAINING PROPERTY.*—Any per-
 25 sonal property described in clause (i) re-

1 *maining with the holder described in that*
2 *clause beyond the 90-day period described*
3 *in subclause (II) of that clause shall—*

4 *(I) become the property of the*
5 *Fort Belknap Indian Community; and*

6 *(II) be subject to removal and dis-*
7 *position at the discretion of the Fort*
8 *Belknap Indian Community.*

9 *(iii) LIABILITY OF PREVIOUS HOLD-*
10 *ER.—The holder of personal property de-*
11 *scribed in clause (i) shall be liable for costs*
12 *incurred by the Fort Belknap Indian Com-*
13 *munity in removing and disposing of the*
14 *personal property under clause (ii)(II).*

15 *(7) TECHNICAL CORRECTIONS.—Notwithstanding*
16 *the descriptions of the parcels of land owned by the*
17 *State under paragraph (3), the State may, with the*
18 *consent of the Fort Belknap Indian Community,*
19 *make technical corrections to the legal land descrip-*
20 *tions to more specifically identify the State parcels to*
21 *be exchanged.*

22 *(8) ASSISTANCE.—The Secretary shall provide*
23 *\$10,000,000 of financial or other assistance to the*
24 *State and the Fort Belknap Indian Community as*
25 *may be necessary to obtain the appraisals, and to sat-*

1 *isfy administrative requirements, necessary to accom-*
 2 *plish the exchanges under paragraph (2).*

3 *(b) FEDERAL LAND TRANSFERS.—*

4 *(1) IN GENERAL.—Subject to valid existing*
 5 *rights and the requirements of this subsection, all*
 6 *right, title, and interest of the United States in and*
 7 *to the land described in paragraph (2) shall be held*
 8 *by the United States in trust for the benefit of the*
 9 *Fort Belknap Indian Community as part of the Res-*
 10 *ervation on the enforceability date.*

11 *(2) FEDERAL LAND.—*

12 *(A) BUREAU OF LAND MANAGEMENT PAR-*
 13 *CELS.—*

14 *(i) 59.46 acres in T. 25 N., R. 22 E.,*
 15 *sec. 4, comprised of—*

16 *(I) 19.55 acres in lot 10;*

17 *(II) 19.82 acres in lot 11; and*

18 *(III) 20.09 acres in lot 16.*

19 *(ii) 324.24 acres in the N¹/₂ of T. 25*
 20 *N., R. 22 E., sec. 5.*

21 *(iii) 403.56 acres in T. 25 N., R. 22*
 22 *E., sec. 9, comprised of—*

23 *(I) 20.39 acres in lot 2;*

24 *(II) 20.72 acres in lot 7;*

25 *(III) 21.06 acres in lot 8;*

- 1 (IV) 40.00 acres in lot 9;
 2 (V) 40.00 acres in lot 10;
 3 (VI) 40.00 acres in lot 11;
 4 (VII) 40.00 acres in lot 12;
 5 (VIII) 21.39 acres in lot 13; and
 6 (IX) 160 acres in SW¹/₄.

7 (iv) 70.63 acres in T. 25 N., R. 22 E.,
 8 sec. 13, comprised of—

- 9 (I) 18.06 acres in lot 5;
 10 (II) 18.25 acres in lot 6;
 11 (III) 18.44 acres in lot 7; and
 12 (IV) 15.88 acres in lot 8.

13 (v) 71.12 acres in T. 25 N., R. 22 E.,
 14 sec. 14, comprised of—

- 15 (I) 17.65 acres in lot 5;
 16 (II) 17.73 acres in lot 6;
 17 (III) 17.83 acres in lot 7; and
 18 (IV) 17.91 acres in lot 8.

19 (vi) 103.29 acres in T. 25 N., R. 22 E.,
 20 sec. 15, comprised of—

- 21 (I) 21.56 acres in lot 6;
 22 (II) 29.50 acres in lot 7;
 23 (III) 17.28 acres in lot 8;
 24 (IV) 17.41 acres in lot 9; and
 25 (V) 17.54 acres in lot 10.

1 (vii) 160 acres in T. 26 N., R. 21 E.,
 2 sec. 1, comprised of—

3 (I) 80 acres in the $S^{1/2}$ of the
 4 NW $^{1/4}$; and
 5 (II) 80 acres in the $W^{1/2}$ of the
 6 SW $^{1/4}$.

7 (viii) 567.50 acres in T. 26 N., R. 21
 8 E., sec. 2, comprised of—

9 (I) 82.54 acres in the $E^{1/2}$ of the
 10 NW $^{1/4}$;

11 (II) 164.96 acres in the NE $^{1/4}$;
 12 and

13 (III) 320 acres in the $S^{1/2}$.

14 (ix) 240 acres in T. 26 N., R. 21 E.,
 15 sec. 3, comprised of—

16 (I) 40 acres in the SE $^{1/4}$ of the
 17 NW $^{1/4}$;

18 (II) 160 acres in the SW $^{1/4}$; and

19 (III) 40 acres in the SW $^{1/4}$ of the
 20 SE $^{1/4}$.

21 (x) 120 acres in T. 26 N., R. 21 E.,
 22 sec. 4, comprised of—

23 (I) 80 acres in the $E^{1/2}$ of the
 24 SE $^{1/4}$; and

1 (II) 40 acres in the NW^{1/4} of the
2 SE^{1/4}.

3 (xi) 200 acres in T. 26 N., R. 21 E.,
4 sec. 5, comprised of—

5 (I) 160 acres in the SW^{1/4}; and

6 (II) 40 acres in the SW^{1/4} of the
7 NW^{1/4}.

8 (xii) 40 acres in the SE^{1/4} of the SE^{1/4}
9 of T. 26 N., R. 21 E., sec. 6.

10 (xiii) 240 acres in T. 26 N., R. 21 E.,
11 sec. 8, comprised of—

12 (I) 40 acres in the NE^{1/4} of the
13 SW^{1/4};

14 (II) 160 acres in the NW^{1/4}; and

15 (III) 40 acres in the NW^{1/4} of the
16 SE^{1/4}.

17 (xiv) 320 acres in the E^{1/2} of T. 26 N.,
18 R. 21 E., sec. 9.

19 (xv) 640 acres in T. 26 N., R. 21 E.,
20 sec. 10.

21 (xvi) 600 acres in T. 26 N., R. 21 E.,
22 sec. 11, comprised of—

23 (I) 320 acres in the N^{1/2};

24 (II) 80 acres in the N^{1/2} of the
25 SE^{1/4};

1 (III) 160 acres in the $SW^{1/4}$; and

2 (IV) 40 acres in the $SW^{1/4}$ of the

3 $SE^{1/4}$.

4 (xvii) 525.81 acres in T. 26 N., R. 22

5 E., sec. 21, comprised of—

6 (I) 6.62 acres in lot 1;

7 (II) 5.70 acres in lot 2;

8 (III) 56.61 acres in lot 5;

9 (IV) 56.88 acres in lot 6;

10 (V) 320 acres in the $W^{1/2}$; and

11 (VI) 80 acres in the $W^{1/2}$ of the

12 $SE^{1/4}$.

13 (xviii) 719.58 acres in T. 26 N., R. 22

14 E., sec. 28.

15 (xix) 560 acres in T. 26 N., R. 22 E.,

16 sec. 29, comprised of—

17 (I) 320 acres in the $N^{1/2}$;

18 (II) 160 acres in the $N^{1/2}$ of the

19 $S^{1/2}$; and

20 (III) 80 acres in the $S^{1/2}$ of the

21 $SE^{1/4}$.

22 (xx) 400 acres in T. 26 N., R. 22 E.,

23 sec. 32, comprised of—

24 (I) 320 acres in the $S^{1/2}$; and

1 (II) 80 acres in the $S^{1/2}$ of the
 2 $NW^{1/4}$.

3 (xxi) 455.51 acres in T. 26 N., R. 22
 4 E., sec. 33, comprised of—

5 (I) 58.25 acres in lot 3;

6 (II) 58.5 acres in lot 4;

7 (III) 58.76 acres in lot 5;

8 (IV) 40 acres in the $NW^{1/4}$ of the
 9 $NE^{1/4}$;

10 (V) 160 acres in the $SW^{1/4}$; and

11 (VI) 80 acres in the $W^{1/2}$ of the
 12 $SE^{1/4}$.

13 (xxii) 88.71 acres in T. 27 N., R. 21
 14 E., sec. 1, comprised of—

15 (I) 24.36 acres in lot 1;

16 (II) 24.35 acres in lot 2; and

17 (III) 40 acres in the $SW^{1/4}$ of the
 18 $SW^{1/4}$.

19 (xxiii) 80 acres in T. 27 N., R. 21 E.,
 20 sec. 3, comprised of—

21 (I) 40 acres in lot 11; and

22 (II) 40 acres in lot 12.

23 (xxiv) 80 acres in T. 27 N., R. 21 E.,
 24 sec. 11, comprised of—

1 (I) 40 acres in the NW^{1/4} of the
2 SW^{1/4}; and

3 (II) 40 acres in the SW^{1/4} of the
4 NW^{1/4}.

5 (xxv) 200 acres in T. 27 N., R. 21 E.,
6 sec. 12, comprised of—

7 (I) 80 acres in the E^{1/2} of the
8 SW^{1/4};

9 (II) 40 acres in the NW^{1/4} of the
10 NW^{1/4}; and

11 (III) 80 acres in the S^{1/2} of the
12 NW^{1/4}.

13 (xxvi) 40 acres in the SE^{1/4} of the
14 NE^{1/4} of T. 27 N., R. 21 E., sec. 23.

15 (xxvii) 320 acres in T. 27 N., R. 21 E.,
16 sec. 24, comprised of—

17 (I) 80 acres in the E^{1/2} of the
18 NW^{1/4};

19 (II) 160 acres in the NE^{1/4};

20 (III) 40 acres in the NE^{1/4} of the
21 SE^{1/4}; and

22 (IV) 40 acres in the SW^{1/4} of the
23 SW^{1/4}.

24 (xxviii) 120 acres in T. 27 N., R. 21
25 E., sec. 25, comprised of—

1 (I) 80 acres in the $S^{1/2}$ of the
2 $NE^{1/4}$; and

3 (II) 40 acres in the $SE^{1/4}$ of the
4 $NW^{1/4}$.

5 (xxix) 40 acres in the $NE^{1/4}$ of the
6 $SE^{1/4}$ of T. 27 N., R. 21 E., sec. 26.

7 (xxx) 160 acres in the $NW^{1/4}$ of T. 27
8 N., R. 21 E., sec. 27.

9 (xxxi) 40 acres in the $SW^{1/4}$ of the
10 $SW^{1/4}$ of T. 27 N., R. 21 E., sec. 29.

11 (xxvii) 40 acres in the $SW^{1/4}$ of the
12 $NE^{1/4}$ of T. 27 N., R. 21 E., sec 30.

13 (xxviii) 120 acres in T. 27 N., R. 21
14 E., sec. 33, comprised of—

15 (I) 40 acres in the $SE^{1/4}$ of the
16 $NE^{1/4}$; and

17 (II) 80 acres in the $N^{1/2}$ of the
18 $SE^{1/4}$.

19 (xxiv) 440 acres in T. 27 N., R. 21
20 E., sec. 34, comprised of—

21 (I) 160 acres in the $N^{1/2}$ of the
22 $S^{1/2}$;

23 (II) 160 acres in the $NE^{1/4}$;

24 (III) 80 acres in the $S^{1/2}$ of the
25 $NW^{1/4}$; and

1 (IV) 40 acres in the $SE^{1/4}$ of the
 2 $SE^{1/4}$.

3 (xxxv) 133.44 acres in T. 27 N., R. 22
 4 E., sec. 4, comprised of—

5 (I) 28.09 acres in lot 5;

6 (II) 25.35 acres in lot 6;

7 (III) 40 acres in lot 10; and

8 (IV) 40 acres in lot 15.

9 (xxxvi) 160 acres in T. 27 N., R. 22
 10 E., sec. 7, comprised of—

11 (I) 40 acres in the $NE^{1/4}$ of the
 12 $NE^{1/4}$;

13 (II) 40 acres in the $NW^{1/4}$ of the
 14 $SW^{1/4}$; and

15 (III) 80 acres in the $W^{1/2}$ of the
 16 $NW^{1/4}$.

17 (xxxvii) 120 acres in T. 27 N., R. 22
 18 E., sec. 8, comprised of—

19 (I) 80 acres in the $E^{1/2}$ of the
 20 $NW^{1/4}$; and

21 (II) 40 acres in the $NE^{1/4}$ of the
 22 $SW^{1/4}$.

23 (xxxviii) 40 acres in the $SW^{1/4}$ of the
 24 $NW^{1/4}$ of T. 27 N., R. 22 E., sec. 9.

1 *(xxxix) 40 acres in the NE^{1/4} of the*
 2 *SW^{1/4} of T. 27 N., R. 22 E., sec. 17.*

3 *(xl) 40 acres in the NW^{1/4} of the NW^{1/4}*
 4 *of T. 27 N., R. 22 E., sec. 19.*

5 *(xli) 40 acres in the SE^{1/4} of the NW^{1/4}*
 6 *of T. 27 N., R. 22 E., sec. 20.*

7 *(xlii) 80 acres in the W^{1/2} of the SE^{1/4}*
 8 *of T. 27 N., R. 22 E., sec. 31.*

9 *(xliv) 52.36 acres in the SE^{1/4} of the*
 10 *SE^{1/4} of T. 27 N., R. 22 E., sec. 33.*

11 *(xlv) 40 acres in the NE^{1/4} of the*
 12 *SW^{1/4} of T. 28 N., R. 22 E., sec. 29.*

13 *(xlv) 40 acres in the NE^{1/4} of the NE^{1/4}*
 14 *of T. 26 N., R. 21 E., sec. 7.*

15 *(xlvi) 40 acres in the SW^{1/4} of the*
 16 *NW^{1/4} of T. 26 N., R. 21 E., sec. 12.*

17 *(xlvii) 42.38 acres in the NW^{1/4} of the*
 18 *NE^{1/4} of T. 26 N., R. 22 E., sec. 6.*

19 *(xlviii) 320 acres in the E^{1/2} of T. 26*
 20 *N., R. 22 E., sec. 17.*

21 *(xlix) 80 acres in the E^{1/2} of the NE^{1/4}*
 22 *of T. 26 N., R. 22 E., sec. 20.*

23 *(l) 240 acres in T. 26 N., R. 22 E., sec.*
 24 *30, comprised of—*

1 (I) 80 acres in the $E^{1/2}$ of the
2 $NE^{1/4}$;

3 (II) 80 acres in the $N^{1/2}$ of the
4 $SE^{1/4}$;

5 (III) 40 acres in the $SE^{1/4}$ of the
6 $NW^{1/4}$; and

7 (IV) 40 acres in the $SW^{1/4}$ of the
8 $NE^{1/4}$.

9 (B) BUREAU OF INDIAN AFFAIRS.—The par-
10 cels of approximately 3,519.3 acres of trust land
11 that have been converted to fee land, judicially
12 foreclosed on, acquired by the Department of Ag-
13 riculture, and transferred to the Bureau of In-
14 dian Affairs, described in clauses (i) through
15 (iii).

16 (i) PARCEL 1.—The land described in
17 this clause is 640 acres in T. 29 N., R. 26
18 E., comprised of—

19 (I) 160 acres in the $SW^{1/4}$ of sec.
20 27;

21 (II) 160 acres in the $NE^{1/4}$ of sec.
22 33; and

23 (III) 320 acres in the $W^{1/2}$ of sec.
24 34.

1 (ii) *PARCEL 2.*—*The land described in*
 2 *this clause is 320 acres in the N^{1/2} of T. 30*
 3 *N., R. 23 E., sec. 28.*

4 (iii) *PARCEL 3.*—*The land described in*
 5 *this clause is 2,559.3 acres, comprised of—*

6 (I) *T. 28 N., R. 24 E., includ-*
 7 *ing—*

8 (aa) *of sec. 16—*

9 (AA) *5 acres in the E^{1/2},*
 10 *W^{1/2}, E^{1/2}, W^{1/2}, W^{1/2}, NE^{1/4};*

11 (BB) *10 acres in the*
 12 *E^{1/2}, E^{1/2}, W^{1/2}, W^{1/2}, NE^{1/4};*

13 (CC) *40 acres in the*
 14 *E^{1/2}, W^{1/2}, NE^{1/4};*

15 (DD) *40 acres in the*
 16 *W^{1/2}, E^{1/2}, NE^{1/4};*

17 (EE) *20 acres in the*
 18 *W^{1/2}, E^{1/2}, E^{1/2}, NE^{1/4};*

19 (FF) *5 acres in the*
 20 *W^{1/2}, W^{1/2}, E^{1/2}, E^{1/2}, E^{1/2},*
 21 *NE^{1/4}; and*

22 (GG) *160 acres in the*
 23 *SE^{1/4};*

24 (bb) *640 acres in sec. 21;*

1 (cc) 320 acres in the $S^{1/2}$ of
2 sec. 22; and

3 (dd) 320 acres in the $W^{1/2}$ of
4 sec. 27;

5 (II) T. 29 N., R. 25 E., PMM, in-
6 cluding—

7 (aa) 320 acres in the $S^{1/2}$ of
8 sec. 1; and

9 (bb) 320 acres in the $N^{1/2}$ of
10 sec. 12;

11 (III) 39.9 acres in T. 29 N., R. 26
12 E., PMM, sec. 6, lot 2;

13 (IV) T. 30 N., R. 26 E., PMM, in-
14 cluding—

15 (aa) 39.4 acres in sec. 3, lot
16 2;

17 (bb) 40 acres in the $SW^{1/4}$ of
18 the $SW^{1/4}$ of sec. 4;

19 (cc) 80 acres in the $E^{1/2}$ of
20 the $SE^{1/4}$ of sec. 5;

21 (dd) 80 acres in the $S^{1/2}$ of
22 the $SE^{1/4}$ of sec. 7; and

23 (ee) 40 acres in the $N^{1/2}$,
24 $N^{1/2}$, $NE^{1/4}$ of sec. 18; and

1 (V) 40 acres in T. 31 N., R. 26
 2 E., PMM, the NW¹/₄ of the SE¹/₄ of sec.
 3 31.

4 (3) *TERMS AND CONDITIONS.*—

5 (A) *EXISTING AUTHORIZATIONS.*—

6 (i) *IN GENERAL.*—*Federal land trans-*
 7 *ferred under this subsection shall be con-*
 8 *veyed and taken into trust subject to valid*
 9 *existing rights, contracts, leases, permits,*
 10 *and rights-of-way, unless the holder of the*
 11 *right, contract, lease, permit, and rights-of-*
 12 *way requests an earlier termination in ac-*
 13 *cordance with existing law.*

14 (ii) *ASSUMPTION BY BUREAU OF IN-*
 15 *DIAN AFFAIRS.*—*The Bureau of Indian Af-*
 16 *fairs shall—*

17 (I) *assume all benefits and obliga-*
 18 *tions of the previous land management*
 19 *agency under the existing rights, con-*
 20 *tracts, leases, permits, and rights-of-*
 21 *way described in clause (i); and*

22 (II) *disburse to the Fort Belknap*
 23 *Indian Community any amounts that*
 24 *accrue to the United States from those*
 25 *rights, contracts, leases, permits, and*

1 *rights-of-ways after the date of transfer*
2 *from any sale, bonus, royalty, or rental*
3 *relating to that land in the same man-*
4 *ner as amounts received from other*
5 *land held by the Secretary in trust for*
6 *the Fort Belknap Indian Community.*

7 *(B) PERSONAL PROPERTY.—*

8 *(i) IN GENERAL.—Any improvements*
9 *constituting personal property, as defined*
10 *by State law, belonging to the holder of a*
11 *right, contract, lease, permit, or right-of-*
12 *way on land transferred under this sub-*
13 *section shall—*

14 *(I) remain the property of the*
15 *holder; and*

16 *(II) be removed from the land not*
17 *later than 90 days after the date on*
18 *which the right, contract, lease, permit,*
19 *or right-of-way expires, unless the Fort*
20 *Belknap Indian Community and the*
21 *holder agree otherwise.*

22 *(ii) REMAINING PROPERTY.—Any per-*
23 *sonal property described in clause (i) re-*
24 *maining with the holder described in that*

1 *clause beyond the 90-day period described*
2 *in subclause (II) of that clause shall—*

3 *(I) become the property of the*
4 *Fort Belknap Indian Community; and*

5 *(II) be subject to removal and dis-*
6 *position at the discretion of the Fort*
7 *Belknap Indian Community.*

8 *(iii) LIABILITY OF PREVIOUS HOLD-*
9 *ER.—The holder of personal property de-*
10 *scribed in clause (i) shall be liable to the*
11 *Fort Belknap Indian Community for costs*
12 *incurred by the Fort Belknap Indian Com-*
13 *munity in removing and disposing of the*
14 *property under clause (ii)(II).*

15 *(C) EXISTING ROADS.—If any road within*
16 *the Federal land transferred under this sub-*
17 *section is necessary for customary access to pri-*
18 *vate land, the Bureau of Indian Affairs shall*
19 *offer the owner of the private land to apply for*
20 *a right-of-way along the existing road, at the ex-*
21 *pense of the landowner.*

22 *(D) LIMITATION ON THE TRANSFER OF*
23 *WATER RIGHTS.—Water rights that transfer with*
24 *the land described in paragraph (2) shall not be-*
25 *come part of the Tribal water rights, unless those*

1 *rights are recognized and ratified in the Com-*
2 *pact.*

3 (4) *WITHDRAWAL OF FEDERAL LAND.—*

4 (A) *IN GENERAL.—Subject to valid existing*
5 *rights, effective on the date of enactment of this*
6 *Act, all Federal land within the parcels described*
7 *in paragraph (2) is withdrawn from all forms*
8 *of—*

9 (i) *entry, appropriation, or disposal*
10 *under the public land laws;*

11 (ii) *location, entry, and patent under*
12 *the mining laws; and*

13 (iii) *disposition under all laws per-*
14 *taining to mineral and geothermal leasing*
15 *or mineral materials.*

16 (B) *EXPIRATION.—The withdrawals pursu-*
17 *ant to subparagraph (A) shall terminate on the*
18 *date that the Secretary takes the land into trust*
19 *for the benefit of the Fort Belknap Indian Com-*
20 *munity pursuant to paragraph (1).*

21 (C) *NO NEW RESERVATION OF FEDERAL*
22 *WATER RIGHTS.—Nothing in this paragraph es-*
23 *tablishes a new reservation in favor of the*
24 *United States or the Fort Belknap Indian Com-*

1 munity with respect to any water or water right
2 on the land withdrawn by this paragraph.

3 (5) *TECHNICAL CORRECTIONS.*—Notwithstanding
4 the descriptions of the parcels of Federal land in
5 paragraph (2), the United States may, with the con-
6 sent of the Fort Belknap Indian Community, make
7 technical corrections to the legal land descriptions to
8 more specifically identify the parcels.

9 (6) *SURVEY.*—

10 (A) *IN GENERAL.*—Unless the United States
11 or the Fort Belknap Indian Community request
12 an additional survey for the transferred land or
13 a technical correction is made under paragraph
14 (5), the description of land under this subsection
15 shall be controlling.

16 (B) *ADDITIONAL SURVEY.*—If the United
17 States or the Fort Belknap Indian Community
18 requests an additional survey, that survey shall
19 control the total acreage to be transferred into
20 trust under this subsection.

21 (C) *ASSISTANCE.*—The Secretary shall pro-
22 vide such financial or other assistance as may be
23 necessary—

24 (i) to conduct additional surveys under
25 this subsection; and

1 (ii) to satisfy administrative require-
2 ments necessary to accomplish the land
3 transfers under this subsection.

4 (7) *DATE OF TRANSFER.*—The Secretary shall
5 complete all land transfers under this subsection and
6 shall take the land into trust for the benefit of the
7 Fort Belknap Indian Community as expeditiously as
8 practicable after the enforceability date, but not later
9 than 10 years after the enforceability date.

10 (c) *TRIBALLY OWNED FEE LAND.*—Not later than 10
11 years after the enforceability date, the Secretary shall take
12 into trust for the benefit of the Fort Belknap Indian Com-
13 munity all fee land owned by the Fort Belknap Indian
14 Community on or adjacent to the Reservation to become
15 part of the Reservation, provided that—

16 (1) the land is free from any liens, encum-
17 brances, or other infirmities; and

18 (2) no evidence exists of any hazardous sub-
19 stances on, or other environmental liability with re-
20 spect to, the land.

21 (d) *DODSON LAND.*—

22 (1) *IN GENERAL.*—Subject to paragraph (2), as
23 soon as practicable after the enforceability date, but
24 not later than 10 years after the enforceability date,
25 the Dodson Land described in paragraph (3) shall be

1 *taken into trust by the United States for the benefit*
2 *of the Fort Belknap Indian Community as part of the*
3 *Reservation.*

4 (2) *RESTRICTIONS.—The land taken into trust*
5 *under paragraph (1) shall be subject to a perpetual*
6 *easement, reserved by the United States for use by the*
7 *Bureau of Reclamation, its contractors, and its as-*
8 *signs for—*

9 (A) *the right of ingress and egress for Milk*
10 *River Project purposes;*

11 (B) *the right to—*

12 (i) *seep, flood, and overflow the trans-*
13 *ferred land for Milk River Project purposes;*

14 (ii) *conduct routine and non-routine*
15 *operation, maintenance, and replacement*
16 *activities on the Milk River Project facili-*
17 *ties, including modification to the*
18 *headworks at the upstream end of the*
19 *Dodson South Canal in support of Dodson*
20 *South Canal enlargement, to include all as-*
21 *sociated access, construction, and material*
22 *storage necessary to complete those activi-*
23 *ties; and*

(iii) prohibit the construction of permanent structures on the transferred land, except—

(I) as provided in the cooperative agreement under paragraph (4); and

(II) to meet the requirements of the Milk River Project.

(3) DESCRIPTION OF DODSON LAND.—

(A) IN GENERAL.—The Dodson Land referred to in paragraphs (1) and (2) is the approximately 2,500 acres of land owned by the United States that is, as of the date of enactment of this Act, under the jurisdiction of the Bureau of Reclamation and located at the northeastern corner of the Reservation (which extends to the point in the middle of the main channel of the Milk River), where the Milk River Project facilities, including the Dodson Diversion Dam, headworks to the Dodson South Canal, and Dodson South Canal, are located, and more particularly described as follows:

(i) Supplemental Plat of T. 30 N., R. 26 E., PMM, secs. 1 and 2.

(ii) Supplemental Plat of T. 31 N., R. 25 E., PMM, sec. 13.

1 (iii) *Supplemental Plat of T. 31 N., R.*
 2 *26 E., PMM, secs. 18, 19, 20, and 29.*

3 (iv) *Supplemental Plat of T. 31 N., R.*
 4 *26 E., PMM, secs. 26, 27, 35, and 36.*

5 (B) *CLARIFICATION.—The supplemental*
 6 *plats described in clauses (i) through (iv) of sub-*
 7 *paragraph (A) are official plats, as documented*
 8 *by retracement boundary surveys of the General*
 9 *Land Office, approved on March 11, 1938, and*
 10 *on record at the Bureau of Land Management.*

11 (C) *TECHNICAL CORRECTIONS.—Notwith-*
 12 *standing the descriptions of the parcels of Fed-*
 13 *eral land in subparagraph (A), the United States*
 14 *may, with the consent of the Fort Belknap In-*
 15 *Indian Community, make technical corrections to*
 16 *the legal land descriptions to more specifically*
 17 *identify the parcels to be transferred.*

18 (4) *COOPERATIVE AGREEMENT.—Not later than*
 19 *3 years after the enforceability date, the Bureau of*
 20 *Reclamation, the Malta Irrigation District, the Bu-*
 21 *reau of Indian Affairs, and the Fort Belknap Indian*
 22 *Community shall negotiate and enter into a coopera-*
 23 *tive agreement that identifies the uses to which the*
 24 *Fort Belknap Indian Community may put the land*
 25 *described in paragraph (3), provided that the cooper-*

1 *ative agreement may be amended by mutual agree-*
2 *ment of the Fort Belknap Indian Community, Bu-*
3 *reau of Reclamation, the Malta Irrigation District,*
4 *and the Bureau of Indian Affairs, including to mod-*
5 *ify the perpetual easement to narrow the boundaries*
6 *of the easement or to terminate the perpetual ease-*
7 *ment and cooperative agreement.*

8 *(e) LAND STATUS.—All land held in trust by the*
9 *United States for the benefit of the Fort Belknap Indian*
10 *Community under this section shall be—*

11 *(1) beneficially owned by the Fort Belknap In-*
12 *dian Community; and*

13 *(2) part of the Reservation and administered in*
14 *accordance with the laws and regulations generally*
15 *applicable to land held in trust by the United States*
16 *for the benefit of an Indian Tribe.*

17 **SEC. 11007. STORAGE ALLOCATION FROM LAKE ELWELL.**

18 *(a) STORAGE ALLOCATION OF WATER TO FORT*
19 *BELKNAP INDIAN COMMUNITY.—The Secretary shall allo-*
20 *cate to the Fort Belknap Indian Community 20,000 acre-*
21 *feet per year of water stored in Lake Elwell for use by the*
22 *Fort Belknap Indian Community for any beneficial pur-*
23 *pose on or off the Reservation, under a water right held*
24 *by the United States and managed by the Bureau of Rec-*
25 *lamation for the benefit of the Fort Belknap Indian Com-*

1 munity, as measured and diverted at the outlet works of
 2 the Tiber Dam or through direct pumping from Lake
 3 Elwell.

4 (b) *TREATMENT.*—

5 (1) *IN GENERAL.*—*The allocation to the Fort*
 6 *Belknap Indian Community under subsection (a)*
 7 *shall be considered to be part of the Tribal water*
 8 *rights.*

9 (2) *PRIORITY DATE.*—*The priority date of the al-*
 10 *location to the Fort Belknap Indian Community*
 11 *under subsection (a) shall be the priority date of the*
 12 *Lake Elwell water right held by the Bureau of Rec-*
 13 *lamation.*

14 (3) *ADMINISTRATION.*—*The Fort Belknap Indian*
 15 *Community shall administer the water allocated*
 16 *under subsection (a) in accordance with the Compact*
 17 *and this division.*

18 (c) *ALLOCATION AGREEMENT.*—

19 (1) *IN GENERAL.*—*As a condition of receiving*
 20 *the allocation under this section, the Fort Belknap In-*
 21 *Indian Community shall enter into an agreement with*
 22 *the Secretary to establish the terms and conditions of*
 23 *the allocation, in accordance with the Compact and*
 24 *this division.*

1 (2) *INCLUSIONS.*—*The agreement under para-*
2 *graph (1) shall include provisions establishing that—*

3 *(A) the agreement shall be without limit as*
4 *to term;*

5 *(B) the Fort Belknap Indian Community,*
6 *and not the United States, shall be entitled to all*
7 *consideration due to the Fort Belknap Indian*
8 *Community under any lease, contract, exchange,*
9 *or agreement entered into by the Fort Belknap*
10 *Indian Community pursuant to subsection (d);*

11 *(C) the United States shall have no obliga-*
12 *tion to monitor, administer, or account for—*

13 *(i) any funds received by the Fort*
14 *Belknap Indian Community as consider-*
15 *ation under any lease, contract, exchange,*
16 *or agreement entered into by the Fort*
17 *Belknap Indian Community pursuant to*
18 *subsection (d); or*

19 *(ii) the expenditure of those funds;*

20 *(D) if the capacity or function of Lake*
21 *Elwell facilities are significantly reduced, or are*
22 *anticipated to be significantly reduced, for an*
23 *extended period of time, the Fort Belknap Indian*
24 *Community shall have the same storage rights as*

1 *other storage contractors with respect to the allo-*
2 *cation under this section;*

3 *(E) the costs associated with the construc-*
4 *tion of the storage facilities at Tiber Dam allo-*
5 *cable to the Fort Belknap Indian Community*
6 *shall be nonreimbursable;*

7 *(F) no water service capital charge shall be*
8 *due or payable for any water allocated to the*
9 *Fort Belknap Indian Community under this sec-*
10 *tion or the allocation agreement, regardless of*
11 *whether that water is delivered for use by the*
12 *Fort Belknap Indian Community or under a*
13 *lease, contract, exchange, or by agreement en-*
14 *tered into by the Fort Belknap Indian Commu-*
15 *nity pursuant to subsection (d);*

16 *(G) the Fort Belknap Indian Community*
17 *shall not be required to make payments to the*
18 *United States for any water allocated to the Fort*
19 *Belknap Indian Community under this section*
20 *or the allocation agreement, except for each acre-*
21 *foot of stored water leased or transferred for in-*
22 *dustrial purposes as described in subparagraph*
23 *(H); and*

1 (H) for each acre-foot of stored water leased
2 or transferred by the Fort Belknap Indian Com-
3 munity for industrial purposes—

4 (i) the Fort Belknap Indian Commu-
5 nity shall pay annually to the United
6 States an amount necessary to cover the
7 proportional share of the annual operations,
8 maintenance, and replacement costs allo-
9 cable to the quantity of water leased or
10 transferred by the Fort Belknap Indian
11 Community for industrial purposes; and

12 (ii) the annual payments of the Fort
13 Belknap Indian Community shall be re-
14 viewed and adjusted, as appropriate, to re-
15 flect the actual operations, maintenance,
16 and replacement costs for Tiber Dam.

17 (d) AGREEMENT BY FORT BELKNAP INDIAN COMMU-
18 NITY.—The Fort Belknap Indian Community may use,
19 lease, contract, exchange, or enter into other agreements for
20 the use of the water allocated to the Fort Belknap Indian
21 Community under subsection (a) if—

22 (1) the use of water that is the subject of such
23 an agreement occurs within the Missouri River Basin;
24 and

1 (2) *the agreement does not permanently alienate*
 2 *any water allocated to the Fort Belknap Indian Com-*
 3 *munity under that subsection.*

4 (e) *EFFECTIVE DATE.*—*The allocation under sub-*
 5 *section (a) takes effect on the enforceability date.*

6 (f) *NO CARRYOVER STORAGE.*—*The allocation under*
 7 *subsection (a) shall not be increased by any year-to-year*
 8 *carryover storage.*

9 (g) *DEVELOPMENT AND DELIVERY COSTS.*—*The*
 10 *United States shall not be required to pay the cost of devel-*
 11 *oping or delivering any water allocated under this section.*

12 **SEC. 11008. MILK RIVER PROJECT MITIGATION.**

13 (a) *IN GENERAL.*—*In complete satisfaction of the Milk*
 14 *River Project mitigation requirements provided for in Arti-*
 15 *cle VI.B. of the Compact, the Secretary, acting through the*
 16 *Commissioner—*

17 (1) *in cooperation with the State and the Black-*
 18 *feet Tribe, shall carry out appropriate activities con-*
 19 *cerning the restoration of the St. Mary Canal and as-*
 20 *sociated facilities, including activities relating to*
 21 *the—*

22 (A) *planning and design to restore the St.*
 23 *Mary Canal and appurtenances to convey 850*
 24 *cubic-feet per second; and*

1 (B) rehabilitating, constructing, and repair-
2 ing of the St. Mary Canal and appurtenances;
3 and

4 (2) in cooperation with the State and the Fort
5 Belknap Indian Community, shall carry out appro-
6 priate activities concerning the enlargement of
7 Dodson South Canal and associated facilities, includ-
8 ing activities relating to the—

9 (A) planning and design to enlarge Dodson
10 South Canal and headworks at the upstream end
11 of Dodson South Canal to divert and convey 700
12 cubic-feet per second; and

13 (B) rehabilitating, constructing, and enlarg-
14 ing the Dodson South Canal and headworks at
15 the upstream end of Dodson South Canal to di-
16 vert and convey 700 cubic-feet per second.

17 (b) *FUNDING.*—The total amount of obligations in-
18 curred by the Secretary, prior to any adjustments provided
19 for in section 11014(b), shall not exceed \$300,000,000 to
20 carry out activities described in subsection (c)(1).

21 (c) *SATISFACTION OF MITIGATION REQUIREMENT.*—
22 Notwithstanding any provision of the Compact, the mitiga-
23 tion required by Article VI.B. of the Compact shall be
24 deemed satisfied if—

25 (1) the Secretary has—

(A) restored the St. Mary Canal and associated facilities to convey 850 cubic-feet per second; and

(B) enlarged the Dodson South Canal and headworks at the upstream end of Dodson South Canal to divert and convey 700 cubic-feet per second; or

(2) *the Secretary*—

(A) has expended all of the available funding provided pursuant to section 11014(a)(1)(D) to rehabilitate the St. Mary Canal and enlarge the Dodson South Canal; and

(B) despite diligent efforts, could not complete the activities described in subsection (a).

(d) *NONREIMBURSABILITY OF COSTS.*—The costs to the Secretary of carrying out this section shall be nonreimburs-

**SEC. 11009. FORT BELKNAP INDIAN IRRIGATION PROJECT
SYSTEM.**

(a) *IN GENERAL.*—Subject to the availability of appropriations, the Secretary shall rehabilitate, modernize, and expand the Fort Belknap Indian Irrigation Project, as generally described in the document of Natural Resources Consulting Engineers, Inc., entitled “Fort Belknap Indian

1 *Community Comprehensive Water Development Plan*” and
2 *dated February 2019, which shall include—*

3 *(1) planning, studies, and designing of the exist-*
4 *ing and expanded Milk River unit, including the irri-*
5 *gation system, Pumping Plant, delivery pipe and*
6 *canal, Fort Belknap Dam and Reservoir, and Peoples*
7 *Creek Flood Protection Project;*

8 *(2) the rehabilitation, modernization, and con-*
9 *struction of the existing Milk River unit; and*

10 *(3) construction of the expanded Milk River unit,*
11 *including the irrigation system, Pumping Plant, de-*
12 *livery pipe and canal, Fort Belknap Dam and Res-*
13 *ervoir, and Peoples Creek Flood Protection Project.*

14 *(b) LEAD AGENCY.—The Bureau of Indian Affairs, in*
15 *coordination with the Bureau of Reclamation, shall serve*
16 *as the lead agency with respect to any activities carried*
17 *out under this section.*

18 *(c) CONSULTATION WITH THE FORT BELKNAP INDIAN*
19 *COMMUNITY.—The Secretary shall consult with the Fort*
20 *Belknap Indian Community on appropriate changes to the*
21 *final design and costs of any activity under this section.*

22 *(d) FUNDING.—The total amount of obligations in-*
23 *curred by the Secretary in carrying out this section, prior*
24 *to any adjustment provided for in section 11014(b), shall*
25 *not exceed \$415,832,153.*

1 (e) *NONREIMBURSABILITY OF COSTS.*—All costs in-
 2 curred by the Secretary in carrying out this section shall
 3 be nonreimbursable.

4 (f) *ADMINISTRATION.*—The Secretary and the Fort
 5 Belknap Indian Community shall negotiate the cost of any
 6 oversight activity carried out by the Bureau of Indian Af-
 7 fairs or the Bureau of Reclamation under any agreement
 8 entered into under subsection (j), subject to the condition
 9 that the total cost for the oversight shall not exceed 3 percent
 10 of the total project costs for each project.

11 (g) *PROJECT MANAGEMENT COMMITTEE.*—Not later
 12 than 1 year after the date of enactment of this Act, the Sec-
 13 retary shall facilitate the formation of a project manage-
 14 ment committee composed of representatives of the Bureau
 15 of Indian Affairs, the Bureau of Reclamation, and the Fort
 16 Belknap Indian Community—

17 (1) to review and make recommendations relat-
 18 ing to cost factors, budgets, and implementing the ac-
 19 tivities for rehabilitating, modernizing, and expand-
 20 ing the Fort Belknap Indian Irrigation Project; and

21 (2) to improve management of inherently govern-
 22 mental activities through enhanced communication.

23 (h) *PROJECT EFFICIENCIES.*—If the total cost of plan-
 24 ning, studies, design, rehabilitation, modernization, and
 25 construction activities relating to the projects described in

1 subsection (a) results in cost savings and is less than the
2 amounts authorized to be obligated, the Secretary, at the
3 request of the Fort Belknap Indian Community, shall de-
4 posit those savings in the Fort Belknap Indian Community
5 Water Resources and Water Rights Administration, Oper-
6 ation, and Maintenance Account established under section
7 11012(b)(2).

8 (i) *TREATMENT.*—Any activities carried out pursuant
9 to this section that result in improvements, additions, or
10 modifications to the Fort Belknap Indian Irrigation Project
11 shall—

12 (1) become a part of the Fort Belknap Indian Ir-
13 rigation Project; and

14 (2) be recorded in the inventory of the Secretary
15 relating to the Fort Belknap Indian Irrigation
16 Project.

17 (j) *APPLICABILITY OF ISDEAA.*—At the request of the
18 Fort Belknap Indian Community, and in accordance with
19 the Indian Self-Determination and Education Assistance
20 Act (25 U.S.C. 5301 et seq.), the Secretary shall enter into
21 agreements with the Fort Belknap Indian Community to
22 carry out all or a portion of this section.

23 (k) *EFFECT.*—Nothing in this section—

24 (1) alters any applicable law under which the
25 Bureau of Indian Affairs collects assessments or car-

1 *ries out the operations and maintenance of the Fort*
 2 *Belknap Indian Irrigation Project; or*

3 *(2) impacts the availability of amounts under*
 4 *section 11014.*

5 *(l) SATISFACTION OF FORT BELKNAP INDIAN IRRIGA-*
 6 *TION PROJECT SYSTEM REQUIREMENT.—The obligations of*
 7 *the Secretary under subsection (a) shall be deemed satisfied*
 8 *if the Secretary—*

9 *(1) has rehabilitated, modernized, and expanded*
 10 *the Fort Belknap Indian Irrigation Project in accord-*
 11 *ance with subsection (a); or*

12 *(2)(A) has expended all of the available funding*
 13 *provided pursuant to paragraphs (1)(C) and*
 14 *(2)(A)(iv) of section 11014(a); and*

15 *(B) despite diligent efforts, could not complete*
 16 *the activities described in subsection (a).*

17 **SEC. 11010. SATISFACTION OF CLAIMS.**

18 *(a) IN GENERAL.—The benefits provided under this di-*
 19 *vision shall be in complete replacement of, complete substi-*
 20 *tution for, and full satisfaction of any claim of the Fort*
 21 *Belknap Indian Community against the United States that*
 22 *is waived and released by the Fort Belknap Indian Commu-*
 23 *nity under section 11011(a).*

1 (b) *ALLOTTEES.*—*The benefits realized by the allottees*
 2 *under this division shall be in complete replacement of,*
 3 *complete substitution for, and full satisfaction of—*

4 (1) *all claims waived and released by the United*
 5 *States (acting as trustee for the allottees) under sec-*
 6 *tion 11011(a)(2); and*

7 (2) *any claims of the allottees against the United*
 8 *States similar to the claims described in section*
 9 *11011(a)(2) that the allottee asserted or could have*
 10 *asserted.*

11 **SEC. 11011. WAIVERS AND RELEASES OF CLAIMS.**

12 (a) *IN GENERAL.*—

13 (1) *WAIVER AND RELEASE OF CLAIMS BY THE*
 14 *FORT BELKNAP INDIAN COMMUNITY AND UNITED*
 15 *STATES AS TRUSTEE FOR THE FORT BELKNAP INDIAN*
 16 *COMMUNITY.*—*Subject to the reservation of rights and*
 17 *retention of claims under subsection (d), as consider-*
 18 *ation for recognition of the Tribal water rights and*
 19 *other benefits described in the Compact and this divi-*
 20 *sion, the Fort Belknap Indian Community, acting on*
 21 *behalf of the Fort Belknap Indian Community and*
 22 *members of the Fort Belknap Indian Community (but*
 23 *not any member of the Fort Belknap Indian Commu-*
 24 *nity as an allottee), and the United States, acting as*
 25 *trustee for the Fort Belknap Indian Community and*

1 *the members of the Fort Belknap Indian Community*
2 *(but not any member of the Fort Belknap Indian*
3 *Community as an allottee), shall execute a waiver*
4 *and release of all claims for water rights within the*
5 *State that the Fort Belknap Indian Community, or*
6 *the United States acting as trustee for the Fort*
7 *Belknap Indian Community, asserted or could have*
8 *asserted in any proceeding, including a State stream*
9 *adjudication, on or before the enforceability date, ex-*
10 *cept to the extent that such rights are recognized in*
11 *the Compact and this division.*

12 (2) *WAIVER AND RELEASE OF CLAIMS BY THE*
13 *UNITED STATES AS TRUSTEE FOR ALLOTTEES.—Sub-*
14 *ject to the reservation of rights and the retention of*
15 *claims under subsection (d), as consideration for rec-*
16 *ognition of the Tribal water rights and other benefits*
17 *described in the Compact and this division, the*
18 *United States, acting as trustee for the allottees, shall*
19 *execute a waiver and release of all claims for water*
20 *rights within the Reservation that the United States,*
21 *acting as trustee for the allottees, asserted or could*
22 *have asserted in any proceeding, including a State*
23 *stream adjudication, on or before the enforceability*
24 *date, except to the extent that such rights are recog-*
25 *nized in the Compact and this division.*

1 (3) *WAIVER AND RELEASE OF CLAIMS BY THE*
2 *FORT BELKNAP INDIAN COMMUNITY AGAINST THE*
3 *UNITED STATES.*—*Subject to the reservation of rights*
4 *and retention of claims under subsection (d), the Fort*
5 *Belknap Indian Community, acting on behalf of the*
6 *Fort Belknap Indian Community and members of the*
7 *Fort Belknap Indian Community (but not any mem-*
8 *ber of the Fort Belknap Indian Community as an al-*
9 *lottee), shall execute a waiver and release of all claims*
10 *against the United States (including any agency or*
11 *employee of the United States)—*

12 (A) *first arising before the enforceability*
13 *date relating to—*

14 (i) *water rights within the State that*
15 *the United States, acting as trustee for the*
16 *Fort Belknap Indian Community, asserted*
17 *or could have asserted in any proceeding,*
18 *including a general stream adjudication in*
19 *the State, except to the extent that such*
20 *rights are recognized as Tribal water rights*
21 *under this division;*

22 (ii) *foregone benefits from nontribal*
23 *use of water, on and off the Reservation (in-*
24 *cluding water from all sources and for all*
25 *uses);*

1 (iii) damage, loss, or injury to water,
2 water rights, land, or natural resources due
3 to loss of water or water rights, including
4 damages, losses, or injuries to hunting, fish-
5 ing, gathering, or cultural rights due to loss
6 of water or water rights, claims relating to
7 interference with, diversion of, or taking of
8 water, or claims relating to a failure to pro-
9 tect, acquire, replace, or develop water,
10 water rights, or water infrastructure) with-
11 in the State;

12 (iv) a failure to establish or provide a
13 municipal rural or industrial water deliv-
14 ery system on the Reservation;

15 (v) damage, loss, or injury to water,
16 water rights, land, or natural resources due
17 to construction, operation, and management
18 of the Fort Belknap Indian Irrigation
19 Project and other Federal land and facili-
20 ties (including damages, losses, or injuries
21 to Tribal fisheries, fish habitat, wildlife,
22 and wildlife habitat);

23 (vi) a failure to provide for operation
24 and maintenance, or deferred maintenance,
25 for the Fort Belknap Indian Irrigation

1 *Project or any other irrigation system or ir-*
2 *rigation project;*

3 *(vii) the litigation of claims relating to*
4 *any water rights of the Fort Belknap In-*
5 *Indian Community in the State;*

6 *(viii) the negotiation, execution, or*
7 *adoption of the Compact (including appen-*
8 *dices) and this division;*

9 *(ix) the taking or acquisition of land*
10 *or resources of the Fort Belknap Indian*
11 *Community for the construction or oper-*
12 *ation of the Fort Belknap Indian Irrigation*
13 *Project or the Milk River Project; and*

14 *(x) the allocation of water of the Milk*
15 *River and the St. Mary River (including*
16 *tributaries) between the United States and*
17 *Canada pursuant to the International*
18 *Boundary Waters Treaty of 1909 (36 Stat.*
19 *2448); and*

20 *(B) relating to damage, loss, or injury to*
21 *water, water rights, land, or natural resources*
22 *due to mining activities in the Little Rockies*
23 *Mountains prior to the date of trust acquisition,*
24 *including damages, losses, or injuries to hunting,*
25 *fishing, gathering, or cultural rights.*

1 (b) *EFFECTIVENESS.*—*The waivers and releases under*
 2 *subsection (a) shall take effect on the enforceability date.*

3 (c) *OBJECTIONS IN MONTANA WATER COURT.*—*Noth-*
 4 *ing in this division or the Compact prohibits the Fort*
 5 *Belknap Indian Community, a member of the Fort Belknap*
 6 *Indian Community, an allottee, or the United States in any*
 7 *capacity from objecting to any claim to a water right filed*
 8 *in any general stream adjudication in the Montana Water*
 9 *Court.*

10 (d) *RESERVATION OF RIGHTS AND RETENTION OF*
 11 *CLAIMS.*—*Notwithstanding the waivers and releases under*
 12 *subsection (a), the Fort Belknap Indian Community, acting*
 13 *on behalf of the Fort Belknap Indian Community and mem-*
 14 *bers of the Fort Belknap Indian Community, and the*
 15 *United States, acting as trustee for the Fort Belknap In-*
 16 *dian Community and the allottees shall retain—*

17 (1) *all claims relating to—*

18 (A) *the enforcement of water rights recog-*
 19 *nized under the Compact, any final court decree*
 20 *relating to those water rights, or this division or*
 21 *to water rights accruing on or after the enforce-*
 22 *ability date;*

23 (B) *the quality of water under—*

24 (i) *CERCLA, including damages to*
 25 *natural resources;*

1 (ii) the Safe Drinking Water Act (42
2 U.S.C. 300f et seq.);

3 (iii) the Federal Water Pollution Con-
4 trol Act (33 U.S.C. 1251 et seq.); and

5 (iv) any regulations implementing the
6 Acts described in clauses (i) through (iii);

7 (C) damage, loss, or injury to land or nat-
8 ural resources that are—

9 (i) not due to loss of water or water
10 rights (including hunting, fishing, gath-
11 ering, or cultural rights); and

12 (ii) not described in subsection (a)(3);
13 and

14 (D) an action to prevent any person or
15 party (as defined in sections 29 and 30 of Arti-
16 cle II of the Compact) from interfering with the
17 enjoyment of the Tribal water rights;

18 (2) all claims relating to off-Reservation hunting
19 rights, fishing rights, gathering rights, or other rights;

20 (3) all claims relating to the right to use and
21 protect water rights acquired after the date of enact-
22 ment of this Act;

23 (4) all claims relating to the allocation of waters
24 of the Milk River and the Milk River Project between
25 the Fort Belknap Indian Community and the Black-

1 *feet Tribe, pursuant to section 3705(e)(3) of the*
2 *Blackfeet Water Rights Settlement Act (Public Law*
3 *114–322; 130 Stat. 1818);*

4 *(5) all claims relating to the enforcement of this*
5 *division, including the required transfer of land*
6 *under section 11006; and*

7 *(6) all rights, remedies, privileges, immunities,*
8 *and powers not specifically waived and released pur-*
9 *suant to this division or the Compact.*

10 *(e) EFFECT OF COMPACT AND DIVISION.—Nothing in*
11 *the Compact or this division—*

12 *(1) affects the authority of the Fort Belknap In-*
13 *dian Community to enforce the laws of the Fort*
14 *Belknap Indian Community, including with respect*
15 *to environmental protections;*

16 *(2) affects the ability of the United States, acting*
17 *as sovereign, to carry out any activity authorized by*
18 *law, including—*

19 *(A) the Federal Water Pollution Control Act*
20 *(33 U.S.C. 1251 et seq.);*

21 *(B) the Safe Drinking Water Act (42 U.S.C.*
22 *300f et seq.);*

23 *(C) CERCLA; and*

24 *(D) any regulations implementing the Acts*
25 *described in subparagraphs (A) through (C);*

1 (3) *affects the ability of the United States to act*
2 *as trustee for any other Indian Tribe or an allottee*
3 *of any other Indian Tribe;*

4 (4) *confers jurisdiction on any State court—*

5 (A) *to interpret Federal law relating to*
6 *health, safety, or the environment;*

7 (B) *to determine the duties of the United*
8 *States or any other party under Federal law re-*
9 *lating to health, safety, or the environment; or*

10 (C) *to conduct judicial review of any Fed-*
11 *eral agency action;*

12 (5) *waives any claim of a member of the Fort*
13 *Belknap Indian Community in an individual capac-*
14 *ity that does not derive from a right of the Fort*
15 *Belknap Indian Community;*

16 (6) *revives any claim adjudicated in the decision*
17 *in Gros Ventre Tribe v. United States, 469 F.3d 801*
18 *(9th Cir. 2006); or*

19 (7) *revives any claim released by an allottee or*
20 *member of the Fort Belknap Indian Community in*
21 *the settlement in Cobell v. Salazar, No. 1:96CV01285–*
22 *JR (D.D.C. 2012).*

23 (f) *ENFORCEABILITY DATE.—The enforceability date*
24 *shall be the date on which the Secretary publishes in the*
25 *Federal Register a statement of findings that—*

1 (1) *the eligible members of the Fort Belknap In-*
2 *dian Community have voted to approve this division*
3 *and the Compact by a majority of votes cast on the*
4 *day of the vote;*

5 (2)(A) *the Montana Water Court has approved*
6 *the Compact in a manner from which no further ap-*
7 *peal may be taken; or*

8 (B) *if the Montana Water Court is found to lack*
9 *jurisdiction, the appropriate district court of the*
10 *United States has approved the Compact as a consent*
11 *decree from which no further appeal may be taken;*

12 (3) *all of the amounts authorized to be appro-*
13 *priated under section 11014 have been appropriated*
14 *and deposited in the designated accounts;*

15 (4) *the Secretary and the Fort Belknap Indian*
16 *Community have executed the allocation agreement*
17 *described in section 11007(c)(1);*

18 (5) *the State has provided the required funding*
19 *into the Fort Belknap Indian Community Tribal Ir-*
20 *rigation and Other Water Resources Development Ac-*
21 *count of the Trust Fund pursuant to section*
22 *11014(a)(3); and*

23 (6) *the waivers and releases under subsection (a)*
24 *have been executed by the Fort Belknap Indian Com-*
25 *munity and the Secretary.*

1 (g) *TOLLING OF CLAIMS.*—

2 (1) *IN GENERAL.*—*Each applicable period of*
3 *limitation and time-based equitable defense relating*
4 *to a claim described in this section shall be tolled for*
5 *the period beginning on the date of enactment of this*
6 *Act and ending on the enforceability date.*

7 (2) *EFFECT OF SUBSECTION.*—*Nothing in this*
8 *subsection revives any claim or tolls any period of*
9 *limitations or time-based equitable defense that ex-*
10 *pired before the date of enactment of this Act.*

11 (h) *EXPIRATION.*—

12 (1) *IN GENERAL.*—*This division shall expire in*
13 *any case in which—*

14 (A) *the amounts authorized to be appro-*
15 *priated by this division have not been made*
16 *available to the Secretary by not later than—*

17 (i) *January 21, 2034; and*

18 (ii) *such alternative later date as is*
19 *agreed to by the Fort Belknap Indian Com-*
20 *munity and the Secretary; or*

21 (B) *the Secretary fails to publish a state-*
22 *ment of findings under subsection (f) by not later*
23 *than—*

24 (i) *January 21, 2035; and*

1 (ii) *such alternative later date as is*
2 *agreed to by the Fort Belknap Indian Com-*
3 *munity and the Secretary, after providing*
4 *reasonable notice to the State.*

5 (2) *CONSEQUENCES.—If this division expires*
6 *under paragraph (1)—*

7 (A) *the waivers and releases under sub-*
8 *section (a) shall—*

9 (i) *expire; and*

10 (ii) *have no further force or effect;*

11 (B) *the authorization, ratification, con-*
12 *firmation, and execution of the Compact under*
13 *section 11004 shall no longer be effective;*

14 (C) *any action carried out by the Secretary,*
15 *and any contract or agreement entered into, pur-*
16 *suant to this division shall be void;*

17 (D) *any unexpended Federal funds appro-*
18 *priated or made available to carry out the ac-*
19 *tivities authorized by this division, together with*
20 *any interest earned on those funds, and any*
21 *water rights or contracts to use water and title*
22 *to other property acquired or constructed with*
23 *Federal funds appropriated or made available to*
24 *carry out the activities authorized by this divi-*
25 *sion shall be returned to the Federal Govern-*

1 *ment, unless otherwise agreed to by the Fort*
2 *Belknap Indian Community and the United*
3 *States and approved by Congress; and*

4 *(E) except for Federal funds used to acquire*
5 *or construct property that is returned to the Fed-*
6 *eral Government under subparagraph (D), the*
7 *United States shall be entitled to offset any Fed-*
8 *eral funds made available to carry out this divi-*
9 *sion that were expended or withdrawn, or any*
10 *funds made available to carry out this division*
11 *from other Federal authorized sources, together*
12 *with any interest accrued on those funds, against*
13 *any claims against the United States—*

14 *(i) relating to—*

15 *(I) water rights in the State as-*
16 *serted by—*

17 *(aa) the Fort Belknap In-*
18 *dian Community; or*

19 *(bb) any user of the Tribal*
20 *water rights; or*

21 *(II) any other matter described in*
22 *subsection (a)(3); or*

23 *(ii) in any future settlement of water*
24 *rights of the Fort Belknap Indian Commu-*
25 *nity or an allottee.*

1 **SEC. 11012. AANIIH NAKODA SETTLEMENT TRUST FUND.**

2 (a) *ESTABLISHMENT.*—*The Secretary shall establish a*
 3 *trust fund for the Fort Belknap Indian Community, to be*
 4 *known as the “Aaniiih Nakoda Settlement Trust Fund”,*
 5 *to be managed, invested, and distributed by the Secretary*
 6 *and to remain available until expended, withdrawn, or re-*
 7 *verted to the general fund of the Treasury, consisting of the*
 8 *amounts deposited in the Trust Fund under subsection (c),*
 9 *together with any investment earnings, including interest,*
 10 *earned on those amounts, for the purpose of carrying out*
 11 *this division.*

12 (b) *ACCOUNTS.*—*The Secretary shall establish in the*
 13 *Trust Fund the following accounts:*

14 (1) *The Fort Belknap Indian Community Tribal*
 15 *Irrigation and Other Water Resources Development*
 16 *Account.*

17 (2) *The Fort Belknap Indian Community Water*
 18 *Resources and Water Rights Administration, Oper-*
 19 *ation, and Maintenance Account.*

20 (3) *The Fort Belknap Indian Community Clean*
 21 *and Safe Domestic Water and Sewer Systems, and*
 22 *Lake Elwell Project Account.*

23 (c) *DEPOSITS.*—*The Secretary shall deposit—*

24 (1) *in the Fort Belknap Indian Community*
 25 *Tribal Irrigation and Other Water Resources Devel-*
 26 *opment Account established under subsection (b)(1),*

1 *the amounts made available pursuant to paragraphs*
 2 *(1)(A) and (2)(A)(i) of section 11014(a);*

3 *(2) in the Fort Belknap Indian Community*
 4 *Water Resources and Water Rights Administration,*
 5 *Operation, and Maintenance Account established*
 6 *under subsection (b)(2), the amounts made available*
 7 *pursuant to section 11014(a)(2)(A)(ii); and*

8 *(3) in the Fort Belknap Indian Community*
 9 *Clean and Safe Domestic Water and Sewer Systems,*
 10 *and Lake Elwell Project Account established under*
 11 *subsection (b)(3), the amounts made available pursu-*
 12 *ant to paragraphs (1)(B) and (2)(A)(iii) of section*
 13 *11014(a).*

14 *(d) MANAGEMENT AND INTEREST.—*

15 *(1) MANAGEMENT.—On receipt and deposit of*
 16 *the funds into the accounts in the Trust Fund pursu-*
 17 *ant to subsection (c), the Secretary shall manage, in-*
 18 *vest, and distribute all amounts in the Trust Fund in*
 19 *accordance with the investment authority of the Sec-*
 20 *retary under—*

21 *(A) the first section of the Act of June 24,*
 22 *1938 (25 U.S.C. 162a);*

23 *(B) the American Indian Trust Fund Man-*
 24 *agement Reform Act of 1994 (25 U.S.C. 4001 et*
 25 *seq.); and*

1 (C) *this section.*

2 (2) *INVESTMENT EARNINGS.—In addition to the*
 3 *amounts deposited under subsection (c), any invest-*
 4 *ment earnings, including interest, credited to*
 5 *amounts held in the Trust Fund shall be available for*
 6 *use in accordance with subsections (e) and (g).*

7 (e) *AVAILABILITY OF AMOUNTS.—*

8 (1) *IN GENERAL.—Amounts appropriated to,*
 9 *and deposited in, the Trust Fund, including any in-*
 10 *vestment earnings, including interest, earned on those*
 11 *amounts shall be made available—*

12 (A) *to the Fort Belknap Indian Community*
 13 *by the Secretary beginning on the enforceability*
 14 *date; and*

15 (B) *subject to the uses and restrictions in*
 16 *this section.*

17 (2) *EXCEPTIONS.—Notwithstanding paragraph*
 18 (1)—

19 (A) *amounts deposited in the Fort Belknap*
 20 *Indian Community Tribal Irrigation and Other*
 21 *Water Resources Development Account estab-*
 22 *lished under subsection (b)(1) shall be available*
 23 *to the Fort Belknap Indian Community on the*
 24 *date on which the amounts are deposited for uses*

described in subparagraph (A) and (B) of subsection (g)(1);

(B) amounts deposited in the Fort Belknap Indian Community Water Resources and Water Rights Administration, Operation, and Maintenance Account established under subsection (b)(2) shall be made available to the Fort Belknap Indian Community on the date on which the amounts are deposited and the Fort Belknap Indian Community has satisfied the requirements of section 11011(f)(1), for the uses described in subsection (g)(2)(A); and

(C) amounts deposited in the Fort Belknap Indian Community Clean and Safe Domestic Water and Sewer Systems, and Lake Elwell Project Account established under subsection (b)(3) shall be available to the Fort Belknap Indian Community on the date on which the amounts are deposited for the uses described in subsection (g)(3)(A).

(f) WITHDRAWALS.—

(1) AMERICAN INDIAN TRUST FUND MANAGEMENT REFORM ACT OF 1994.—

(A) IN GENERAL.—The Fort Belknap Indian Community may withdraw any portion of

1 *the funds in the Trust Fund on approval by the*
2 *Secretary of a Tribal management plan sub-*
3 *mitted by the Fort Belknap Indian Community*
4 *in accordance with the American Indian Trust*
5 *Fund Management Reform Act of 1994 (25*
6 *U.S.C. 4001 et seq.).*

7 *(B) REQUIREMENTS.—In addition to the*
8 *requirements under the American Indian Trust*
9 *Fund Management Reform Act of 1994 (25*
10 *U.S.C. 4001 et seq.), the Tribal management*
11 *plan under this paragraph shall require that the*
12 *Fort Belknap Indian Community spend all*
13 *amounts withdrawn from the Trust Fund, and*
14 *any investment earnings accrued through the in-*
15 *vestments under the Tribal management plan, in*
16 *accordance with this division.*

17 *(C) ENFORCEMENT.—The Secretary may*
18 *carry out such judicial and administrative ac-*
19 *tions as the Secretary determines to be nec-*
20 *essary—*

21 *(i) to enforce the Tribal management*
22 *plan; and*

23 *(ii) to ensure that amounts withdrawn*
24 *from the Trust Fund by the Fort Belknap*

1 *Indian Community under this paragraph*
 2 *are used in accordance with this division.*

3 (2) *WITHDRAWALS UNDER EXPENDITURE*
 4 *PLAN.—*

5 (A) *IN GENERAL.—The Fort Belknap In-*
 6 *dian Community may submit to the Secretary a*
 7 *request to withdraw funds from the Trust Fund*
 8 *pursuant to an approved expenditure plan.*

9 (B) *REQUIREMENTS.—To be eligible to*
 10 *withdraw funds under an expenditure plan*
 11 *under this paragraph, the Fort Belknap Indian*
 12 *Community shall submit to the Secretary for ap-*
 13 *proval an expenditure plan for any portion of*
 14 *the Trust Fund that the Fort Belknap Indian*
 15 *Community elects to withdraw pursuant to this*
 16 *paragraph, subject to the condition that the*
 17 *funds shall be used for the purposes described in*
 18 *this division.*

19 (C) *INCLUSIONS.—An expenditure plan*
 20 *under this paragraph shall include a description*
 21 *of the manner and purpose for which the*
 22 *amounts proposed to be withdrawn from the*
 23 *Trust Fund will be used by the Fort Belknap In-*
 24 *dian Community in accordance with subsections*
 25 *(e) and (g).*

1 (D) *APPROVAL.*—*On receipt of an expendi-*
 2 *ture plan under this paragraph, the Secretary*
 3 *shall approve the expenditure plan if the Sec-*
 4 *retary determines that the expenditure plan—*

5 (i) *is reasonable; and*

6 (ii) *is consistent with, and will be used*
 7 *for, the purposes of this division.*

8 (E) *ENFORCEMENT.*—*The Secretary may*
 9 *carry out such judicial and administrative ac-*
 10 *tions as the Secretary determines to be necessary*
 11 *to enforce an expenditure plan under this para-*
 12 *graph to ensure that amounts disbursed under*
 13 *this paragraph are used in accordance with this*
 14 *division.*

15 (g) *USES.*—*Amounts from the Trust Fund shall be*
 16 *used by the Fort Belknap Indian Community for the fol-*
 17 *lowing purposes:*

18 (1) *FORT BELKNAP INDIAN COMMUNITY TRIBAL*
 19 *IRRIGATION AND OTHER WATER RESOURCES DEVEL-*
 20 *OPMENT ACCOUNT.*—*Amounts in the Fort Belknap In-*
 21 *dian Community Tribal Irrigation and Other Water*
 22 *Resources Development Account established under*
 23 *subsection (b)(1) shall be used to pay the cost of ac-*
 24 *tivities relating to—*

1 (A) *planning, studies, and design of the*
 2 *Southern Tributary Irrigation Project and the*
 3 *Peoples Creek Irrigation Project, including the*
 4 *Upper Peoples Creek Dam and Reservoir, as gen-*
 5 *erally described in the document of Natural Re-*
 6 *sources Consulting Engineers, Inc., entitled*
 7 *“Fort Belknap Indian Community Comprehen-*
 8 *sive Water Development Plan” and dated Feb-*
 9 *ruary 2019;*

10 (B) *environmental compliance;*

11 (C) *construction of the Southern Tributary*
 12 *Irrigation Project and the Peoples Creek Irriga-*
 13 *tion Project, including the Upper Peoples Creek*
 14 *Dam and Reservoir;*

15 (D) *wetlands restoration and development;*

16 (E) *stock watering infrastructure; and*

17 (F) *on farm development support and reac-*
 18 *quisition of fee lands within the Fort Belknap*
 19 *Indian Irrigation Project and Fort Belknap In-*
 20 *dian Community irrigation projects within the*
 21 *Reservation.*

22 (2) *FORT BELKNAP INDIAN COMMUNITY WATER*
 23 *RESOURCES AND WATER RIGHTS ADMINISTRATION,*
 24 *OPERATION, AND MAINTENANCE ACCOUNT.—Amounts*
 25 *in the Fort Belknap Indian Community Water Re-*

1 *sources and Water Rights Administration, Operation,*
2 *and Maintenance Account established under sub-*
3 *section (b)(2), the principal and investment earnings,*
4 *including interest, may only be used by the Fort*
5 *Belknap Indian Community to pay the costs of ac-*
6 *tivities described in subparagraphs (A) through (C)*
7 *as follows:*

8 (A) *\$9,000,000 shall be used for the estab-*
9 *lishment, operation, and capital expenditures in*
10 *connection with the administration of the Tribal*
11 *water resources and water rights development,*
12 *including the development or enactment of a*
13 *Tribal water code.*

14 (B) *Only investment earnings, including*
15 *interest, on \$29,299,059 shall be used and be*
16 *available to pay the costs of activities for admin-*
17 *istration, operations, and regulation of the Trib-*
18 *al water resources and water rights department,*
19 *in accordance with the Compact and this divi-*
20 *sion.*

21 (C) *Only investment earnings, including in-*
22 *terest, on \$28,331,693 shall be used and be avail-*
23 *able to pay the costs of activities relating to a*
24 *portion of the annual assessment costs for the*
25 *Fort Belknap Indian Community and Tribal*

1 *members, including allottees, under the Fort*
2 *Belknap Indian Irrigation Project and Fort*
3 *Belknap Indian Community irrigation projects*
4 *within the Reservation.*

5 (3) *FORT BELKNAP INDIAN COMMUNITY CLEAN*
6 *AND SAFE DOMESTIC WATER AND SEWER SYSTEMS,*
7 *AND LAKE ELWELL PROJECT ACCOUNT.*—*Amounts in*
8 *the Fort Belknap Indian Community Clean and Safe*
9 *Domestic Water and Sewer Systems, and Lake Elwell*
10 *Project Account established under subsection (b)(3),*
11 *the principal and investment earnings, including in-*
12 *terest, may only be used by the Fort Belknap Indian*
13 *Community to pay the costs of activities relating to—*

14 (A) *planning, studies, design, and environ-*
15 *mental compliance of domestic water supply,*
16 *and sewer collection and treatment systems, as*
17 *generally described in the document of Natural*
18 *Resources Consulting Engineers, Inc., entitled*
19 *“Fort Belknap Indian Community Comprehen-*
20 *sive Water Development Plan” and dated Feb-*
21 *ruary 2019, including the Lake Elwell Project*
22 *water delivery to the southern part of the Res-*
23 *ervation;*

24 (B) *construction of domestic water supply,*
25 *sewer collection, and treatment systems;*

1 (C) construction, in accordance with appli-
2 cable law, of infrastructure for delivery of Lake
3 Elwell water diverted from the Missouri River to
4 the southern part of the Reservation; and

5 (D) planning, studies, design, environ-
6 mental compliance, and construction of a Tribal
7 wellness center for a work force health and
8 wellbeing project.

9 (h) *LIABILITY.*—The Secretary shall not be liable for
10 any expenditure or investment of amounts withdrawn from
11 the Trust Fund by the Fort Belknap Indian Community
12 pursuant to subsection (f).

13 (i) *PROJECT EFFICIENCIES.*—If the total cost of the
14 activities described in subsection (g) results in cost savings
15 and is less than the amounts authorized to be obligated
16 under any of paragraphs (1) through (3) of that subsection
17 required to carry out those activities, the Secretary, at the
18 request of the Fort Belknap Indian Community, shall de-
19 posit those savings in the Trust Fund to be used in accord-
20 ance with that subsection.

21 (j) *ANNUAL REPORT.*—The Fort Belknap Indian Com-
22 munity shall submit to the Secretary an annual expendi-
23 ture report describing accomplishments and amounts spent
24 from use of withdrawals under a Tribal management plan
25 or an expenditure plan described in this section.

1 (k) *NO PER CAPITA PAYMENTS.*—No principal or in-
 2 terest amount in any account established by this section
 3 shall be distributed to any member of the Fort Belknap In-
 4 dian Community on a per capita basis.

5 (l) *EFFECT.*—Nothing in this division entitles the Fort
 6 Belknap Indian Community to judicial review of a deter-
 7 mination of the Secretary regarding whether to approve a
 8 Tribal management plan under subsection (f)(1) or an ex-
 9 penditure plan under subsection (f)(2), except as provided
 10 under subchapter II of chapter 5, and chapter 7, of title
 11 5, United States Code (commonly known as the “Adminis-
 12 trative Procedure Act”).

13 **SEC. 11013. FORT BELKNAP INDIAN COMMUNITY WATER**
 14 **SETTLEMENT IMPLEMENTATION FUND.**

15 (a) *ESTABLISHMENT.*—There is established in the
 16 Treasury of the United States a non-trust, interest-bearing
 17 account to be known as the “Fort Belknap Indian Commu-
 18 nity Water Settlement Implementation Fund”, to be man-
 19 aged and distributed by the Secretary, for use by the Sec-
 20 retary for carrying out this division.

21 (b) *ACCOUNTS.*—The Secretary shall establish in the
 22 Implementation Fund the following accounts:

23 (1) *The Fort Belknap Indian Irrigation Project*
 24 *System Account.*

25 (2) *The Milk River Project Mitigation Account.*

1 (c) *DEPOSITS.*—*The Secretary shall deposit—*

2 (1) *in the Fort Belknap Indian Irrigation*
3 *Project System Account established under subsection*
4 *(b)(1), the amount made available pursuant to para-*
5 *graphs (1)(C) and (2)(A)(iv) of section 11014(a); and*

6 (2) *in the Milk River Project Mitigation Account*
7 *established under subsection (b)(2), the amount made*
8 *available pursuant to section 11014(a)(1)(D).*

9 (d) *USES.*—

10 (1) *FORT BELKNAP INDIAN IRRIGATION PROJECT*
11 *SYSTEM ACCOUNT.*—*The Fort Belknap Indian Irriga-*
12 *tion Project Rehabilitation Account established under*
13 *subsection (b)(1) shall be used to carry out section*
14 *11009, except as provided in subsection (h) of that*
15 *section.*

16 (2) *MILK RIVER PROJECT MITIGATION AC-*
17 *COUNT.*—*The Milk River Project Mitigation Account*
18 *established under subsection (b)(2) may only be used*
19 *to carry out section 11008.*

20 (e) *MANAGEMENT.*—

21 (1) *IN GENERAL.*—*Amounts in the Implementa-*
22 *tion Fund shall not be available to the Secretary for*
23 *expenditure until the enforceability date.*

24 (2) *EXCEPTION.*—*Notwithstanding paragraph*
25 *(1), amounts deposited in the Fort Belknap Indian*

1 *Irrigation Project System Account established under*
 2 *subsection (b)(1) shall be available to the Secretary on*
 3 *the date on which the amounts are deposited for uses*
 4 *described in paragraphs (1) and (2) of section*
 5 *11009(a).*

6 *(f) INTEREST.—In addition to the deposits under sub-*
 7 *section (c), any interest credited to amounts unexpended in*
 8 *the Implementation Fund are authorized to be appropriated*
 9 *to be used in accordance with the uses described in sub-*
 10 *section (d).*

11 **SEC. 11014. FUNDING.**

12 *(a) FUNDING.—*

13 *(1) AUTHORIZATION OF APPROPRIATIONS.—Sub-*
 14 *ject to subsection (b), there are authorized to be ap-*
 15 *propriated to the Secretary—*

16 *(A) for deposit in the Fort Belknap Indian*
 17 *Community Tribal Irrigation and Other Water*
 18 *Resources Development Account of the Trust*
 19 *Fund established under section 11012(b)(1),*
 20 *\$89,643,100, to be retained until expended, with-*
 21 *drawn, or reverted to the general fund of the*
 22 *Treasury;*

23 *(B) for deposit in the Fort Belknap Indian*
 24 *Community Clean and Safe Domestic Water and*
 25 *Sewer Systems, and Lake Elwell Project Account*

1 *of the Trust Fund established under section*
2 *11012(b)(3), \$331,885,220, to be retained until*
3 *expended, withdrawn, or reverted to the general*
4 *fund of the Treasury;*

5 *(C) for deposit in the Fort Belknap Indian*
6 *Irrigation Project System Account of the Imple-*
7 *mentation Fund established under section*
8 *11013(b)(1), such sums as are necessary, but not*
9 *more than \$187,124,469, for the Secretary to*
10 *carry out section 11009, to be retained until ex-*
11 *pended, withdrawn, or reverted to the general*
12 *fund of the Treasury; and*

13 *(D) for deposit in the Milk River Project*
14 *Mitigation Account of the Implementation Fund*
15 *established under section 11013(b)(2), such sums*
16 *as are necessary, but not more than*
17 *\$300,000,000, for the Secretary to carry out obli-*
18 *gations of the Secretary under section 11008, to*
19 *be retained until expended, withdrawn, or re-*
20 *verted to the general fund of the Treasury.*

21 *(2) MANDATORY APPROPRIATIONS.—*

22 *(A) IN GENERAL.—Out of any funds in the*
23 *Treasury not otherwise appropriated, the Sec-*
24 *retary of the Treasury shall deposit—*

1 (i) *in the Fort Belknap Indian Com-*
2 *munity Tribal Irrigation and Other Water*
3 *Resources Development Account of the Trust*
4 *Fund established under section 11012(b)(1),*
5 *\$29,881,034, to be retained until expended,*
6 *withdrawn, or reverted to the general fund*
7 *of the Treasury;*

8 (ii) *in the Fort Belknap Indian Com-*
9 *munity Water Resources and Water Rights*
10 *Administration, Operation, and Mainte-*
11 *nance Account of the Trust Fund estab-*
12 *lished under section 11012(b)(2),*
13 *\$66,630,752;*

14 (iii) *in the Fort Belknap Indian Com-*
15 *munity Clean and Safe Domestic Water*
16 *and Sewer Systems, and Lake Elwell*
17 *Project Account of the Trust Fund estab-*
18 *lished under section 11012(b)(3),*
19 *\$110,628,407; and*

20 (iv) *in the Fort Belknap Indian Irri-*
21 *gation Project System Account of the Imple-*
22 *mentation Fund established under section*
23 *11013(b)(1), \$228,707,684.*

1 (B) *AVAILABILITY.*—Amounts deposited in
 2 the accounts under subparagraph (A) shall be
 3 available without further appropriation.

4 (3) *STATE COST SHARE.*—The State shall con-
 5 tribute \$5,000,000, plus any earned interest, payable
 6 to the Secretary for deposit in the Fort Belknap In-
 7 dian Community Tribal Irrigation and Other Water
 8 Resources Development Account of the Trust Fund es-
 9 tablished under section 11012(b)(1) on approval of a
 10 final decree by the Montana Water Court for the pur-
 11 pose of activities relating to the Upper Peoples Creek
 12 Dam and Reservoir under subparagraphs (A) through
 13 (C) of section 11012(g)(1).

14 (b) *FLUCTUATION IN COSTS.*—

15 (1) *IN GENERAL.*—The amounts authorized to be
 16 appropriated under paragraphs (1) and (2) of sub-
 17 section (a) and this subsection shall be—

18 (A) increased or decreased, as appropriate,
 19 by such amounts as may be justified by reason
 20 of ordinary fluctuations in costs occurring after
 21 the date of enactment of this Act as indicated by
 22 the Bureau of Reclamation Construction Cost
 23 Index—Composite Trend; and

24 (B) adjusted to address construction cost
 25 changes necessary to account for unforeseen mar-

1 *ket volatility that may not otherwise be captured*
 2 *by engineering cost indices as determined by the*
 3 *Secretary, including repricing applicable to the*
 4 *types of construction and current industry*
 5 *standards involved.*

6 (2) *REPETITION.*—*The adjustment process under*
 7 *paragraph (1) shall be repeated for each subsequent*
 8 *amount appropriated until the amount authorized to*
 9 *be appropriated under subsection (a), as adjusted, has*
 10 *been appropriated.*

11 (3) *PERIOD OF INDEXING.*—

12 (A) *TRUST FUND.*—*With respect to the*
 13 *Trust Fund, the period of indexing adjustment*
 14 *under paragraph (1) for any increment of fund-*
 15 *ing shall end on the date on which the funds are*
 16 *deposited into the Trust Fund.*

17 (B) *IMPLEMENTATION FUND.*—*With respect*
 18 *to the Implementation Fund, the period of ad-*
 19 *justment under paragraph (1) for any increment*
 20 *of funding shall be annually.*

21 **SEC. 11015. MISCELLANEOUS PROVISIONS.**

22 (a) *WAIVER OF SOVEREIGN IMMUNITY BY THE UNITED*
 23 *STATES.*—*Except as provided in subsections (a) through (c)*
 24 *of section 208 of the Department of Justice Appropriation*

1 *Act, 1953 (43 U.S.C. 666), nothing in this division waives*
2 *the sovereign immunity of the United States.*

3 (b) *OTHER TRIBES NOT ADVERSELY AFFECTED.—*
4 *Nothing in this division quantifies or diminishes any land*
5 *or water right, or any claim or entitlement to land or*
6 *water, of an Indian Tribe, band, or community other than*
7 *the Fort Belknap Indian Community.*

8 (c) *ELIMINATION OF DEBTS OR LIENS AGAINST AL-*
9 *LOTMENTS OF THE FORT BELKNAP INDIAN COMMUNITY*
10 *MEMBERS WITHIN THE FORT BELKNAP INDIAN IRRIGA-*
11 *TION PROJECT.—On the date of enactment of this Act, the*
12 *Secretary shall cancel and eliminate all debts or liens*
13 *against the allotments of land held by the Fort Belknap In-*
14 *dian Community and the members of the Fort Belknap In-*
15 *dian Community due to construction assessments and an-*
16 *nual operation and maintenance charges relating to the*
17 *Fort Belknap Indian Irrigation Project.*

18 (d) *EFFECT ON CURRENT LAW.—Nothing in this divi-*
19 *sion affects any provision of law (including regulations) in*
20 *effect on the day before the date of enactment of this Act*
21 *with respect to pre-enforcement review of any Federal envi-*
22 *ronmental enforcement action.*

23 (e) *EFFECT ON RECLAMATION LAWS.—The activities*
24 *carried out by the Commissioner under this division shall*
25 *not establish a precedent or impact the authority provided*

1 *under any other provision of the reclamation laws, includ-*
2 *ing—*

3 *(1) the Reclamation Rural Water Supply Act of*
4 *2006 (43 U.S.C. 2401 et seq.); and*

5 *(2) the Omnibus Public Land Management Act*
6 *of 2009 (Public Law 111–11; 123 Stat. 991).*

7 *(f) ADDITIONAL FUNDING.—Nothing in this division*
8 *prohibits the Fort Belknap Indian Community from seek-*
9 *ing—*

10 *(1) additional funds for Tribal programs or pur-*
11 *poses; or*

12 *(2) funding from the United States or the State*
13 *based on the status of the Fort Belknap Indian Com-*
14 *munity as an Indian Tribe.*

15 *(g) RIGHTS UNDER STATE LAW.—Except as provided*
16 *in section 1 of Article III of the Compact (relating to the*
17 *closing of certain water basins in the State to new appro-*
18 *priations in accordance with the laws of the State), nothing*
19 *in this division or the Compact precludes the acquisition*
20 *or exercise of a right arising under State law (as defined*
21 *in section 6 of Article II of the Compact) to the use of water*
22 *by the Fort Belknap Indian Community, or a member or*
23 *allottee of the Fort Belknap Indian Community, outside the*
24 *Reservation by—*

25 *(1) purchase of the right; or*

1 (2) *submitting to the State an application in ac-*
2 *cordance with State law.*

3 (h) *WATER STORAGE AND IMPORTATION.—Nothing in*
4 *this division or the Compact prevents the Fort Belknap In-*
5 *dian Community from participating in any project to im-*
6 *port water to, or to add storage in, the Milk River Basin.*

7 **SEC. 11016. ANTIDEFICIENCY.**

8 *The United States shall not be liable for any failure*
9 *to carry out any obligation or activity authorized by this*
10 *division, including any obligation or activity under the*
11 *Compact, if—*

12 (1) *adequate appropriations are not provided by*
13 *Congress expressly to carry out the purposes of this*
14 *division; or*

15 (2) *there are not enough funds available in the*
16 *Reclamation Water Settlements Fund established by*
17 *section 10501(a) of the Omnibus Public Land Man-*
18 *agement Act of 2009 (43 U.S.C. 407(a)) to carry out*
19 *the purposes of this division.*

1 ***DIVISION L—COMMITTEE ON***
 2 ***HOMELAND SECURITY AND***
 3 ***GOVERNMENTAL AFFAIRS***
 4 ***TITLE LXIX—FEDERAL DATA***
 5 ***AND INFORMATION SECURITY***
 6 ***Subtitle A—Federal Data Center***
 7 ***Enhancement Act of 2023***

8 ***SEC. 11001. SHORT TITLE.***

9 *This subtitle may be cited as the “Federal Data Center*
 10 *Enhancement Act of 2023”.*

11 ***SEC. 11002. FEDERAL DATA CENTER CONSOLIDATION INI-***
 12 ***TIATIVE AMENDMENTS.***

13 *(a) FINDINGS.—Congress finds the following:*

14 *(1) The statutory authorization for the Federal*
 15 *Data Center Optimization Initiative under section*
 16 *834 of the Carl Levin and Howard P. “Buck”*
 17 *McKeon National Defense Authorization Act for Fis-*
 18 *cal Year 2015 (44 U.S.C. 3601 note; Public Law 113–*
 19 *291) expired at the end of fiscal year 2022.*

20 *(2) The expiration of the authorization described*
 21 *in paragraph (1) presents Congress with an oppor-*
 22 *tunity to review the objectives of the Federal Data*
 23 *Center Optimization Initiative to ensure that the ini-*
 24 *tiative is meeting the current needs of the Federal*
 25 *Government.*

1 (3) *The initial focus of the Federal Data Center*
2 *Optimization Initiative, which was to consolidate*
3 *data centers and create new efficiencies, has resulted*
4 *in, since 2010—*

5 (A) *the consolidation of more than 6,000*
6 *Federal data centers; and*

7 (B) *cost savings and avoidance of*
8 *\$5,800,000,000.*

9 (4) *The need of the Federal Government for ac-*
10 *cess to data and data processing systems has evolved*
11 *since the date of enactment in 2014 of subtitle D of*
12 *title VIII of the Carl Levin and Howard P. “Buck”*
13 *McKeon National Defense Authorization Act for Fis-*
14 *cal Year 2015.*

15 (5) *Federal agencies and employees involved in*
16 *mission critical functions increasingly need reliable*
17 *access to secure, reliable, and protected facilities to*
18 *house mission critical data and data operations to*
19 *meet the immediate needs of the people of the United*
20 *States.*

21 (6) *As of the date of enactment of this subtitle,*
22 *there is a growing need for Federal agencies to use*
23 *data centers and cloud applications that meet high*
24 *standards for cybersecurity, resiliency, and avail-*
25 *ability.*

1 (b) *MINIMUM REQUIREMENTS FOR NEW DATA CEN-*
 2 *TERS.—Section 834 of the Carl Levin and Howard P.*
 3 *“Buck” McKeon National Defense Authorization Act for*
 4 *Fiscal Year 2015 (44 U.S.C. 3601 note; Public Law 113–*
 5 *291) is amended—*

6 (1) *in subsection (a), by striking paragraphs (3)*
 7 *and (4) and inserting the following:*

8 “(3) *NEW DATA CENTER.—The term ‘new data*
 9 *center’ means—*

10 “(A)(i) *a data center or a portion thereof*
 11 *that is owned, operated, or maintained by a cov-*
 12 *ered agency; or*

13 “(ii) *to the extent practicable, a data center*
 14 *or portion thereof—*

15 “(I) *that is owned, operated, or main-*
 16 *tained by a contractor on behalf of a cov-*
 17 *ered agency on the date on which the con-*
 18 *tract between the covered agency and the*
 19 *contractor expires; and*

20 “(II) *with respect to which the covered*
 21 *agency extends the contract, or enters into*
 22 *a new contract, with the contractor; and*

23 “(B) *on or after the date that is 180 days*
 24 *after the date of enactment of the Federal Data*

1 *Center Enhancement Act of 2023, a data center*
2 *or portion thereof that is—*

3 “(i) established; or

4 “(ii) substantially upgraded or ex-
5 panded.”;

6 (2) *by striking subsection (b) and inserting the*
7 *following:*

8 “(b) *MINIMUM REQUIREMENTS FOR NEW DATA CEN-*
9 *TERS.—*

10 “(1) *IN GENERAL.—Not later than 180 days*
11 *after the date of enactment of the Federal Data Center*
12 *Enhancement Act of 2023, the Administrator shall es-*
13 *tablish minimum requirements for new data centers*
14 *in consultation with the Administrator of General*
15 *Services and the Federal Chief Information Officers*
16 *Council.*

17 “(2) *CONTENTS.—*

18 “(A) *IN GENERAL.—The minimum require-*
19 *ments established under paragraph (1) shall in-*
20 *clude requirements relating to—*

21 “(i) *the availability of new data cen-*
22 *ters;*

23 “(ii) *the use of new data centers;*

24 “(iii) *uptime percentage;*

1 “(iv) protections against power fail-
2 ures, including on-site energy generation
3 and access to multiple transmission paths;

4 “(v) protections against physical in-
5 trusions and natural disasters;

6 “(vi) information security protections
7 required by subchapter II of chapter 35 of
8 title 44, United States Code, and other ap-
9 plicable law and policy; and

10 “(vii) any other requirements the Ad-
11 ministrator determines appropriate.

12 “(B) CONSULTATION.—In establishing the
13 requirements described in subparagraph (A)(vi),
14 the Administrator shall consult with the Director
15 of the Cybersecurity and Infrastructure Security
16 Agency and the National Cyber Director.

17 “(3) INCORPORATION OF MINIMUM REQUIRE-
18 MENTS INTO CURRENT DATA CENTERS.—As soon as
19 practicable, and in any case not later than 90 days
20 after the Administrator establishes the minimum re-
21 quirements pursuant to paragraph (1), the Adminis-
22 trator shall issue guidance to ensure, as appropriate,
23 that covered agencies incorporate the minimum re-
24 quirements established under that paragraph into the
25 operations of any data center of a covered agency ex-

1 *isting as of the date of enactment of the Federal Data*
2 *Center Enhancement Act of 2023.*

3 “(4) *REVIEW OF REQUIREMENTS.*—*The Adminis-*
4 *trator, in consultation with the Administrator of Gen-*
5 *eral Services and the Federal Chief Information Offi-*
6 *cers Council, shall review, update, and modify the*
7 *minimum requirements established under paragraph*
8 *(1), as necessary.*

9 “(5) *REPORT ON NEW DATA CENTERS.*—*During*
10 *the development and planning lifecycle of a new data*
11 *center, if the head of a covered agency determines that*
12 *the covered agency is likely to make a management or*
13 *financial decision relating to any data center, the*
14 *head of the covered agency shall—*

15 “(A) *notify—*

16 “(i) *the Administrator;*

17 “(ii) *Committee on Homeland Security*
18 *and Governmental Affairs of the Senate;*
19 *and*

20 “(iii) *Committee on Oversight and Ac-*
21 *countability of the House of Representatives;*
22 *and*

23 “(B) *describe in the notification with suffi-*
24 *cient detail how the covered agency intends to*

1 *comply with the minimum requirements estab-*
 2 *lished under paragraph (1).*

3 “(6) *USE OF TECHNOLOGY.*—*In determining*
 4 *whether to establish or continue to operate an existing*
 5 *data center, the head of a covered agency shall—*

6 “(A) *regularly assess the application port-*
 7 *folio of the covered agency and ensure that each*
 8 *at-risk legacy application is updated, replaced,*
 9 *or modernized, as appropriate, to take advantage*
 10 *of modern technologies; and*

11 “(B) *prioritize and, to the greatest extent*
 12 *possible, leverage commercial cloud environments*
 13 *rather than acquiring, overseeing, or managing*
 14 *custom data center infrastructure.*

15 “(7) *PUBLIC WEBSITE.*—

16 “(A) *IN GENERAL.*—*The Administrator*
 17 *shall maintain a public-facing website that in-*
 18 *cludes information, data, and explanatory state-*
 19 *ments relating to the compliance of covered agen-*
 20 *cies with the requirements of this section.*

21 “(B) *PROCESSES AND PROCEDURES.*—*In*
 22 *maintaining the website described in subpara-*
 23 *graph (A), the Administrator shall—*

24 “(i) *ensure covered agencies regularly,*
 25 *and not less frequently than biannually, up-*

1 *date the information, data, and explanatory*
2 *statements posed on the website, pursuant to*
3 *guidance issued by the Administrator, relat-*
4 *ing to any new data centers and, as appro-*
5 *priate, each existing data center of the cov-*
6 *ered agency; and*

7 *“(ii) ensure that all information, data,*
8 *and explanatory statements on the website*
9 *are maintained as open Government data*
10 *assets.”; and*

11 *(3) in subsection (c), by striking paragraph (1)*
12 *and inserting the following:*

13 *“(1) IN GENERAL.—The head of a covered agency*
14 *shall oversee and manage the data center portfolio*
15 *and the information technology strategy of the covered*
16 *agency in accordance with Federal cybersecurity*
17 *guidelines and directives, including—*

18 *“(A) information security standards and*
19 *guidelines promulgated by the Director of the*
20 *National Institute of Standards and Technology;*

21 *“(B) applicable requirements and guidance*
22 *issued by the Director of the Office of Manage-*
23 *ment and Budget pursuant to section 3614 of*
24 *title 44, United States Code; and*

1 “(C) directives issued by the Secretary of
 2 Homeland Security under section 3553 of title
 3 44, United States Code.”.

4 (c) *EXTENSION OF SUNSET*.—Section 834(e) of the
 5 *Carl Levin and Howard P. “Buck” McKeon National De-*
 6 *fense Authorization Act for Fiscal Year 2015 (44 U.S.C.*
 7 *3601 note; Public Law 113–291)* is amended by striking
 8 “2022” and inserting “2026”.

9 (d) *GAO REVIEW*.—Not later than 1 year after the
 10 date of the enactment of this subtitle, and annually there-
 11 after, the Comptroller General of the United States shall
 12 review, verify, and audit the compliance of covered agencies
 13 with the minimum requirements established pursuant to
 14 section 834(b)(1) of the *Carl Levin and Howard P. “Buck”*
 15 *McKeon National Defense Authorization Act for Fiscal Year*
 16 *2015 (44 U.S.C. 3601 note; Public Law 113–291)* for new
 17 data centers and subsection (b)(3) of that section for exist-
 18 ing data centers, as appropriate.

19 ***TITLE LXX—STEMMING THE***
 20 ***FLOW OF ILLICIT NARCOTICS***
 21 ***Subtitle A—Enhancing DHS Drug***
 22 ***Seizures Act***

23 ***SEC. 11101. SHORT TITLE.***

24 This subtitle may be cited as the “*Enhancing DHS*
 25 *Drug Seizures Act*”.

1 **SEC. 11102. COORDINATION AND INFORMATION SHARING.**

2 (a) *PUBLIC-PRIVATE PARTNERSHIPS.*—

3 (1) *STRATEGY.*—Not later than 180 days after
4 the date of enactment of this Act, the Secretary of
5 Homeland Security shall develop a strategy to
6 strengthen existing and establish new public-private
7 partnerships with shipping, chemical, and pharma-
8 ceutical industries to assist with early detection and
9 interdiction of illicit drugs and precursor chemicals.

10 (2) *CONTENTS.*—The strategy required under
11 paragraph (1) shall contain goals and objectives for
12 employees of the Department of Homeland Security to
13 ensure the tactics, techniques, and procedures gained
14 from the public-private partnerships described in
15 paragraph (1) are included in policies, best practices,
16 and training for the Department.

17 (3) *IMPLEMENTATION PLAN.*—Not later than 180
18 days after developing the strategy required under
19 paragraph (1), the Secretary of Homeland Security
20 shall develop an implementation plan for the strategy,
21 which shall outline departmental lead and support
22 roles, responsibilities, programs, and timelines for ac-
23 complishing the goals and objectives of the strategy.

24 (4) *BRIEFING.*—The Secretary of Homeland Se-
25 curity shall provide annual briefings to the Com-
26 mittee on Homeland Security and Governmental Af-

1 *fairs of the Senate and the Committee on Homeland*
 2 *Security of the House of Representatives regarding*
 3 *the progress made in addressing the implementation*
 4 *plan developed pursuant to paragraph (3).*

5 *(b) ASSESSMENT OF DRUG TASK FORCES.—*

6 *(1) IN GENERAL.—The Secretary of Homeland*
 7 *Security shall conduct an assessment of the*
 8 *counterdrug task forces in which the Department of*
 9 *Homeland Security, including components of the De-*
 10 *partment, participates in or leads, which shall in-*
 11 *clude—*

12 *(A) areas of potential overlap;*

13 *(B) opportunities for sharing information*
 14 *and best practices;*

15 *(C) how the Department's processes for en-*
 16 *sureing accountability and transparency in its*
 17 *vetting and oversight of partner agency task*
 18 *force members align with best practices; and*

19 *(D) corrective action plans for any capa-*
 20 *bility limitations and deficient or negative find-*
 21 *ings identified in the report for any such task*
 22 *forces led by the Department.*

23 *(2) COORDINATION.—In conducting the assess-*
 24 *ment required under paragraph (1), with respect to*
 25 *counterdrug task forces that include foreign partners,*

1 *the Secretary of Homeland Security shall coordinate*
2 *with the Secretary of State.*

3 (3) *REPORT.—*

4 (A) *IN GENERAL.—Not later than 180 days*
5 *after the date of enactment of this Act, the Sec-*
6 *retary of Homeland Security shall submit a re-*
7 *port to the Committee on Homeland Security*
8 *and Governmental Affairs of the Senate and the*
9 *Committee on Homeland Security of the House*
10 *of Representatives that contains a summary of*
11 *the results of the assessment conducted pursuant*
12 *to paragraph (1).*

13 (B) *FOREIGN PARTNERS.—If the report sub-*
14 *mitted under subparagraph (A) includes infor-*
15 *mation about counterdrug forces that include for-*
16 *ign partners, the Secretary of Homeland Secu-*
17 *rity shall submit the report to the Committee on*
18 *Foreign Relations of the Senate and the Com-*
19 *mittee on Foreign Affairs of the House of Rep-*
20 *resentatives.*

21 (4) *CORRECTIVE ACTION PLAN.—The Secretary*
22 *of Homeland Security shall—*

23 (A) *implement the corrective action plans*
24 *described in paragraph (1)(D) immediately after*

1 *the submission of the report pursuant to para-*
 2 *graph (2); and*

3 *(B) provide annual briefings to the Com-*
 4 *mittee on Homeland Security and Governmental*
 5 *Affairs of the Senate and the Committee on*
 6 *Homeland Security of the House of Representa-*
 7 *tives regarding the progress made in imple-*
 8 *menting the corrective action plans.*

9 *(c) COMBINATION OF BRIEFINGS.—The Secretary of*
 10 *Homeland Security may combine the briefings required*
 11 *under subsections (a)(4) and (b)(3)(B) and provide such*
 12 *combined briefings through fiscal year 2026.*

13 **SEC. 11103. DANGER PAY FOR DEPARTMENT OF HOMELAND**
 14 **SECURITY PERSONNEL DEPLOYED ABROAD.**

15 *(a) IN GENERAL.—Subtitle H of title VIII of the*
 16 *Homeland Security Act of 2002 (6 U.S.C. 451 et seq.) is*
 17 *amended by inserting after section 881 the following:*

18 **“SEC. 881A. DANGER PAY ALLOWANCE.**

19 *“(a) AUTHORIZATION.—An employee of the Depart-*
 20 *ment, while stationed in a foreign area, may be granted*
 21 *a danger pay allowance, not to exceed 35 percent of the*
 22 *basic pay of such employee, for any period during which*
 23 *such foreign area experiences a civil insurrection, a civil*
 24 *war, ongoing terrorist acts, or wartime conditions that*

1 *threaten physical harm or imminent danger to the health*
 2 *or well-being of such employee.*

3 “(b) *NOTICE.*—*Before granting or terminating a dan-*
 4 *ger pay allowance to any employee pursuant to subsection*
 5 *(a), the Secretary, after consultation with the Secretary of*
 6 *State, shall notify the Committee on Homeland Security*
 7 *and Governmental Affairs of the Senate, the Committee on*
 8 *Foreign Relations of the Senate, the Committee on Home-*
 9 *land Security of the House of Representatives, and the Com-*
 10 *mittee on Foreign Affairs of the House of Representatives*
 11 *of—*

12 “(1) *the intent to make such payments and the*
 13 *circumstances justifying such payments; or*

14 “(2) *the intent to terminate such payments and*
 15 *the circumstances justifying such termination.”.*

16 **SEC. 11104. IMPROVING TRAINING TO FOREIGN-VETTED**
 17 **LAW ENFORCEMENT OR NATIONAL SECURITY**
 18 **UNITS.**

19 *The Secretary of Homeland Security, or the designee*
 20 *of the Secretary, may, with the concurrence of the Secretary*
 21 *of State, provide training to foreign-vetted law enforcement*
 22 *or national security units and may waive reimbursement*
 23 *for salary expenses of such Department of Homeland Secu-*
 24 *rity personnel, in accordance with an agreement with the*

1 *Department of Defense pursuant to section 1535 of title 31,*
 2 *United States Code.*

3 **SEC. 11105. ENHANCING THE OPERATIONS OF U.S. CUS-**
 4 **TOMS AND BORDER PROTECTION IN FOREIGN**
 5 **COUNTRIES.**

6 *Section 411(f) of the Homeland Security Act of 2002*
 7 *(6 U.S.C. 211(f)) is amended—*

8 *(1) by redesignating paragraph (4) as para-*
 9 *graph (5); and*

10 *(2) by inserting after paragraph (3) the fol-*
 11 *lowing:*

12 *“(4) PERMISSIBLE ACTIVITIES.—*

13 *“(A) IN GENERAL.—Employees of U.S. Cus-*
 14 *toms and Border Protection and other customs*
 15 *officers designated in accordance with the au-*
 16 *thorities granted to officers and agents of Air*
 17 *and Marine Operations may, with the concur-*
 18 *rence of the Secretary of State, provide the sup-*
 19 *port described in subparagraph (B) to authori-*
 20 *ties of the government of a foreign country if an*
 21 *arrangement has been entered into between the*
 22 *Government of the United States and the govern-*
 23 *ment of such country that permits such support*
 24 *by such employees and officers.*

1 “(B) *SUPPORT DESCRIBED.*—*The support*
2 *described in this subparagraph is support for—*

3 “(i) *the monitoring, locating, tracking,*
4 *and deterrence of—*

5 “(I) *illegal drugs to the United*
6 *States;*

7 “(II) *the illicit smuggling of per-*
8 *sons and goods into the United States;*

9 “(III) *terrorist threats to the*
10 *United States; and*

11 “(IV) *other threats to the security*
12 *or economy of the United States;*

13 “(ii) *emergency humanitarian efforts;*
14 *and*

15 “(iii) *law enforcement capacity-build-*
16 *ing efforts.*

17 “(C) *PAYMENT OF CLAIMS.*—

18 “(i) *IN GENERAL.*—*Subject to clauses*
19 *(ii) and (iv), the Secretary, with the con-*
20 *currence of the Secretary of State, may ex-*
21 *pend funds that have been appropriated or*
22 *otherwise made available for the operating*
23 *expenses of the Department to pay claims*
24 *for money damages against the United*
25 *States, in accordance with the first para-*

1 *graph of section 2672 of title 28, United*
2 *States Code, which arise in a foreign coun-*
3 *try in connection with U.S. Customs and*
4 *Border Protection operations in such coun-*
5 *try.*

6 “(ii) *SUBMISSION DEADLINE.*—*A claim*
7 *may be allowed under clause (i) only if it*
8 *is presented not later than 2 years after it*
9 *accrues.*

10 “(iii) *REPORT.*—*Not later than 90*
11 *days after the date on which the expenditure*
12 *authority under clause (i) expires pursuant*
13 *to clause (iv), the Secretary shall submit a*
14 *report to the Committee on Homeland Secu-*
15 *rity and Governmental Affairs and the*
16 *Committee on Foreign Relations of the Sen-*
17 *ate and the Committee on Homeland Secu-*
18 *rity and Committee on Foreign Affairs of*
19 *the House of Representatives that describes,*
20 *for each of the payments made pursuant to*
21 *clause (i)—*

22 “(I) *the foreign entity that re-*
23 *ceived such payment;*

24 “(II) *the amount paid to such for-*
25 *eign entity;*

1 “(III) the country in which such
 2 foreign entity resides or has its prin-
 3 cipal place of business; and

4 “(IV) a detailed account of the
 5 circumstances justify such payment.

6 “(iv) *SUNSET*.—The expenditure au-
 7 thority under clause (i) shall expire on the
 8 date that is 5 years after the date of the en-
 9 actment of the *Enhancing DHS Drug Sei-*
 10 *zures Act*.”.

11 **SEC. 11106. DRUG SEIZURE DATA IMPROVEMENT.**

12 (a) *STUDY*.—Not later than 180 days after the date
 13 of the enactment of this Act, the Secretary of Homeland Se-
 14 curity shall conduct a study to identify any opportunities
 15 for improving drug seizure data collection.

16 (b) *ELEMENTS*.—The study required under subsection
 17 (a) shall—

18 (1) include a survey of the entities that use drug
 19 seizure data; and

20 (2) address—

21 (A) any additional data fields or drug type
 22 categories that should be added to U.S. Customs
 23 and Border Protection’s *SEACATS*, U.S. Border
 24 Patrol’s *e3* portal, and any other systems deemed
 25 appropriate by the Commissioner of U.S. Cus-

1 *toms and Border Protection, in accordance with*
2 *the first recommendation in the Government Ac-*
3 *countability Office’s report GAO–22–104725, en-*
4 *titled “Border Security: CBP Could Improve*
5 *How It Categorizes Drug Seizure Data and*
6 *Evaluates Training”;*

7 *(B) how all the Department of Homeland*
8 *Security components that collect drug seizure*
9 *data can standardize their data collection efforts*
10 *and deconflict drug seizure reporting;*

11 *(C) how the Department of Homeland Secu-*
12 *rity can better identify, collect, and analyze ad-*
13 *ditional data on precursor chemicals, synthetic*
14 *drugs, novel psychoactive substances, and ana-*
15 *logues that have been seized by U.S. Customs*
16 *and Border Protection and U.S. Immigration*
17 *and Customs Enforcement; and*

18 *(D) how the Department of Homeland Secu-*
19 *rity can improve its model of anticipated drug*
20 *flow into the United States.*

21 *(c) IMPLEMENTATION OF FINDINGS.—Following the*
22 *completion of the study required under subsection (a)—*

23 *(1) the Secretary of Homeland Security, in ac-*
24 *cordance with the Office of National Drug Control*
25 *Policy’s 2022 National Drug Control Strategy, shall*

1 *modify Department of Homeland Security drug sei-*
2 *zure policies and training programs, as appropriate,*
3 *consistent with the findings of such study; and*

4 *(2) the Commissioner of U.S. Customs and Bor-*
5 *der Protection, in consultation with the Director of*
6 *U.S. Immigration and Customs Enforcement, shall*
7 *make any necessary updates to relevant systems to in-*
8 *clude the results of confirmatory drug testing results.*

9 **SEC. 11107. DRUG PERFORMANCE MEASURES.**

10 *Not later than 180 days after the date of enactment*
11 *of this Act, the Secretary of Homeland Security shall de-*
12 *velop and implement a plan to ensure that components of*
13 *the Department of Homeland Security develop and main-*
14 *tain outcome-based performance measures that adequately*
15 *assess the success of drug interdiction efforts and how to*
16 *utilize the existing drug-related metrics and performance*
17 *measures to achieve the missions, goals, and targets of the*
18 *Department.*

19 **SEC. 11108. PENALTIES FOR HINDERING IMMIGRATION,**
20 **BORDER, AND CUSTOMS CONTROLS.**

21 *(a) PERSONNEL AND STRUCTURES.—Title II of the*
22 *Immigration and Nationality Act (8 U.S.C. 1151 et seq.)*
23 *is amended by inserting after section 274D the following:*

1 **“SECTION 274E. DESTROYING OR EVADING BORDER CON-**
2 **TROLS.**

3 “(a) *IN GENERAL.*—It shall be unlawful to knowingly
4 and without lawful authorization—

5 “(1)(A) *destroy or significantly damage any*
6 *fence, barrier, sensor, camera, or other physical or*
7 *electronic device deployed by the Federal Government*
8 *to control an international border of, or a port of*
9 *entry to, the United States; or*

10 “(B) *otherwise construct, excavate, or make any*
11 *structure intended to defeat, circumvent or evade such*
12 *a fence, barrier, sensor camera, or other physical or*
13 *electronic device deployed by the Federal Government*
14 *to control an international border of, or a port of*
15 *entry to, the United States; and*

16 “(2) *in carrying out an act described in para-*
17 *graph (1), have the intent to knowingly and will-*
18 *fully—*

19 “(A) *secure a financial gain;*

20 “(B) *further the objectives of a criminal or-*
21 *ganization; and*

22 “(C) *violate—*

23 “(i) *section 274(a)(1)(A)(i);*

24 “(ii) *the customs and trade laws of the*
25 *United States (as defined in section 2(4) of*

the Trade Facilitation and Trade Enforcement Act of 2015 (Public Law 114–125));

“(iii) any other Federal law relating to transporting controlled substances, agriculture, or monetary instruments into the United States; or

“(iv) any Federal law relating to border controls measures of the United States.

“(b) *PENALTY.*—Any person who violates subsection (a) shall be fined under title 18, United States Code, imprisoned for not more than 5 years, or both.”.

(b) *CLERICAL AMENDMENT.*—The table of contents for the Immigration and Nationality Act (8 U.S.C. 1101 et seq.) is amended by inserting after the item relating to section 274D the following:

“Sec. 274E. Destroying or evading border controls.”.

Subtitle B—Non-Intrusive Inspection Expansion Act

SEC. 11111. SHORT TITLE.

This subtitle may be cited as the “Non-Intrusive Inspection Expansion Act”.

***SEC. 11112. USE OF NON-INTRUSIVE INSPECTION SYSTEMS
AT LAND PORTS OF ENTRY.***

(a) *FISCAL YEAR 2026.*—Using non-intrusive inspection systems acquired through previous appropriations Acts, beginning not later than September 30, 2026, U.S.

1 *Customs and Border Protection shall use non-intrusive in-*
2 *spection systems at land ports of entry to scan, cumula-*
3 *tively, at ports of entry where systems are in place by the*
4 *deadline, not fewer than—*

5 (1) *40 percent of passenger vehicles entering the*
6 *United States; and*

7 (2) *90 percent of commercial vehicles entering*
8 *the United States.*

9 (b) *SUBSEQUENT FISCAL YEARS.—Beginning in fiscal*
10 *year 2027, U.S. Customs and Border Protection shall use*
11 *non-intrusive inspection systems at land ports of entry to*
12 *reach the next projected benchmark for incremental scan-*
13 *ning of passenger and commercial vehicles entering the*
14 *United States at such ports of entry.*

15 (c) *BRIEFING.—Not later than May 30, 2026, the Com-*
16 *missioner of U.S. Customs and Border Protection shall brief*
17 *the Committee on Homeland Security and Governmental*
18 *Affairs of the Senate and the Committee on Homeland Se-*
19 *curity of the House of Representatives regarding the*
20 *progress made during the first half of fiscal year 2026 in*
21 *achieving the scanning benchmarks described in subsection*
22 *(a).*

23 (d) *REPORT.—If the scanning benchmarks described in*
24 *subsection (a) are not met by the end of fiscal year 2026,*
25 *not later than 120 days after the end of that fiscal year,*

1 *the Commissioner of U.S. Customs and Border Protection*
2 *shall submit a report to the Committee on Homeland Secu-*
3 *rity and Governmental Affairs of the Senate and the Com-*
4 *mittee on Homeland Security of the House of Representa-*
5 *tives that—*

6 (1) *analyzes the causes for not meeting such re-*
7 *quirements;*

8 (2) *identifies any resource gaps and challenges;*
9 *and*

10 (3) *details the steps that will be taken to ensure*
11 *compliance with such requirements in the subsequent*
12 *fiscal year.*

13 **SEC. 11113. NON-INTRUSIVE INSPECTION SYSTEMS FOR**
14 **OUTBOUND INSPECTIONS.**

15 (a) *STRATEGY.*—*Not later than 180 days after the date*
16 *of the enactment of this Act, the Commissioner of U.S. Cus-*
17 *toms and Border Protection shall submit a strategy to the*
18 *Committee on Homeland Security and Governmental Af-*
19 *airs of the Senate and the Committee on Homeland Secu-*
20 *rity of the House of Representatives for increasing sustained*
21 *outbound inspection operations at land ports of entry that*
22 *includes—*

23 (1) *the number of existing and planned outbound*
24 *inspection lanes at each port of entry;*

1 (2) *infrastructure limitations that limit the abil-*
 2 *ity of U.S. Customs and Border Protection to deploy*
 3 *non-intrusive inspection systems for outbound inspec-*
 4 *tions;*

5 (3) *the number of additional non-intrusive in-*
 6 *spection systems that are necessary to increase scan-*
 7 *ning capacity for outbound inspections; and*

8 (4) *plans for funding and acquiring the systems*
 9 *described in paragraph (3).*

10 (b) *IMPLEMENTATION.—Beginning not later than Sep-*
 11 *tember 30, 2026, U.S. Customs and Border Protection shall*
 12 *use non-intrusive inspection systems at land ports of entry*
 13 *to scan not fewer than 10 percent of all vehicles exiting the*
 14 *United States through land ports of entry.*

15 **SEC. 11114. GAO REVIEW AND REPORT.**

16 (a) *REVIEW.—*

17 (1) *IN GENERAL.—The Comptroller General of*
 18 *the United States shall conduct a review of the use by*
 19 *U.S. Customs and Border Protection of non-intrusive*
 20 *inspection systems for border security.*

21 (2) *ELEMENTS.—The review required under*
 22 *paragraph (1) shall—*

23 (A) *identify—*

1 (i) the number and types of non-intru-
2 sive inspection systems deployed by U.S.
3 Customs and Border Protection; and

4 (ii) the locations to which such systems
5 have been deployed; and

6 (B) examine the manner in which U.S.
7 Customs and Border Protection—

8 (i) assesses the effectiveness of such sys-
9 tems; and

10 (ii) uses such systems in conjunction
11 with other border security resources and as-
12 sets, such as border barriers and technology,
13 to detect and interdict drug smuggling and
14 trafficking at the southwest border of the
15 United States.

16 (b) *REPORT.*—Not later than 2 years after the date
17 of the enactment of this Act, the Comptroller General shall
18 submit a report to the Committee on Homeland Security
19 and Governmental Affairs of the Senate and the Committee
20 on Homeland Security of the House of Representatives con-
21 taining the findings of the review conducted pursuant to
22 subsection (a).

1 ***Subtitle C—Securing America’s***
 2 ***Ports of Entry Act of 2023***

3 ***SEC. 11121. SHORT TITLE.***

4 *This subtitle may be cited as the “Securing America’s*
 5 *Ports of Entry Act of 2023”.*

6 ***SEC. 11122. ADDITIONAL U.S. CUSTOMS AND BORDER PRO-***
 7 ***TECTION PERSONNEL.***

8 *(a) OFFICERS.—Subject to appropriations, the Com-*
 9 *missioner of U.S. Customs and Border Protection shall hire,*
 10 *train, and assign not fewer than 600 new U.S. Customs*
 11 *and Border Protection officers above the current attrition*
 12 *level during every fiscal year until the total number of U.S.*
 13 *Customs and Border Protection officers equals and sustains*
 14 *the requirements identified each year in the Workload Staff-*
 15 *ing Model.*

16 *(b) SUPPORT STAFF.—The Commissioner is author-*
 17 *ized to hire, train, and assign support staff, including tech-*
 18 *nicians and Enterprise Services mission support, to per-*
 19 *form non-law enforcement administrative functions to sup-*
 20 *port the new U.S. Customs and Border Protection officers*
 21 *hired pursuant to subsection (a).*

22 *(c) TRAFFIC FORECASTS.—In calculating the number*
 23 *of U.S. Customs and Border Protection officers needed at*
 24 *each port of entry through the Workload Staffing Model,*
 25 *the Commissioner shall—*

1 (1) *rely on data collected regarding the inspec-*
2 *tions and other activities conducted at each such port*
3 *of entry;*

4 (2) *consider volume from seasonal surges, other*
5 *projected changes in commercial and passenger vol-*
6 *umes, the most current commercial forecasts, and*
7 *other relevant information;*

8 (3) *consider historical volume and forecasts prior*
9 *to the COVID–19 pandemic and the impact on inter-*
10 *national travel; and*

11 (4) *incorporate personnel requirements for in-*
12 *creasing the rate of outbound inspection operations at*
13 *land ports of entry.*

14 (d) *GAO REPORT.—If the Commissioner does not hire*
15 *the 600 additional U.S. Customs and Border Protection of-*
16 *icers authorized under subsection (a) during fiscal year*
17 *2024, or during any subsequent fiscal year in which the*
18 *hiring requirements set forth in the Workload Staffing*
19 *Model have not been achieved, the Comptroller General of*
20 *the United States shall—*

21 (1) *conduct a review of U.S. Customs and Bor-*
22 *der Protection hiring practices to determine the rea-*
23 *sons that such requirements were not achieved and*
24 *other issues related to hiring by U.S. Customs and*
25 *Border Protection; and*

1 (2) *submit a report to the Committee on Home-*
2 *land Security and Governmental Affairs of the Sen-*
3 *ate, the Committee on Finance of the Senate, the*
4 *Committee on Homeland Security of the House of*
5 *Representatives, and the Committee on Ways and*
6 *Means of the House of Representatives that describes*
7 *the results of the review conducted pursuant to para-*
8 *graph (1).*

9 **SEC. 11123. PORTS OF ENTRY INFRASTRUCTURE ENHANCE-**
10 **MENT REPORT.**

11 *Not later than 90 days after the date of the enactment*
12 *of this Act, the Commissioner of U.S. Customs and Border*
13 *Protection shall submit a report to the Committee on Home-*
14 *land Security and Governmental Affairs of the Senate, the*
15 *Committee on Finance of the Senate, the Committee on*
16 *Homeland Security of the House of Representatives, and*
17 *the Committee on Ways and Means of the House of Rep-*
18 *resentatives that identifies—*

19 (1) *infrastructure improvements at ports of*
20 *entry that would enhance the ability of U.S. Customs*
21 *and Border Protection officers to interdict opioids*
22 *and other drugs that are being illegally transported*
23 *into the United States, including a description of cir-*
24 *cumstances at specific ports of entry that prevent the*
25 *deployment of technology used at other ports of entry;*

1 (2) *detection equipment that would improve the*
 2 *ability of such officers to identify opioids, including*
 3 *precursors and derivatives, that are being illegally*
 4 *transported into the United States; and*

5 (3) *safety equipment that would protect such of-*
 6 *ficers from accidental exposure to such drugs or other*
 7 *dangers associated with the inspection of potential*
 8 *drug traffickers.*

9 **SEC. 11124. REPORTING REQUIREMENTS.**

10 (a) *TEMPORARY DUTY ASSIGNMENTS.*—

11 (1) *QUARTERLY REPORT.*—*The Commissioner of*
 12 *U.S. Customs and Border Protection shall submit a*
 13 *quarterly report to the appropriate congressional*
 14 *committees that includes, for the reporting period—*

15 (A) *the number of temporary duty assign-*
 16 *ments;*

17 (B) *the number of U.S. Customs and Border*
 18 *Protection officers required for each temporary*
 19 *duty assignment;*

20 (C) *the ports of entry from which such offi-*
 21 *cers were reassigned;*

22 (D) *the ports of entry to which such officers*
 23 *were reassigned;*

1 (E) the ports of entry at which reimbursable
2 service agreements have been entered into that
3 may be affected by temporary duty assignments;

4 (F) the duration of each temporary duty as-
5 signment;

6 (G) the cost of each temporary duty assign-
7 ment; and

8 (H) the extent to which the temporary duty
9 assignments within the reporting period were in
10 support of the other U.S. Customs and Border
11 Protection activities or operations along the
12 southern border of the United States, including
13 the specific costs associated with such temporary
14 duty assignments.

15 (2) NOTICE.—Not later than 10 days before rede-
16 ploying employees from 1 port of entry to another,
17 absent emergency circumstances—

18 (A) the Commissioner shall notify the direc-
19 tor of the port of entry from which employees
20 will be reassigned of the intended redeployments;
21 and

22 (B) the port director shall notify impacted
23 facilities (including airports, seaports, and land
24 ports) of the intended redeployments.

1 (3) *STAFF BRIEFING*.—*The Commissioner shall*
 2 *brief all affected U.S. Customs and Border Protection*
 3 *employees regarding plans to mitigate vulnerabilities*
 4 *created by any planned staffing reductions at ports of*
 5 *entry.*

6 (b) *REPORTS ON U.S. CUSTOMS AND BORDER PRO-*
 7 *TECTION AGREEMENTS*.—*Section 907(a) of the Trade Fa-*
 8 *cilitation and Trade Enforcement Act of 2015 (19 U.S.C.*
 9 *4451(a)) is amended—*

10 (1) *in paragraph (3), by striking “and an as-*
 11 *essment” and all that follows and inserting a period;*

12 (2) *by redesignating paragraphs (4) through (12)*
 13 *as paragraphs (5) through (13), respectively;*

14 (3) *by inserting after paragraph (3) the fol-*
 15 *lowing:*

16 “(4) *A description of the factors that were con-*
 17 *sidered before entering into the agreement, including*
 18 *an assessment of how the agreement provides eco-*
 19 *nomie benefits and security benefits (if applicable) at*
 20 *the port of entry to which the agreement relates.”; and*

21 (4) *in paragraph (5), as redesignated by para-*
 22 *graph (2), by inserting after “the report” the fol-*
 23 *lowing: “, including the locations of such services and*
 24 *the total hours of reimbursable services under the*
 25 *agreement, if any”.*

1 (c) *ANNUAL WORKLOAD STAFFING MODEL REPORT*.—

2 *As part of the Annual Report on Staffing required under*
3 *section 411(g)(5)(A) of the Homeland Security Act of 2002*
4 *(6 U.S.C. 211(g)(5)(A)), the Commissioner shall include—*

5 (1) *information concerning the progress made to-*
6 *ward meeting the U.S. Customs and Border Protec-*
7 *tion officer and support staff hiring targets set forth*
8 *in section 2, while accounting for attrition;*

9 (2) *an update to the information provided in the*
10 *Resource Optimization at the Ports of Entry report,*
11 *which was submitted to Congress on September 12,*
12 *2017, pursuant to the Department of Homeland Secu-*
13 *rity Appropriations Act, 2017 (division F of Public*
14 *Law 115–31); and*

15 (3) *a summary of the information included in*
16 *the reports required under subsection (a) and section*
17 *907(a) of the Trade Facilitation and Trade Enforce-*
18 *ment Act of 2015, as amended by subsection (b).*

19 (d) *CBP ONE MOBILE APPLICATION*.—*During the 2-*
20 *year period beginning on the date of the enactment of this*
21 *Act, the Commissioner of U.S. Customs and Border Protec-*
22 *tion shall publish a monthly report on the use of the CBP*
23 *One mobile application, including, with respect to each re-*
24 *porting period—*

1 (1) *the number of application registration at-*
 2 *tempts made through CBP One pursuant to the Cir-*
 3 *cumvention of Lawful Pathways final rule (88 Fed.*
 4 *Reg. 31314 (May 16, 2023)) that resulted in a system*
 5 *error, disaggregated by error type;*

6 (2) *the total number of noncitizens who success-*
 7 *fully registered appointments through CBP One pur-*
 8 *suant to such rule;*

9 (3) *the total number of appointments made*
 10 *through CBP One pursuant to such rule that went*
 11 *unused;*

12 (4) *the total number of individuals who have*
 13 *been granted parole with a Notice to Appear subse-*
 14 *quent to appointments scheduled for such individuals*
 15 *through CBP One pursuant to such rule; and*

16 (5) *the total number of noncitizens who have*
 17 *been issued a Notice to Appear and have been trans-*
 18 *ferred to U.S. Immigration and Customs Enforcement*
 19 *custody subsequent to appointments scheduled for*
 20 *such noncitizens through CBP One pursuant to such*
 21 *rule.*

22 (e) *DEFINED TERM.*—*In this section, the term “appro-*
 23 *priate congressional committees” means—*

24 (1) *the Committee on Homeland Security and*
 25 *Governmental Affairs of the Senate;*

1 (2) *the Committee on Appropriations of the Sen-*
2 *ate;*

3 (3) *the Committee on Finance of the Senate;*

4 (4) *the Committee on Homeland Security of the*
5 *House of Representatives*

6 (5) *the Committee on Appropriations of the*
7 *House of Representatives; and*

8 (6) *the Committee on Ways and Means of the*
9 *House of Representatives.*

10 **SEC. 11125. AUTHORIZATION OF APPROPRIATIONS.**

11 *There is authorized to be appropriated to carry out*
12 *this subtitle—*

13 (1) *\$136,292,948 for fiscal year 2024; and*

14 (2) *\$156,918,590 for each of the fiscal years 2025*
15 *through 2029.*

16 ***Subtitle D—Border Patrol***
17 ***Enhancement Act***

18 **SEC. 11131. SHORT TITLE.**

19 *This subtitle may be cited as the “Border Patrol En-*
20 *hancement Act”.*

21 **SEC. 11132. AUTHORIZED STAFFING LEVEL FOR THE**
22 **UNITED STATES BORDER PATROL.**

23 (a) *DEFINED TERM.—In this subtitle, the term “vali-*
24 *dated personnel requirements determination model” means*
25 *a determination of the number of United States Border Pa-*

1 *trol agents needed to meet the critical mission requirements*
 2 *of the United States Border Patrol to maintain an orderly*
 3 *process for migrants entering the United States, that has*
 4 *been validated by a qualified research entity pursuant to*
 5 *subsection (c).*

6 *(b) UNITED STATES BORDER PATROL PERSONNEL*
 7 *REQUIREMENTS DETERMINATION MODEL.—*

8 *(1) COMPLETION; NOTICE.—Not later than 180*
 9 *days after the date of the enactment of this Act, the*
 10 *Commissioner shall complete a personnel require-*
 11 *ments determination model for United States Border*
 12 *Patrol that builds on the 5-year United States Border*
 13 *Patrol staffing and deployment plan referred to on*
 14 *page 33 of House of Representatives Report 112–91*
 15 *(May 26, 2011) and submit a notice of completion*
 16 *to—*

17 *(A) the Committee on Homeland Security*
 18 *and Governmental Affairs of the Senate;*

19 *(B) the Committee on Homeland Security of*
 20 *the House of Representatives;*

21 *(C) the Director of the Office of Personnel*
 22 *Management; and*

23 *(D) the Comptroller General of the United*
 24 *States.*

1 (2) *CERTIFICATION.*—Not later than 30 days
 2 after the completion of the personnel requirements de-
 3 termination model described in paragraph (1), the
 4 Commissioner shall submit a copy of such model, an
 5 explanation of its development, and a strategy for ob-
 6 taining independent verification of such model, to—

7 (A) the Committee on Homeland Security
 8 and Governmental Affairs of the Senate;

9 (B) the Committee on Homeland Security of
 10 the House of Representatives;

11 (C) the Office of Personnel Management;
 12 and

13 (D) the Comptroller General of the United
 14 States.

15 (c) *INDEPENDENT STUDY OF PERSONNEL REQUIRE-*
 16 *MENTS DETERMINATION MODEL.*—

17 (1) *REQUIREMENT FOR STUDY.*—Not later than
 18 90 days after the completion of the personnel require-
 19 ments determination model pursuant to subsection
 20 (b)(1), the Secretary of Homeland Security shall se-
 21 lect an entity that is technically, managerially, and
 22 financially independent from the Department of
 23 Homeland Security to conduct an independent
 24 verification and validation of the model.

25 (2) *REPORTS.*—

1 (A) *TO SECRETARY.*—Not later than 1 year
2 after the completion of the personnel require-
3 ments determination model under subsection
4 (b)(1), the entity performing the independent
5 verification and validation of the model shall
6 submit a report to the Secretary of Homeland
7 Security that includes—

8 (i) the results of the study conducted
9 pursuant to paragraph (1); and

10 (ii) any recommendations regarding
11 the model that such entity considers to be
12 appropriate.

13 (B) *TO CONGRESS.*—Not later than 30 days
14 after receiving the report described in subpara-
15 graph (A), the Secretary of Homeland Security
16 shall submit such report, along with any addi-
17 tional views or recommendations regarding the
18 personnel requirements determination model, to
19 the Committee on Homeland Security and Gov-
20 ernmental Affairs of the Senate and the Com-
21 mittee on Homeland Security of the House of
22 Representatives.

23 (d) *AUTHORITY TO HIRE ADDITIONAL PERSONNEL.*—

24 Beginning on the date that is 180 days after receiving a
25 report from a qualified research entity pursuant to sub-

1 *section (c)(2) that validates the personnel requirements de-*
 2 *termination model and after implementing any rec-*
 3 *ommendations to improve or update such model, the Sec-*
 4 *retary of Homeland Security may hire, train, and assign*
 5 *600 or more United States Border Patrol agents above the*
 6 *attrition level during every fiscal year until the number of*
 7 *active agents meets the level recommended by the validated*
 8 *personnel requirements determination model.*

9 **SEC. 11133. ESTABLISHMENT OF HIGHER RATES OF REGU-**
 10 **LARLY SCHEDULED OVERTIME PAY FOR**
 11 **UNITED STATES BORDER PATROL AGENTS**
 12 **CLASSIFIED AT GS-12.**

13 *Section 5550 of title 5, United States Code, is amended*
 14 *by adding at the end the following:*

15 *“(h) SPECIAL OVERTIME PAY FOR GS-12 BORDER PA-*
 16 *TROL AGENTS.—*

17 *“(1) IN GENERAL.—Notwithstanding paragraphs*
 18 *(1)(F), (2)(C), and (3)(C) of subsection (b), a border*
 19 *patrol agent encumbering a position at grade GS-12*
 20 *shall receive a special overtime payment under this*
 21 *subsection for hours of regularly scheduled work de-*
 22 *scribed in paragraph (2)(A)(ii) or (3)(A)(ii) of sub-*
 23 *section (b), as applicable, that are credited to the*
 24 *agent through actual performance of work, crediting*
 25 *under rules for canine agents under subsection*

(b)(1)(F), or substitution of overtime hours in the same work period under subsection (f)(2)(A), except that no such payment may be made for periods of absence resulting in an hours obligation under paragraph (3) or (4) of subsection (f).

“(2) *COMPUTATION.*—The special overtime payment authorized under paragraph (1) shall be computed by multiplying the credited hours by 50 percent of the border patrol agent’s hourly rate of basic pay, rounded to the nearest cent.

“(3) *LIMITATIONS.*—The special overtime payment authorized under paragraph (1)—

“(A) is not considered basic pay for retirement under section 8331(3) or 8401(4) or for any other purpose;

“(B) is not payable during periods of paid leave or other paid time off; and

“(C) is not considered in computing an agent’s lump-sum annual leave payment under sections 5551 and 5552.”.

SEC. 11134. GAO ASSESSMENT OF RECRUITING EFFORTS, HIRING REQUIREMENTS, AND RETENTION OF LAW ENFORCEMENT PERSONNEL.

The Comptroller General of the United States shall—

1 (1) *conduct an assessment of U.S. Customs and*
2 *Border Protection’s—*

3 (A) *efforts to recruit law enforcement per-*
4 *sonnel;*

5 (B) *hiring process and job requirements re-*
6 *lating to such recruitment; and*

7 (C) *retention of law enforcement personnel,*
8 *including the impact of employee compensation*
9 *on such retention efforts; and*

10 (2) *not later than 2 years after the date of the*
11 *enactment of this Act, submit a report containing the*
12 *results of such assessment to—*

13 (A) *the Committee on Homeland Security*
14 *and Governmental Affairs of the Senate; and*

15 (B) *the Committee on Homeland Security of*
16 *the House of Representatives.*

17 **SEC. 11135. CONTINUING TRAINING.**

18 (a) *IN GENERAL.—The Commissioner shall require all*
19 *United States Border Patrol agents and other employees or*
20 *contracted employees designated by the Commissioner, to*
21 *participate in annual continuing training to maintain and*
22 *update their understanding of—*

23 (1) *Department of Homeland Security policies,*
24 *procedures, and guidelines;*

1 (2) *the fundamentals of law, ethics, and profes-*
2 *sional conduct;*

3 (3) *applicable Federal law and regulations;*

4 (4) *precedential legal rulings, including Federal*
5 *Circuit Court and United States Supreme Court*
6 *opinions relating to the duty of care and treatment*
7 *of persons in the custody of the United States Border*
8 *Patrol that the Commissioner determines are relevant*
9 *to active duty agents;*

10 (5) *applicable migration trends that the Com-*
11 *missioner determines are relevant;*

12 (6) *best practices for coordinating with commu-*
13 *nity stakeholders; and*

14 (7) *any other information that the Commissioner*
15 *determines to be relevant to active duty agents.*

16 (b) *TRAINING SUBJECTS.—Continuing training under*
17 *this subsection shall include training regarding—*

18 (1) *non-lethal use of force policies available to*
19 *United States Border Patrol agents and de-escalation*
20 *strategies and methods;*

21 (2) *identifying, screening, and responding to vul-*
22 *nerable populations, such as children, persons with*
23 *diminished mental capacity, victims of human traf-*
24 *ficking, pregnant mothers, victims of gender-based vi-*
25 *olence, victims of torture or abuse, and the acutely ill;*

1 (3) *trends in transnational criminal organiza-*
2 *tion activities that impact border security and migra-*
3 *tion;*

4 (4) *policies, strategies, and programs—*

5 (A) *to protect due process, the civil, human,*
6 *and privacy rights of individuals, and the pri-*
7 *vate property rights of land owners;*

8 (B) *to reduce the number of migrant and*
9 *agent deaths; and*

10 (C) *to improve the safety of agents on pa-*
11 *trol;*

12 (5) *personal resilience;*

13 (6) *anti-corruption and officer ethics training;*

14 (7) *current migration trends, including updated*
15 *cultural and societal issues of nations that are a sig-*
16 *nificant source of migrants who are—*

17 (A) *arriving at a United States port of*
18 *entry to seek humanitarian protection; or*

19 (B) *encountered at a United States inter-*
20 *national boundary while attempting to enter*
21 *without inspection;*

22 (8) *the impact of border security operations on*
23 *natural resources and the environment, including*
24 *strategies to limit the impact of border security oper-*
25 *ations on natural resources and the environment;*

1 (9) *relevant cultural, societal, racial, and reli-*
2 *gious training, including cross-cultural communica-*
3 *tion skills;*

4 (10) *training authorized under the Prison Rape*
5 *Elimination Act of 2003 (42 U.S.C. 15601 et seq.);*

6 (11) *risk management and safety training that*
7 *includes agency protocols for ensuring public safety,*
8 *personal safety, and the safety of persons in the cus-*
9 *tody of the Department of Homeland Security;*

10 (12) *non-lethal, self-defense training; and*

11 (13) *any other training that meets the require-*
12 *ments to maintain and update the subjects identified*
13 *in subsection (a).*

14 (c) *COURSE REQUIREMENTS.—Courses offered under*
15 *this section—*

16 (1) *shall be administered by the United States*
17 *Border Patrol, in consultation with the Federal Law*
18 *Enforcement Training Center; and*

19 (2) *shall be approved in advance by the Commis-*
20 *sioner of U.S. Customs and Border Protection to en-*
21 *sure that such courses satisfy the requirements for*
22 *training under this section.*

23 (d) *ASSESSMENT.—Not later than 2 years after the*
24 *date of the enactment of this Act, the Comptroller General*
25 *of the United States shall submit a report to the Committee*

1 *on Homeland Security and Governmental Affairs of the*
2 *Senate and the Committee on Homeland Security of the*
3 *House of Representatives that assesses the training and edu-*
4 *cation provided pursuant to this section, including con-*
5 *tinuing education.*

6 (e) *FREQUENCY REQUIREMENTS.—Training offered as*
7 *part of continuing education under this section shall in-*
8 *clude—*

9 (1) *annual courses focusing on the curriculum*
10 *described in paragraphs (1) through (6) of subsection*
11 *(b); and*

12 (2) *biannual courses focusing on curriculum de-*
13 *scribed in paragraphs (7) through (12) of subsection*
14 *(b).*

15 **SEC. 11136. REPORTING REQUIREMENTS.**

16 (a) *RECRUITMENT AND RETENTION REPORT.—The*
17 *Comptroller General of the United States shall—*

18 (1) *conduct a study of the recruitment and reten-*
19 *tion of female agents in the United States Border Pa-*
20 *trol that examines—*

21 (A) *the recruitment, application processes,*
22 *training, promotion, and other aspects of em-*
23 *ployment for women in the United States Border*
24 *Patrol;*

1 (B) the training, complaints system, and
2 redress for sexual harassment and assault; and

3 (C) additional issues related to recruitment
4 and retention of female Border Patrol agents;
5 and

6 (2) not later than 1 year after the date of the en-
7 actment of this Act, submit a report containing the
8 results of such study and recommendations for ad-
9 dressing any identified deficiencies or opportunities
10 for improvement to—

11 (A) the Commissioner of U.S. Customs and
12 Border Protection;

13 (B) the Committee on Homeland Security
14 and Governmental Affairs of the Senate; and

15 (C) the Committee on Homeland Security of
16 the House of Representatives.

17 (b) *IMPLEMENTATION REPORT.*—Not later than 90
18 days after receiving the recruitment and retention report
19 required under subsection (a), the Commissioner shall sub-
20 mit a report to the Committee on Homeland Security and
21 Governmental Affairs of the Senate and the Committee on
22 Homeland Security of the House of Representatives that de-
23 scribes the status of the Commissioner's efforts to implement
24 any recommendations included in recruitment and reten-
25 tion report.

1 ***Subtitle E—END FENTANYL Act***

2 ***SEC. 11141. SHORT TITLES.***

3 *This subtitle may be cited as the “Eradicating Nar-*
4 *cotic Drugs and Formulating Effective New Tools to Ad-*
5 *dress National Yearly Losses of Life Act” or the “END*
6 *FENTANYL Act”.*

7 ***SEC. 11142. ENSURING TIMELY UPDATES TO U.S. CUSTOMS***
8 ***AND BORDER PROTECTION FIELD MANUALS.***

9 *(a) IN GENERAL.—Not less frequently than tri-*
10 *ennially, the Commissioner of U.S. Customs and Border*
11 *Protection shall review and update, as necessary, the cur-*
12 *rent policies and manuals of the Office of Field Operations*
13 *related to inspections at ports of entry to ensure the uniform*
14 *implementation of inspection practices that will effectively*
15 *respond to technological and methodological changes de-*
16 *signed to disguise illegal activity, such as the smuggling*
17 *of drugs and humans, along the border.*

18 *(b) REPORTING REQUIREMENT.—Shortly after each*
19 *update required under subsection (a), the Commissioner of*
20 *U.S. Customs and Border Protection shall submit a report*
21 *to the Committee on Homeland Security and Governmental*
22 *Affairs of the Senate and the Committee on Homeland Se-*
23 *curity of the House of Representatives that summarizes the*
24 *policy and manual changes implemented by such update.*

1 ***TITLE LXXI—IMPROVING LOB-***
 2 ***BYING DISCLOSURE REQUIRE-***
 3 ***MENTS***

4 ***Subtitle A—Lobbying Disclosure***
 5 ***Improvement Act***

6 ***SEC. 11201. SHORT TITLE.***

7 *This subtitle may be cited as the “Lobbying Disclosure*
 8 *Improvement Act”.*

9 ***SEC. 11202. REGISTRANT DISCLOSURE REGARDING FOR-***
 10 ***EIGN AGENT REGISTRATION EXEMPTION.***

11 *Section 4(b) of the Lobbying Disclosure Act of 1995*
 12 *(2 U.S.C. 1603(b)) is amended—*

13 *(1) in paragraph (6), by striking “; and” and*
 14 *inserting a semicolon;*

15 *(2) in paragraph (7), by striking the period at*
 16 *the end and inserting “; and”; and*

17 *(3) by adding at the end the following:*

18 *“(8) a statement as to whether the registrant is*
 19 *exempt under section 3(h) of the Foreign Agents Reg-*
 20 *istration Act of 1938, as amended (22 U.S.C.*
 21 *613(h)).”.*

1 ***Subtitle B—Disclosing Foreign***
 2 ***Influence in Lobbying Act***

3 **SEC. 11211. SHORT TITLE.**

4 *This subtitle may be cited as the “Disclosing Foreign*
 5 *Influence in Lobbying Act”.*

6 **SEC. 11212. CLARIFICATION OF CONTENTS OF REGISTRA-**
 7 **TION.**

8 *Section 4(b) of the Lobbying Disclosure Act of 1995*
 9 *(2 U.S.C. 1603(b)), as amended by section 11202 of this*
 10 *title, is amended—*

11 *(1) in paragraph (8), as added by section 11202*
 12 *of this title, by striking the period at the end and in-*
 13 *serting “; and”; and*

14 *(2) by adding at the end the following:*

15 *“(9) notwithstanding paragraph (4), the name*
 16 *and address of each government of a foreign country*
 17 *(including any agency or subdivision of a government*
 18 *of a foreign country, such as a regional or municipal*
 19 *unit of government) and foreign political party, other*
 20 *than the client, that participates in the direction,*
 21 *planning, supervision, or control of any lobbying ac-*
 22 *tivities of the registrant.”.*

1 ***TITLE LXXII—PROTECTING OUR***
 2 ***DOMESTIC WORKFORCE AND***
 3 ***SUPPLY CHAIN***

4 ***Subtitle A—Government-wide Study***
 5 ***Relating to High-security Leased***
 6 ***Space***

7 ***SEC. 11301. GOVERNMENT-WIDE STUDY.***

8 (a) *DEFINITIONS.—In this section:*

9 (1) *ADMINISTRATOR.—The term “Adminis-*
 10 *trator” means the Administrator of General Services.*

11 (2) *BENEFICIAL OWNER.—*

12 (A) *IN GENERAL.—The term “beneficial*
 13 *owner”, with respect to a covered entity, means*
 14 *each natural person who, directly or indirectly,*
 15 *through any contract, arrangement, under-*
 16 *standing, relationship, or otherwise—*

17 (i) *exercises substantial control over*
 18 *the covered entity; or*

19 (ii) *owns or controls not less than 25*
 20 *percent of the ownership interests of, or re-*
 21 *ceives substantial economic benefits from the*
 22 *assets of, the covered entity.*

23 (B) *EXCLUSIONS.—The term “beneficial*
 24 *owner”, with respect to a covered entity, does not*
 25 *include—*

1 (i) a minor;

2 (ii) a person acting as a nominee,
3 intermediary, custodian, or agent on behalf
4 of another person;

5 (iii) a person acting solely as an em-
6 ployee of the covered entity and whose con-
7 trol over or economic benefits from the cov-
8 ered entity derives solely from the employ-
9 ment status of the person;

10 (iv) a person whose only interest in the
11 covered entity is through a right of inherit-
12 ance, unless the person also meets the re-
13 quirements of subparagraph (A); or

14 (v) a creditor of the covered entity, un-
15 less the creditor also meets the requirements
16 of subparagraph (A).

17 (C) *ANTI-ABUSE RULE.*—The exclusions
18 under subparagraph (B) shall not apply if, in
19 the determination of the Administrator, an ex-
20 clusion is used for the purpose of evading, cir-
21 cumventing, or abusing the requirements of this
22 Act.

23 (3) *CONTROL.*—The term “control”, with respect
24 to a covered entity, means—

1 (A) *having the authority or ability to deter-*
 2 *mine how the covered entity is utilized; or*

3 (B) *having some decisionmaking power for*
 4 *the use of the covered entity.*

5 (4) *COVERED ENTITY.*—*The term “covered enti-*
 6 *ty” means—*

7 (A) *a person, corporation, company, busi-*
 8 *ness association, partnership, society, trust, or*
 9 *any other nongovernmental entity, organization,*
 10 *or group; or*

11 (B) *any governmental entity or instrumen-*
 12 *tality of a government.*

13 (5) *EXECUTIVE AGENCY.*—*The term “Executive*
 14 *agency” has the meaning given the term in section*
 15 *105 of title 5, United States Code.*

16 (6) *FEDERAL AGENCY.*—*The term “Federal agen-*
 17 *cy” means—*

18 (A) *an Executive agency; and*

19 (B) *any establishment in the legislative or*
 20 *judicial branch of the Federal Government.*

21 (7) *FEDERAL LESSEE.*—

22 (A) *IN GENERAL.*—*The term “Federal les-*
 23 *see” means—*

24 (i) *the Administrator;*

25 (ii) *the Architect of the Capitol; and*

1 (iii) the head of any other Federal
2 agency that has independent statutory leas-
3 ing authority.

4 (B) *EXCLUSIONS.*—The term “Federal les-
5 see” does not include—

6 (i) the head of an element of the intel-
7 ligence community; or

8 (ii) the Secretary of Defense.

9 (8) *FEDERAL TENANT.*—

10 (A) *IN GENERAL.*—The term “Federal ten-
11 ant” means a Federal agency that is occupying
12 or will occupy a high-security leased space for
13 which a lease agreement has been secured on be-
14 half of the Federal agency.

15 (B) *EXCLUSION.*—The term “Federal ten-
16 ant” does not include an element of the intel-
17 ligence community.

18 (9) *FOREIGN ENTITY.*—The term “foreign entity”
19 means—

20 (A) a corporation, company, business asso-
21 ciation, partnership, society, trust, or any other
22 nongovernmental entity, organization, or group
23 that is headquartered in or organized under the
24 laws of—

1 (i) a country that is not the United
2 States; or

3 (ii) a State, unit of local government,
4 or Indian Tribe that is not located within
5 or a territory of the United States; or

6 (B) a government or governmental instru-
7 mentality that is not—

8 (i) the United States Government; or

9 (ii) a State, unit of local government,
10 or Indian Tribe that is located within or a
11 territory of the United States.

12 (10) *FOREIGN PERSON*.—The term “foreign per-
13 son” means an individual who is not a United States
14 person.

15 (11) *HIGH-SECURITY LEASED ADJACENT*
16 *SPACE*.—The term “high-security leased adjacent
17 space” means a building or office space that shares a
18 boundary with or surrounds a high-security leased
19 space.

20 (12) *HIGH-SECURITY LEASED SPACE*.—The term
21 “high-security leased space” means a space leased by
22 a Federal lessee that—

23 (A) will be occupied by Federal employees
24 for nonmilitary activities; and

1 (B) has a facility security level of III, IV,
 2 or V, as determined by the Federal tenant in
 3 consultation with the Interagency Security Com-
 4 mittee, the Secretary of Homeland Security, and
 5 the Administrator.

6 (13) *HIGHEST-LEVEL OWNER.*—The term “high-
 7 est-level owner” means an entity that owns or con-
 8 trols—

9 (A) an immediate owner of the offeror of a
 10 lease for a high-security leased adjacent space; or

11 (B) 1 or more entities that control an im-
 12 mediate owner of the offeror of a lease described
 13 in subparagraph (A).

14 (14) *IMMEDIATE OWNER.*—The term “immediate
 15 owner” means an entity, other than the offeror of a
 16 lease for a high-security leased adjacent space, that
 17 has direct control of that offeror, including—

18 (A) ownership or interlocking management;

19 (B) identity of interests among family
 20 members;

21 (C) shared facilities and equipment; and

22 (D) the common use of employees.

23 (15) *INTELLIGENCE COMMUNITY.*—The term “in-
 24 telligence community” has the meaning given the

1 *term in section 3 of the National Security Act of 1947*
 2 *(50 U.S.C. 3003).*

3 (16) *SUBSTANTIAL ECONOMIC BENEFITS.*—*The*
 4 *term “substantial economic benefits”, with respect to*
 5 *a natural person described in paragraph (2)(A)(ii),*
 6 *means having an entitlement to the funds or assets of*
 7 *a covered entity that, as a practical matter, enables*
 8 *the person, directly or indirectly, to control, manage,*
 9 *or direct the covered entity.*

10 (17) *UNITED STATES PERSON.*—*The term*
 11 *“United States person” means an individual who—*

12 (A) *is a citizen of the United States; or*

13 (B) *is an alien lawfully admitted for per-*
 14 *manent residence in the United States.*

15 (b) *GOVERNMENT-WIDE STUDY.*—

16 (1) *COORDINATION STUDY.*—*The Administrator,*
 17 *in coordination with the Director of the Federal Pro-*
 18 *tection Service, the Secretary of Homeland Security,*
 19 *the Director of the Office of Management and Budget,*
 20 *and any other relevant entities, as determined by the*
 21 *Administrator, shall carry out a Government-wide*
 22 *study examining options to assist agencies (as defined*
 23 *in section 551 of title 5, United States Code) to*
 24 *produce a security assessment process for high-secu-*
 25 *rity leased adjacent space before entering into a lease*

1 *or novation agreement with a covered entity for the*
2 *purposes of accommodating a Federal tenant located*
3 *in a high-security leased space.*

4 (2) *CONTENTS.—The study required under para-*
5 *graph (1)—*

6 (A) *shall evaluate how to produce a security*
7 *assessment process that includes a process for as-*
8 *sessing the threat level of each occupancy of a*
9 *high-security leased adjacent space, including*
10 *through—*

11 (i) *site-visits;*

12 (ii) *interviews; and*

13 (iii) *any other relevant activities deter-*
14 *mined necessary by the Director of the Fed-*
15 *eral Protective Service; and*

16 (B) *may include a process for collecting and*
17 *using information on each immediate owner,*
18 *highest-level owner, or beneficial owner of a cov-*
19 *ered entity that seeks to enter into a lease with*
20 *a Federal lessee for a high-security leased adja-*
21 *cent space, including—*

22 (i) *name;*

23 (ii) *current residential or business*
24 *street address; and*

1 (iii) an identifying number or docu-
2 ment that verifies identity as a United
3 States person, a foreign person, or a foreign
4 entity.

5 (3) *WORKING GROUP.*—

6 (A) *IN GENERAL.*—Not later than 90 days
7 after the date of enactment of this Act, the Ad-
8 ministrator, in coordination with the Director of
9 Federal Protective Service, the Secretary of
10 Homeland Security, the Director of the Office of
11 Management and Budget, and any other relevant
12 entities, as determined by the Administrator,
13 shall establish a working group to assist in the
14 carrying out of the study required under para-
15 graph (1).

16 (B) *NO COMPENSATION.*—A member of the
17 working group established under subparagraph
18 (A) shall receive no compensation as a result of
19 serving on the working group.

20 (C) *SUNSET.*—The working group estab-
21 lished under subparagraph (A) shall terminate
22 on the date on which the report required under
23 paragraph (6) is submitted.

24 (4) *PROTECTION OF INFORMATION.*—The Admin-
25 istrator shall ensure that any information collected

1 *pursuant to the study required under paragraph (1)*
2 *shall not be made available to the public.*

3 (5) *LIMITATION.*—*Nothing in this subsection re-*
4 *quires an entity located in the United States to pro-*
5 *vide information requested pursuant to the study re-*
6 *quired under paragraph (1).*

7 (6) *REPORT.*—*Not later than 2 years after the*
8 *date of enactment of this Act, the Administrator, in*
9 *coordination with the Director of Federal Protective*
10 *Service, the Secretary of Homeland Security, the Di-*
11 *rector of the Office of Management and Budget, and*
12 *any other relevant entities, as determined by the Ad-*
13 *ministrator, shall submit to the Committee on Home-*
14 *land Security and Governmental Affairs of the Senate*
15 *and the Committee on Transportation and Infrastruc-*
16 *ture of the House of Representatives a report describ-*
17 *ing—*

18 (A) *the results of the study required under*
19 *paragraph (1); and*

20 (B) *how all applicable privacy laws and*
21 *rights relating to the First and Fourth Amend-*
22 *ments to the Constitution of the United States*
23 *would be upheld and followed in—*

1 (i) the security assessment process de-
 2 scribed in subparagraph (A) of paragraph
 3 (2); and

4 (ii) the information collection process
 5 described in subparagraph (B) of that para-
 6 graph.

7 (7) *LIMITATION.*—Nothing in this subsection au-
 8 thorizes a Federal entity to mandate information
 9 gathering unless specifically authorized by law.

10 (8) *PROHIBITION.*—No information collected
 11 pursuant the security assessment process described in
 12 paragraph (2)(A) may be used for law enforcement
 13 purposes.

14 (9) *NO ADDITIONAL FUNDING.*—No additional
 15 funds are authorized to be appropriated to carry out
 16 this subsection.

17 ***Subtitle B—Intergovernmental***
 18 ***Critical Minerals Task Force***

19 ***SEC. 11311. SHORT TITLE.***

20 *This subtitle may be cited as the “Intergovernmental*
 21 *Critical Minerals Task Force Act”.*

22 ***SEC. 11312. FINDINGS.***

23 *Congress finds that—*

1 (1) *current supply chains of critical minerals*
2 *pose a great risk to the national security of the*
3 *United States;*

4 (2) *critical minerals are necessary for transpor-*
5 *tation, technology, renewable energy, military equip-*
6 *ment and machinery, and other relevant sectors cru-*
7 *cial for the homeland and national security of the*
8 *United States;*

9 (3) *in 2022, the United States was 100 percent*
10 *import reliant for 12 out of 50 critical minerals and*
11 *more than 50 percent import reliant for an addi-*
12 *tional 31 critical mineral commodities classified as*
13 *“critical” by the United States Geological Survey,*
14 *and the People’s Republic of China was the top pro-*
15 *ducing nation for 30 of those 50 critical minerals;*

16 (4) *as of July, 2023, companies based in the Peo-*
17 *ple’s Republic of China that extract critical minerals*
18 *around the world have received hundreds of charges of*
19 *human rights violations;*

20 (5) *on March 26, 2014, the World Trade Organi-*
21 *zation ruled that the export restraints by the People’s*
22 *Republic of China on rare earth metals violated obli-*
23 *gations under the protocol of accession to the World*
24 *Trade Organization, which harmed manufacturers*
25 *and workers in the United States; and*

1 (6) *the President has yet to submit to Congress*
 2 *the plans and recommendations that were due on the*
 3 *December 27, 2022, deadline under section 5(a) of the*
 4 *National Materials and Minerals Policy, Research*
 5 *and Development Act of 1980 (30 U.S.C. 1604(a)),*
 6 *which are intended to support a coherent national*
 7 *mineral and materials policy, including through*
 8 *intergovernmental and interagency coordination.*

9 **SEC. 11313. INTERGOVERNMENTAL CRITICAL MINERALS**
 10 **TASK FORCE.**

11 (a) *IN GENERAL.*—*Section 5 of the National Materials*
 12 *and Minerals Policy, Research and Development Act of*
 13 *1980 (30 U.S.C. 1604) is amended by adding at the end*
 14 *the following:*

15 “(g) *INTERGOVERNMENTAL CRITICAL MINERALS TASK*
 16 *FORCE.*—

17 “(1) *PURPOSES.*—*The purposes of the task force*
 18 *established under paragraph (3)(B) are—*

19 “(A) *to assess the reliance of the United*
 20 *States on the People’s Republic of China, and*
 21 *other covered countries, for critical minerals, and*
 22 *the resulting national security risks associated*
 23 *with that reliance, at each level of the Federal*
 24 *Government, Indian Tribes, and State, local,*
 25 *and territorial governments;*

1 “(B) to make recommendations to the Presi-
2 dent for the implementation of this Act with re-
3 gard to critical minerals, including—

4 “(i) the congressional declarations of
5 policies in section 3; and

6 “(ii) revisions to the program plan of
7 the President and the initiatives required
8 under this section;

9 “(C) to make recommendations to secure
10 United States and global supply chains for crit-
11 ical minerals;

12 “(D) to make recommendations to reduce
13 the reliance of the United States, and partners
14 and allies of the United States, on critical min-
15 eral supply chains involving covered countries;
16 and

17 “(E) to facilitate cooperation, coordination,
18 and mutual accountability among each level of
19 the Federal Government, Indian Tribes, and
20 State, local, and territorial governments, on a
21 holistic response to the dependence on covered
22 countries for critical minerals across the United
23 States.

24 “(2) DEFINITIONS.—In this subsection:

1 “(A) *APPROPRIATE COMMITTEES OF CON-*
2 *GRESS.*—*The term ‘appropriate committees of*
3 *Congress’ means—*

4 “(i) *the Committees on Homeland Se-*
5 *curity and Governmental Affairs, Energy*
6 *and Natural Resources, Armed Services,*
7 *Environment and Public Works, Commerce,*
8 *Science, and Transportation, Finance, and*
9 *Foreign Relations of the Senate; and*

10 “(ii) *the Committees on Oversight and*
11 *Accountability, Natural Resources, Armed*
12 *Services, Ways and Means, and Foreign Af-*
13 *airs of the House of Representatives.*

14 “(B) *CHAIR.*—*The term ‘Chair’ means a*
15 *member of the Executive Office of the President,*
16 *designated by the President pursuant to para-*
17 *graph (3)(A).*

18 “(C) *COVERED COUNTRY.*—*The term ‘cov-*
19 *ered country’ means—*

20 “(i) *a covered nation (as defined in*
21 *section 4872(d) of title 10, United States*
22 *Code); and*

23 “(ii) *any other country determined by*
24 *the task force to be a geostrategic competitor*

1 *or adversary of the United States with re-*
 2 *spect to critical minerals.*

3 “(D) *CRITICAL MINERAL*.—The term ‘crit-
 4 *ical mineral*’ has the meaning given the term in
 5 *section 7002(a) of the Energy Act of 2020 (30*
 6 *U.S.C. 1606(a)).*

7 “(E) *INDIAN TRIBE*.—The term ‘Indian
 8 *Tribe*’ has the meaning given the term in section
 9 *4 of the Indian Self-Determination and Edu-*
 10 *cation Assistance Act (25 U.S.C. 5304).*

11 “(F) *TASK FORCE*.—The term ‘task force’
 12 *means the task force established under paragraph*
 13 *(3)(B).*

14 “(3) *ESTABLISHMENT*.—Not later than 90 days
 15 *after the date of enactment of this subsection, the*
 16 *President shall—*

17 “(A) *designate a Chair for the task force;*
 18 *and*

19 “(B) *acting through the Executive Office of*
 20 *the President, establish a task force.*

21 “(4) *COMPOSITION; MEETINGS*.—

22 “(A) *APPOINTMENT*.—The Chair, in con-
 23 *sultation with key intergovernmental, private,*
 24 *and public sector stakeholders, shall appoint to*
 25 *the task force representatives with expertise in*

critical mineral supply chains from Federal agencies, Indian Tribes, and State, local, and territorial governments, including not less than 1 representative from each of—

“(i) the Bureau of Indian Affairs;

“(ii) the Bureau of Land Management;

“(iii) the Critical Minerals Subcommittee of the National Science and Technology Council;

“(iv) the Department of Agriculture;

“(v) the Department of Commerce;

“(vi) the Department of Defense;

“(vii) the Department of Energy;

“(viii) the Department of Homeland Security;

“(ix) the Department of the Interior;

“(x) the Department of Labor;

“(xi) the Department of State;

“(xii) the Department of Transportation;

“(xiii) the Environmental Protection Agency;

“(xiv) the Export-Import Bank of the United States;

“(xv) the Forest Service;

1 “(xvi) the General Services Adminis-
2 tration;

3 “(xvii) the National Science Founda-
4 tion;

5 “(xviii) the Office of the United States
6 Trade Representative;

7 “(xix) the United States International
8 Development Finance Corporation;

9 “(xx) the United States Geological Sur-
10 vey; and

11 “(xxi) any other relevant Federal enti-
12 ty, as determined by the Chair.

13 “(B) CONSULTATION.—The task force shall
14 consult individuals with expertise in critical
15 mineral supply chains, individuals from States
16 whose communities, businesses, and industries
17 are involved in aspects of critical mineral supply
18 chains, including mining and processing oper-
19 ations, and individuals from a diverse and bal-
20 anced cross-section of—

21 “(i) intergovernmental consultees, in-
22 cluding—

23 “(I) State governments;

24 “(II) local governments;

1 “(III) territorial governments;

2 and

3 “(IV) Indian Tribes; and

4 “(ii) other stakeholders, including—

5 “(I) academic research institu-
6 tions;

7 “(II) corporations;

8 “(III) nonprofit organizations;

9 “(IV) private sector stakeholders;

10 “(V) trade associations;

11 “(VI) mining industry stake-
12 holders; and

13 “(VII) labor representatives.

14 “(C) MEETINGS.—

15 “(i) INITIAL MEETING.—Not later than
16 90 days after the date on which all rep-
17 resentatives of the task force have been ap-
18 pointed, the task force shall hold the first
19 meeting of the task force.

20 “(ii) FREQUENCY.—The task force
21 shall meet not less than once every 90 days.

22 “(5) DUTIES.—

23 “(A) IN GENERAL.—The duties of the task
24 force shall include—

1 “(i) *facilitating cooperation, coordina-*
2 *tion, and mutual accountability for the*
3 *Federal Government, Indian Tribes, and*
4 *State, local, and territorial governments to*
5 *enhance data sharing and transparency to*
6 *build more robust and secure domestic sup-*
7 *ply chains for critical minerals in support*
8 *of the purposes described in paragraph (1);*

9 “(ii) *providing recommendations with*
10 *respect to—*

11 “(I) *increasing capacities for*
12 *mining, processing, refinement, reuse,*
13 *and recycling of critical minerals in*
14 *the United States to facilitate the envi-*
15 *ronmentally responsible production of*
16 *domestic resources to meet national*
17 *critical mineral needs, in consultation*
18 *with Tribal and local communities;*

19 “(II) *identifying how statutes,*
20 *regulations, and policies related to the*
21 *critical mineral supply chain, such as*
22 *stockpiling and development finance,*
23 *could be modified to accelerate environ-*
24 *mentally responsible domestic and*
25 *international production of critical*

1 *minerals, in consultation with Indian*
2 *Tribes and local communities;*

3 *“(III) strengthening the domestic*
4 *workforce to support growing critical*
5 *mineral supply chains with good-pay-*
6 *ing, safe jobs in the United States;*

7 *“(IV) identifying alternative do-*
8 *mestic and global sources to critical*
9 *minerals that the United States cur-*
10 *rently relies on the People’s Republic of*
11 *China or other covered countries for*
12 *mining, processing, refining, and recy-*
13 *cling, including the availability, cost,*
14 *and quality of those domestic alter-*
15 *natives;*

16 *“(V) identifying critical minerals*
17 *and critical mineral supply chains*
18 *that the United States can onshore, at*
19 *a competitive availability, cost, and*
20 *quality, for those minerals and supply*
21 *chains that the United States relies on*
22 *the People’s Republic of China or other*
23 *covered countries to provide;*

24 *“(VI) opportunities for the Fed-*
25 *eral Government, Indian Tribes, and*

1 *State, local, and territorial govern-*
2 *ments to mitigate risks to the national*
3 *security of the United States with re-*
4 *spect to supply chains for critical min-*
5 *erals that the United States currently*
6 *relies on the People's Republic of*
7 *China or other covered countries for*
8 *mining, processing, refining, and recy-*
9 *cling; and*

10 *“(VII) evaluating and integrating*
11 *the recommendations of the Critical*
12 *Minerals Subcommittee of the National*
13 *Science and Technology Council into*
14 *the recommendations of the task force.*

15 *“(iii) prioritizing the recommendations*
16 *in clause (ii), taking into consideration eco-*
17 *nomie costs and focusing on the critical*
18 *mineral supply chains with vulnerabilities*
19 *posing the most significant risks to the na-*
20 *tional security of the United States;*

21 *“(iv) recommending specific strategies,*
22 *to be carried out in coordination with the*
23 *Secretary of State and the Secretary of*
24 *Commerce, to strengthen international part-*
25 *nerships in furtherance of critical minerals*

1 *supply chain security with international al-*
2 *lies and partners, including a strategy to*
3 *collaborate with governments of the allies*
4 *and partners described in subparagraph (B)*
5 *to develop advanced mining, refining, sepa-*
6 *ration and processing technologies; and*

7 “(v) other duties, as determined by the
8 *Chair.*

9 “(B) *ALLIES AND PARTNERS.*—*The allies*
10 *and partners referred to subparagraph (A) in-*
11 *clude—*

12 “(i) *countries participating in the*
13 *Quadrilateral Security Dialogue;*

14 “(ii) *countries that are—*

15 “(I) *signatories to the Abraham*
16 *Accords; or*

17 “(II) *participants in the Negev*
18 *Forum;*

19 “(iii) *countries that are members of the*
20 *North Atlantic Treaty Organization; and*

21 “(iv) *other countries or multilateral*
22 *partnerships the task force determines to be*
23 *appropriate.*

24 “(C) *REPORT.*—*The Chair shall—*

1 “(i) not later than 60 days after the
2 date of enactment of this subsection, and
3 every 60 days thereafter until the require-
4 ments under subsection (a) are satisfied,
5 brief the appropriate committees of Congress
6 on the status of the compliance of the Presi-
7 dent with completing the requirements
8 under that subsection.

9 “(ii) not later than 2 years after the
10 date of enactment of this Act, submit to the
11 appropriate committees of Congress a re-
12 port, which shall be submitted in unclassi-
13 fied form, but may include a classified
14 annex, that describes any findings, guide-
15 lines, and recommendations created in per-
16 forming the duties under subparagraph (A);

17 “(iii) not later than 120 days after the
18 date on which the Chair submits the report
19 under clause (ii), publish that report in the
20 Federal Register and on the website of the
21 Office of Management and Budget, except
22 that the Chair shall redact information
23 from the report that the Chair determines
24 could pose a risk to the national security of

1 *the United States by being publicly avail-*
2 *able; and*

3 “(iv) *brief the appropriate committees*
4 *of Congress twice per year.*

5 “(6) *SUNSET.—The task force shall terminate on*
6 *the date that is 90 days after the date on which the*
7 *task force completes the requirements under para-*
8 *graph (5)(C).”.*

9 *(b) GAO STUDY.—*

10 *(1) DEFINITION OF CRITICAL MINERALS.—In this*
11 *subsection, the term “critical mineral” has the mean-*
12 *ing given the term in section 7002(a) of the Energy*
13 *Act of 2020 (30 U.S.C. 1606(a)).*

14 *(2) STUDY REQUIRED.—The Comptroller General*
15 *of the United States shall conduct a study examining*
16 *the Federal and State regulatory landscape related to*
17 *improving domestic supply chains for critical min-*
18 *erals in the United States.*

19 *(3) REPORT.—Not later than 18 months after the*
20 *date of enactment of this Act, the Comptroller General*
21 *of the United States shall submit to the appropriate*
22 *committees of Congress a report that describes the re-*
23 *sults of the study under paragraph (2).*

1 ***Subtitle C—Customs Trade Partner-***
 2 ***ship Against Terrorism Pilot***
 3 ***Program Act of 2023***

4 ***SEC. 11321. SHORT TITLE.***

5 *This subtitle may be cited as the “Customs Trade Part-*
 6 *nership Against Terrorism Pilot Program Act of 2023” or*
 7 *the “CTPAT Pilot Program Act of 2023”.*

8 ***SEC. 11322. DEFINITIONS.***

9 *In this subtitle:*

10 (1) *APPROPRIATE CONGRESSIONAL COMMIT-*
 11 *TEES.—The term “appropriate congressional commit-*
 12 *tees” means—*

13 (A) *the Committee on Homeland Security*
 14 *and Governmental Affairs and the Committee on*
 15 *Finance of the Senate; and*

16 (B) *the Committee on Homeland Security*
 17 *and the Committee on Ways and Means of the*
 18 *House of Representatives.*

19 (2) *CTPAT.—The term “CTPAT” means the Cus-*
 20 *toms Trade Partnership Against Terrorism estab-*
 21 *lished under subtitle B of title II of the Security and*
 22 *Accountability for Every Port Act (6 U.S.C. 961 et*
 23 *seq.).*

1 **SEC. 11323. PILOT PROGRAM ON PARTICIPATION OF THIRD-**
2 **PARTY LOGISTICS PROVIDERS IN CTPAT.**

3 (a) *ESTABLISHMENT.*—

4 (1) *IN GENERAL.*—*The Secretary of Homeland*
5 *Security shall carry out a pilot program to assess*
6 *whether allowing entities described in subsection (b)*
7 *to participate in CTPAT would enhance port secu-*
8 *rity, combat terrorism, prevent supply chain security*
9 *breaches, or otherwise meet the goals of CTPAT.*

10 (2) *FEDERAL REGISTER NOTICE.*—*Not later than*
11 *one year after the date of the enactment of this Act,*
12 *the Secretary shall publish in the Federal Register a*
13 *notice specifying the requirements for the pilot pro-*
14 *gram required by paragraph (1).*

15 (b) *ENTITIES DESCRIBED.*—*An entity described in*
16 *this subsection is—*

17 (1) *a non-asset-based third-party logistics pro-*
18 *vider that—*

19 (A) *arranges international transportation*
20 *of freight and is licensed by the Department of*
21 *Transportation; and*

22 (B) *meets such other requirements as the*
23 *Secretary specifies in the Federal Register notice*
24 *required by subsection (a)(2); or*

25 (2) *an asset-based third-party logistics provider*
26 *that—*

1 (A) facilitates cross border activity and is
2 licensed or bonded by the Federal Maritime
3 Commission, the Transportation Security Ad-
4 ministration, U.S. Customs and Border Protec-
5 tion, or the Department of Transportation;

6 (B) manages and executes logistics services
7 using its own warehousing assets and resources
8 on behalf of its customers; and

9 (C) meets such other requirements as the
10 Secretary specifies in the Federal Register notice
11 required by subsection (a)(2).

12 (c) *REQUIREMENTS.*—In carrying out the pilot pro-
13 gram required by subsection (a)(1), the Secretary shall—

14 (1) ensure that—

15 (A) not more than 10 entities described in
16 paragraph (1) of subsection (b) participate in
17 the pilot program; and

18 (B) not more than 10 entities described in
19 paragraph (2) of that subsection participate in
20 the program;

21 (2) provide for the participation of those entities
22 on a voluntary basis;

23 (3) continue the program for a period of not less
24 than one year after the date on which the Secretary

1 publishes the *Federal Register* notice required by sub-
2 section (a)(2); and

3 (4) terminate the pilot program not more than
4 5 years after that date.

5 (d) *REPORT REQUIRED*.—Not later than 180 days
6 after the termination of the pilot program under subsection
7 (c)(4), the Secretary shall submit to the appropriate con-
8 gressional committees a report on the findings of, and any
9 recommendations arising from, the pilot program con-
10 cerning the participation in CTPAT of entities described
11 in subsection (b), including an assessment of participation
12 by those entities.

13 **SEC. 11324. REPORT ON EFFECTIVENESS OF CTPAT.**

14 (a) *IN GENERAL*.—Not later than 1 year after the date
15 of the enactment of this Act, the Comptroller General of the
16 United States shall submit to the appropriate congressional
17 committees a report assessing the effectiveness of CTPAT.

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

20 (1) *An analysis of—*

21 (A) security incidents in the cargo supply
22 chain during the 5-year period preceding sub-
23 mission of the report that involved criminal ac-
24 tivity, including drug trafficking, human smug-

1 gling, commercial fraud, or terrorist activity;
2 and

3 (B) whether those incidents involved par-
4 ticipants in CTPAT or entities not participating
5 in CTPAT.

6 (2) An analysis of causes for the suspension or
7 removal of entities from participating in CTPAT as
8 a result of security incidents during that 5-year pe-
9 riod.

10 (3) An analysis of the number of active CTPAT
11 participants involved in one or more security inci-
12 dents while maintaining their status as participants.

13 (4) Recommendations to the Commissioner of
14 U.S. Customs and Border Protection for improve-
15 ments to CTPAT to improve prevention of security
16 incidents in the cargo supply chain involving partici-
17 pants in CTPAT.

18 **SEC. 11325. NO ADDITIONAL FUNDS AUTHORIZED.**

19 No additional funds are authorized to be appropriated
20 for the purpose of carrying out this subtitle.

21 **Subtitle D—Military Spouse**
22 **Employment Act**

23 **SEC. 11331. SHORT TITLE.**

24 This subtitle may be cited as the “Military Spouse
25 Employment Act”.

1 **SEC. 11332. APPOINTMENT OF MILITARY SPOUSES.**

2 *Section 3330d of title 5, United States Code, is amend-*
3 *ed—*

4 *(1) in subsection (a)—*

5 *(A) by redesignating paragraph (3) as*
6 *paragraph (4);*

7 *(B) by inserting after paragraph (2) the fol-*
8 *lowing:*

9 *“(3) The term ‘remote work’ refers to a par-*
10 *ticular type of telework under which an employee is*
11 *not expected to report to an officially established*
12 *agency location on a regular and recurring basis.”;*
13 *and*

14 *(C) by adding at the end the following:*

15 *“(5) The term ‘telework’ has the meaning given*
16 *the term in section 6501.”;*

17 *(2) in subsection (b)—*

18 *(A) in paragraph (1), by striking “or” at*
19 *the end;*

20 *(B) in paragraph (2), by striking the period*
21 *at the end and inserting “; or”; and*

22 *(C) by adding at the end the following:*

23 *“(3) a spouse of a member of the Armed Forces*
24 *on active duty, or a spouse of a disabled or deceased*
25 *member of the Armed Forces, to a position in which*
26 *the spouse will engage in remote work.”; and*

1 (3) in subsection (c)(1), by striking “subsection
2 (a)(3)” and inserting “subsection (a)(4)”.

3 **SEC. 11333. GAO STUDY AND REPORT.**

4 (a) *DEFINITIONS.*—In this section—

5 (1) the terms “agency” means an agency de-
6 scribed in paragraph (1) or (2) of section 901(b) of
7 title 31, United States Code;

8 (2) the term “employee” means an employee of
9 an agency;

10 (3) the term “remote work” means a particular
11 type of telework under which an employee is not ex-
12 pected to report to an officially established agency lo-
13 cation on a regular and recurring basis; and

14 (4) the term “telework” means a work flexibility
15 arrangement under which an employee performs the
16 duties and responsibilities of such employee’s position,
17 and other authorized activities, from an approved
18 worksite other than the location from which the em-
19 ployee would otherwise work.

20 (b) *REQUIREMENT.*—Not later than 18 months after
21 the date of enactment of this Act, the Comptroller General
22 of the United States shall conduct a study and publish a
23 report regarding the use of remote work by agencies, which
24 shall include a discussion of what is known regarding—

1 (1) *the number of employees who are engaging in*
 2 *remote work;*

3 (2) *the role of remote work in agency recruit-*
 4 *ment and retention efforts;*

5 (3) *the geographic location of employees who en-*
 6 *gage in remote work;*

7 (4) *the effect that remote work has had on how*
 8 *often employees are reporting to officially established*
 9 *agency locations to perform the duties and respon-*
 10 *sibilities of the positions of those employees and other*
 11 *authorized activities; and*

12 (5) *how the use of remote work has affected Fed-*
 13 *eral office space utilization and spending.*

14 ***Subtitle E—Designation of Airports***

15 ***SEC. 11341. DESIGNATION OF ADDITIONAL PORT OF ENTRY***

16 ***FOR THE IMPORTATION AND EXPORTATION*** 17 ***OF WILDLIFE AND WILDLIFE PRODUCTS BY*** 18 ***THE UNITED STATES FISH AND WILDLIFE*** 19 ***SERVICE.***

20 (a) *IN GENERAL.*—Subject to appropriations and in
 21 accordance with subsection (b), the Director of the United
 22 States Fish and Wildlife Service shall designate 1 addi-
 23 tional port as a “port of entry designated for the importa-
 24 tion and exportation of wildlife and wildlife products”
 25 under section 14.12 of title 50, Code of Federal Regulations.

1 (b) *CRITERIA FOR SELECTING ADDITIONAL DES-*
 2 *IGNATED PORT.*—*The Director shall select the additional*
 3 *port to be designated pursuant to subsection (a) from*
 4 *among the United States airports that handled more than*
 5 *8,000,000,000 pounds of cargo during 2021, as reported by*
 6 *the Federal Aviation Administration Air Carrier Activity*
 7 *Information System, and based upon the analysis sub-*
 8 *mitted to Congress by the Director pursuant to the Wildlife*
 9 *Trafficking reporting directive under title I of Senate Re-*
 10 *port 114–281.*

11 ***DIVISION M—INTELLIGENCE AU-***
 12 ***THORIZATION ACT FOR FIS-***
 13 ***CAL YEAR 2024***

14 ***SEC. 1. SHORT TITLE; TABLE OF CONTENTS.***

15 (a) *SHORT TITLE.*—*This division may be cited as the*
 16 *“Intelligence Authorization Act for Fiscal Year 2024”.*

17 (b) *TABLE OF CONTENTS.*—*The table of contents for*
 18 *this division is as follows:*

DIVISION M—INTELLIGENCE AUTHORIZATION ACT FOR FISCAL
YEAR 2024

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

TITLE I—INTELLIGENCE ACTIVITIES

Sec. 101. Authorization of appropriations.

Sec. 102. Classified Schedule of Authorizations.

Sec. 103. Intelligence Community Management Account.

Sec. 104. Increase in employee compensation and benefits authorized by law.

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND
DISABILITY SYSTEM

Sec. 201. Authorization of appropriations.

TITLE III—INTELLIGENCE COMMUNITY MATTERS

Subtitle A—General Intelligence Community Matters

- Sec. 301. Plan to recruit, train, and retain personnel with experience in financial intelligence and emerging technologies.*
- Sec. 302. Policy and performance framework for mobility of intelligence community workforce.*
- Sec. 303. In-State tuition rates for active duty members of the intelligence community.*
- Sec. 304. Standards, criteria, and guidance for counterintelligence vulnerability assessments and surveys.*
- Sec. 305. Improving administration of certain post-employment restrictions for intelligence community.*
- Sec. 306. Mission of the National Counterintelligence and Security Center.*
- Sec. 307. Prohibition relating to transport of individuals detained at United States Naval Station, Guantanamo Bay, Cuba.*
- Sec. 308. Department of Energy science and technology risk assessments.*
- Sec. 309. Congressional oversight of intelligence community risk assessments.*
- Sec. 310. Inspector General review of dissemination by Federal Bureau of Investigation Richmond, Virginia, field office of certain document.*
- Sec. 311. Office of Intelligence and Analysis.*

Subtitle B—Central Intelligence Agency

- Sec. 321. Change to penalties and increased availability of mental health treatment for unlawful conduct on Central Intelligence Agency installations.*
- Sec. 322. Modifications to procurement authorities of the Central Intelligence Agency.*
- Sec. 323. Establishment of Central Intelligence Agency standard workplace sexual misconduct complaint investigation procedure.*

TITLE IV—MATTERS CONCERNING FOREIGN COUNTRIES

Subtitle A—People’s Republic of China

- Sec. 401. Intelligence community coordinator for accountability of atrocities of the People’s Republic of China.*
- Sec. 402. Interagency working group and report on the malign efforts of the People’s Republic of China in Africa.*
- Sec. 403. Amendment to requirement for annual assessment by intelligence community working group for monitoring the economic and technological capabilities of the People’s Republic of China.*
- Sec. 404. Assessments of reciprocity in the relationship between the United States and the People’s Republic of China.*
- Sec. 405. Annual briefing on intelligence community efforts to identify and mitigate Chinese Communist Party and Russian foreign malign influence operations against the United States.*
- Sec. 406. Assessment of threat posed to United States ports by cranes manufactured by countries of concern.*

Subtitle B—Other Foreign Countries

- Sec. 411. Report on efforts to capture and detain United States citizens as hostages.*

Sec. 412. Sense of Congress on priority of fentanyl in National Intelligence Priorities Framework.

TITLE V—MATTERS PERTAINING TO UNITED STATES ECONOMIC AND EMERGING TECHNOLOGY COMPETITION WITH UNITED STATES ADVERSARIES

Subtitle A—General Matters

Sec. 501. Assignment of detailees from intelligence community to Department of Commerce.

Subtitle B—Next-generation Energy, Biotechnology, and Artificial Intelligence

Sec. 511. Expanded annual assessment of economic and technological capabilities of the People's Republic of China.

Sec. 512. Assessment of using civil nuclear energy for intelligence community capabilities.

Sec. 513. Policies established by Director of National Intelligence for artificial intelligence capabilities.

TITLE VI—WHISTLEBLOWER MATTERS

Sec. 601. Submittal to Congress of complaints and information by whistleblowers in the intelligence community.

Sec. 602. Prohibition against disclosure of whistleblower identity as reprisal against whistleblower disclosure by employees and contractors in intelligence community.

Sec. 603. Establishing process parity for adverse security clearance and access determinations.

Sec. 604. Elimination of cap on compensatory damages for retaliatory revocation of security clearances and access determinations.

Sec. 605. Modification and repeal of reporting requirements.

TITLE VII—CLASSIFICATION REFORM

Subtitle A—Classification Reform Act of 2023

Sec. 701. Short title.

Sec. 702. Definitions.

Sec. 703. Classification and declassification of information.

Sec. 704. Transparency officers.

Subtitle B—Sensible Classification Act of 2023

Sec. 711. Short title.

Sec. 712. Definitions.

Sec. 713. Findings and sense of the Senate.

Sec. 714. Classification authority.

Sec. 715. Promoting efficient declassification review.

Sec. 716. Training to promote sensible classification.

Sec. 717. Improvements to Public Interest Declassification Board.

Sec. 718. Implementation of technology for classification and declassification.

Sec. 719. Studies and recommendations on necessity of security clearances.

TITLE VIII—SECURITY CLEARANCE AND TRUSTED WORKFORCE

Sec. 801. Review of shared information technology services for personnel vetting.

Sec. 802. Timeliness standard for rendering determinations of trust for personnel vetting.

Sec. 803. Annual report on personnel vetting trust determinations.

Sec. 804. Survey to assess strengths and weaknesses of Trusted Workforce 2.0.

Sec. 805. Prohibition on denial of eligibility for access to classified information solely because of past use of cannabis.

TITLE IX—ANOMALOUS HEALTH INCIDENTS

Sec. 901. Improved funding flexibility for payments made by the Central Intelligence Agency for qualifying injuries to the brain.

Sec. 902. Clarification of requirements to seek certain benefits relating to injuries to the brain.

Sec. 903. Intelligence community implementation of HAVANA Act of 2021 authorities.

Sec. 904. Report and briefing on Central Intelligence Agency handling of anomalous health incidents.

TITLE X—ELECTION SECURITY

Sec. 1001. Strengthening Election Cybersecurity to Uphold Respect for Elections through Independent Testing Act of 2023.

TITLE XI—OTHER MATTERS

Sec. 1101. Modification of reporting requirement for All-domain Anomaly Resolution Office.

Sec. 1102. Funding limitations relating to unidentified anomalous phenomena.

1 SEC. 2. DEFINITIONS.

2 *In this Act:*

3 (1) CONGRESSIONAL INTELLIGENCE COMMIT-
4 TEES.—*The term “congressional intelligence commit-*
5 *tees” has the meaning given such term in section 3*
6 *of the National Security Act of 1947 (50 U.S.C.*
7 *3003).*

8 (2) INTELLIGENCE COMMUNITY.—*The term “in-*
9 *telligence community” has the meaning given such*
10 *term in such section.*

TITLE I—INTELLIGENCE ACTIVITIES

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2024 for the conduct of the intelligence and intelligence-related activities of the Federal Government.

SEC. 102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.

(a) SPECIFICATIONS OF AMOUNTS.—The amounts authorized to be appropriated under section 101 for the conduct of the intelligence activities of the Federal Government are those specified in the classified Schedule of Authorizations prepared to accompany this division.

(b) AVAILABILITY OF CLASSIFIED SCHEDULE OF AUTHORIZATIONS.—

(1) AVAILABILITY.—The classified Schedule of Authorizations referred to in subsection (a) shall be made available to the Committee on Appropriations of the Senate, the Committee on Appropriations of the House of Representatives, and to the President.

(2) DISTRIBUTION BY THE PRESIDENT.—Subject to paragraph (3), the President shall provide for suitable distribution of the classified Schedule of Authorizations referred to in subsection (a), or of appropriate portions of such Schedule, within the executive branch of the Federal Government.

1 (3) *LIMITS ON DISCLOSURE.*—*The President*
 2 *shall not publicly disclose the classified Schedule of*
 3 *Authorizations or any portion of such Schedule ex-*
 4 *cept—*

5 *(A) as provided in section 601(a) of the Im-*
 6 *plementing Recommendations of the 9/11 Com-*
 7 *mission Act of 2007 (50 U.S.C. 3306(a));*

8 *(B) to the extent necessary to implement the*
 9 *budget; or*

10 *(C) as otherwise required by law.*

11 **SEC. 103. INTELLIGENCE COMMUNITY MANAGEMENT AC-**
 12 **COUNT.**

13 (a) *AUTHORIZATION OF APPROPRIATIONS.*—*There is*
 14 *authorized to be appropriated for the Intelligence Commu-*
 15 *nity Management Account of the Director of National Intel-*
 16 *ligence for fiscal year 2024 the sum of \$658,950,000.*

17 (b) *CLASSIFIED AUTHORIZATION OF APPROPRIA-*
 18 *TIONS.*—*In addition to amounts authorized to be appro-*
 19 *priated for the Intelligence Community Management Ac-*
 20 *count by subsection (a), there are authorized to be appro-*
 21 *priated for the Intelligence Community Management Ac-*
 22 *count for fiscal year 2024 such additional amounts as are*
 23 *specified in the classified Schedule of Authorizations re-*
 24 *ferred to in section 102(a).*

1 **SEC. 104. INCREASE IN EMPLOYEE COMPENSATION AND**
 2 **BENEFITS AUTHORIZED BY LAW.**

3 *Appropriations authorized by this division for salary,*
 4 *pay, retirement, and other benefits for Federal employees*
 5 *may be increased by such additional or supplemental*
 6 *amounts as may be necessary for increases in such com-*
 7 *pensation or benefits authorized by law.*

8 **TITLE II—CENTRAL INTEL-**
 9 **LIGENCE AGENCY RETIRE-**
 10 **MENT AND DISABILITY SYS-**
 11 **TEM**

12 **SEC. 201. AUTHORIZATION OF APPROPRIATIONS.**

13 *There is authorized to be appropriated for the Central*
 14 *Intelligence Agency Retirement and Disability Fund*
 15 *\$514,000,000 for fiscal year 2024.*

16 **TITLE III—INTELLIGENCE**
 17 **COMMUNITY MATTERS**
 18 **Subtitle A—General Intelligence**
 19 **Community Matters**

20 **SEC. 301. PLAN TO RECRUIT, TRAIN, AND RETAIN PER-**
 21 **SONNEL WITH EXPERIENCE IN FINANCIAL IN-**
 22 **TELLIGENCE AND EMERGING TECH-**
 23 **NOLOGIES.**

24 *(a) IN GENERAL.—Not later than 180 days after the*
 25 *date of the enactment of this Act, the Director of National*
 26 *Intelligence, in coordination with the heads of human cap-*

1 *ital of the Central Intelligence Agency, the National Secu-*
2 *rity Agency, and the Federal Bureau of Investigation, shall*
3 *submit to the congressional intelligence committees, the*
4 *Committee on Appropriations of the Senate, and the Com-*
5 *mittee on Appropriations of the House of Representatives*
6 *a plan for the intelligence community to recruit, train, and*
7 *retain personnel who have skills and experience in financial*
8 *intelligence and emerging technologies in order to improve*
9 *analytic tradecraft.*

10 (b) *ELEMENTS.—The plan required by subsection (a)*
11 *shall include the following elements:*

12 (1) *An assessment, including measurable bench-*
13 *marks of progress, of current initiatives of the intel-*
14 *ligence community to recruit, train, and retain per-*
15 *sonnel who have skills and experience in financial in-*
16 *telligence and emerging technologies.*

17 (2) *An assessment of whether personnel in the in-*
18 *telligence community who have such skills are cur-*
19 *rently well integrated into the analytical cadre of the*
20 *relevant elements of the intelligence community that*
21 *produce analyses with respect to financial intelligence*
22 *and emerging technologies.*

23 (3) *An identification of challenges to hiring or*
24 *compensation in the intelligence community that*
25 *limit progress toward rapidly increasing the number*

1 of personnel with such skills, and an identification of
2 hiring or other reforms to resolve such challenges.

3 (4) A determination of whether the National In-
4 telligence University has the resources and expertise
5 necessary to train existing personnel in financial in-
6 telligence and emerging technologies.

7 (5) A strategy, including measurable benchmarks
8 of progress, to, by January 1, 2025, increase by 10
9 percent the analytical cadre of personnel with exper-
10 tise and previous employment in financial intel-
11 ligence and emerging technologies.

12 **SEC. 302. POLICY AND PERFORMANCE FRAMEWORK FOR**
13 **MOBILITY OF INTELLIGENCE COMMUNITY**
14 **WORKFORCE.**

15 (a) *IN GENERAL.*—Not later than 180 days after the
16 date of the enactment of this Act, the Director of National
17 Intelligence shall, in coordination with the Secretary of De-
18 fense and the Director of the Office of Personnel Manage-
19 ment as the Director of National Intelligence considers ap-
20 propriate, develop and implement a policy and performance
21 framework to ensure the timely and effective mobility of em-
22 ployees and contractors of the Federal Government who are
23 transferring employment between elements of the intel-
24 ligence community.

1 (b) *ELEMENTS.*—*The policy and performance frame-*
 2 *work required by subsection (a) shall include processes with*
 3 *respect to the following:*

4 (1) *Human resources.*

5 (2) *Medical reviews.*

6 (3) *Determinations of suitability or eligibility*
 7 *for access to classified information in accordance with*
 8 *Executive Order 13467 (50 U.S.C. 3161 note; relating*
 9 *to reforming processes related to suitability for Gov-*
 10 *ernment employment, fitness for contractor employees,*
 11 *and eligibility for access to classified national secu-*
 12 *rity information).*

13 **SEC. 303. IN-STATE TUITION RATES FOR ACTIVE DUTY MEM-**
 14 **BERS OF THE INTELLIGENCE COMMUNITY.**

15 (a) *IN GENERAL.*—*Section 135(d) of the Higher Edu-*
 16 *cation Act of 1965 (20 U.S.C. 1015d(d)), as amended by*
 17 *section 6206(a)(4) of the Foreign Service Families Act of*
 18 *2021 (Public Law 117–81), is further amended—*

19 (1) *in paragraph (1), by striking “or” after the*
 20 *semicolon;*

21 (2) *in paragraph (2), by striking the period at*
 22 *the end and inserting “; or”; and*

23 (3) *by adding at the end the following new para-*
 24 *graph:*

1 “(3) a member of the intelligence community (as
 2 defined in section 3 of the National Security Act of
 3 1947 (50 U.S.C. 3003)) (other than a member of the
 4 Armed Forces of the United States) who is on active
 5 duty for a period of more than 30 days.”.

6 (b) *EFFECTIVE DATE.*—The amendments made by sub-
 7 section (a) shall take effect at each public institution of
 8 higher education in a State that receives assistance under
 9 the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.)
 10 for the first period of enrollment at such institution that
 11 begins after July 1, 2026.

12 **SEC. 304. STANDARDS, CRITERIA, AND GUIDANCE FOR**
 13 **COUNTERINTELLIGENCE VULNERABILITY AS-**
 14 **SESSMENTS AND SURVEYS.**

15 Section 904(d)(7)(A) of the Counterintelligence En-
 16 hancement Act of 2002 (50 U.S.C. 3383(d)(7)(A)) is amend-
 17 ed to read as follows:

18 “(A) COUNTERINTELLIGENCE VULNER-
 19 ABILITY ASSESSMENTS AND SURVEYS.—To de-
 20 velop standards, criteria, and guidance for coun-
 21 terintelligence risk assessments and surveys of
 22 the vulnerability of the United States to intel-
 23 ligence threats, including with respect to critical
 24 infrastructure and critical technologies, in order

1 to identify the areas, programs, and activities
2 that require protection from such threats.”.

3 **SEC. 305. IMPROVING ADMINISTRATION OF CERTAIN POST-**
4 **EMPLOYMENT RESTRICTIONS FOR INTEL-**
5 **LIGENCE COMMUNITY.**

6 Section 304 of the National Security Act of 1947 (50
7 U.S.C. 3073a) is amended—

8 (1) in subsection (c)(1)—

9 (A) by striking “A former” and inserting
10 the following:

11 “(A) *IN GENERAL.*—A former”; and

12 (B) by adding at the end the following:

13 “(B) *PRIOR DISCLOSURE TO DIRECTOR OF*
14 *NATIONAL INTELLIGENCE.*—

15 “(i) *IN GENERAL.*—In the case of a
16 former employee who occupies a covered
17 post-service position in violation of sub-
18 section (a), whether the former employee
19 voluntarily notified the Director of National
20 Intelligence of the intent of the former em-
21 ployee to occupy such covered post-service
22 position before occupying such post-service
23 position may be used in determining wheth-
24 er the violation was knowing and willful for
25 purposes of subparagraph (A).

1 “(ii) *PROCEDURES AND GUIDANCE.*—
 2 *The Director of National Intelligence may*
 3 *establish procedures and guidance relating*
 4 *to the submittal of notice for purposes of*
 5 *clause (i).”; and*

6 (2) *in subsection (d)—*

7 (A) *in paragraph (1), by inserting “the re-*
 8 *strictions under subsection (a) and” before “the*
 9 *report requirements”;*

10 (B) *in paragraph (2), by striking “ceases to*
 11 *occupy” and inserting “occupies”; and*

12 (C) *in paragraph (3)(B), by striking “before*
 13 *the person ceases to occupy a covered intelligence*
 14 *position” and inserting “when the person occu-*
 15 *pies a covered intelligence position”.*

16 **SEC. 306. MISSION OF THE NATIONAL COUNTERINTEL-**
 17 **LIGENCE AND SECURITY CENTER.**

18 (a) *IN GENERAL.*—Section 904 of the Counterintel-
 19 *ligence Enhancement Act of 2002 (50 U.S.C. 3383) is*
 20 *amended—*

21 (1) *by redesignating subsections (d) through (i)*
 22 *as subsections (e) through (j), respectively; and*

23 (2) *by inserting after subsection (c) the fol-*
 24 *lowing:*

1 “(d) *MISSION.*—*The mission of the National Counter-*
 2 *intelligence and Security Center shall include organizing*
 3 *and leading strategic planning for counterintelligence ac-*
 4 *tivities of the United States Government by integrating in-*
 5 *struments of national power as needed to counter foreign*
 6 *intelligence activities.”.*

7 (b) *CONFORMING AMENDMENTS.*—

8 (1) *COUNTERINTELLIGENCE ENHANCEMENT ACT*
 9 *OF 2002.*—*Section 904 of the Counterintelligence En-*
 10 *hancement Act of 2002 (50 U.S.C. 3383) is amend-*
 11 *ed—*

12 (A) *in subsection (e), as redesignated by*
 13 *subsection (a)(1), by striking “Subject to sub-*
 14 *section (e)” both places it appears and inserting*
 15 *“Subject to subsection (f)”;* and

16 (B) *in subsection (f), as so redesignated—*

17 (i) *in paragraph (1), by striking “sub-*
 18 *section (d)(1)” and inserting “subsection*
 19 *(e)(1)”;* and

20 (ii) *in paragraph (2), by striking*
 21 *“subsection (d)(2)” and inserting “sub-*
 22 *section (e)(2)”.*

23 (2) *COUNTERINTELLIGENCE AND SECURITY EN-*
 24 *HANCEMENTS ACT OF 1994.*—*Section 811(d)(1)(B)(ii)*
 25 *of the Counterintelligence and Security Enhancements*

5 **SEC. 307. PROHIBITION RELATING TO TRANSPORT OF INDI-**
6 **VIDUALS DETAINED AT UNITED STATES**
7 **NAVAL STATION, GUANTANAMO BAY, CUBA.**

8 (a) *DEFINITION OF INDIVIDUAL DETAINED AT GUAN-*
9 *TANAMO.—In this section, the term “individual detained at*
10 *Guantanamo” has the meaning given that term in section*
11 *1034(f)(2) of the National Defense Authorization Act for*
12 *Fiscal Year 2016 (Public Law 114–92; 129 Stat. 971; 10*
13 *U.S.C. 801 note).*

14 (b) *PROHIBITION ON CHARTERING PRIVATE OR COM-*
15 *MERCIAL AIRCRAFT TO TRANSPORT INDIVIDUALS DE-*
16 *TAINED AT UNITED STATES NAVAL STATION, GUANTANAMO*
17 *BAY, CUBA.*—No head of an element of the intelligence com-
18 munity may charter any private or commercial aircraft to
19 transport an individual who is or was an individual de-
20 tained at Guantanamo.

21 *SEC. 308. DEPARTMENT OF ENERGY SCIENCE AND TECH-*
22 *NOLOGY RISK ASSESSMENTS.*

23 (a) *DEFINITIONS.*—*In this section:*

24 (1) COUNTRY OF RISK.—

1 (A) *IN GENERAL.*—The term “country of
2 risk” means a foreign country determined by the
3 Secretary, in accordance with subparagraph (B),
4 to present a risk of theft of United States intel-
5 lectual property or a threat to the national secu-
6 rity of the United States if nationals of the coun-
7 try, or entities owned or controlled by the coun-
8 try or nationals of the country, participate in
9 any research, development, demonstration, or de-
10 ployment activity authorized under this Act or
11 an amendment made by this Act.

12 (B) *DETERMINATION.*—In making a deter-
13 mination under subparagraph (A), the Sec-
14 retary, in coordination with the Director of the
15 Office of Intelligence and Counterintelligence,
16 shall take into consideration—

17 (i) the most recent World Wide Threat
18 Assessment of the United States Intelligence
19 Community, prepared by the Director of
20 National Intelligence; and

21 (ii) the most recent National Counter-
22 intelligence Strategy of the United States.

23 (2) *COVERED SUPPORT.*—The term “covered sup-
24 port” means any grant, contract, subcontract, award,

1 *loan, program, support, or other activity authorized*
2 *under this Act or an amendment made by this Act.*

3 (3) *ENTITY OF CONCERN.—The term “entity of*
4 *concern” means any entity, including a national,*
5 *that is—*

6 (A) *identified under section 1237(b) of the*
7 *Strom Thurmond National Defense Authoriza-*
8 *tion Act for Fiscal Year 1999 (50 U.S.C. 1701*
9 *note; Public Law 105–261);*

10 (B) *identified under section 1260H of the*
11 *William M. (Mac) Thornberry National Defense*
12 *Authorization Act for Fiscal Year 2021 (10*
13 *U.S.C. 113 note; Public Law 116–283);*

14 (C) *on the Entity List maintained by the*
15 *Bureau of Industry and Security of the Depart-*
16 *ment of Commerce and set forth in Supplement*
17 *No. 4 to part 744 of title 15, Code of Federal*
18 *Regulations;*

19 (D) *included in the list required by section*
20 *9(b)(3) of the Uyghur Human Rights Policy Act*
21 *of 2020 (Public Law 116–145; 134 Stat. 656); or*

22 (E) *identified by the Secretary, in coordina-*
23 *tion with the Director of the Office of Intelligence*
24 *and Counterintelligence and the applicable office*

1 *that would provide, or is providing, covered sup-*
2 *port, as posing an unmanageable threat—*

3 *(i) to the national security of the*
4 *United States; or*

5 *(ii) of theft or loss of United States in-*
6 *tellectual property.*

7 (4) *NATIONAL.—The term “national” has the*
8 *meaning given the term in section 101 of the Immi-*
9 *gration and Nationality Act (8 U.S.C. 1101).*

10 (5) *SECRETARY.—The term “Secretary” means*
11 *the Secretary of Energy.*

12 (b) *SCIENCE AND TECHNOLOGY RISK ASSESSMENT.—*

13 (1) *IN GENERAL.—The Secretary shall develop*
14 *and maintain tools and processes to manage and*
15 *mitigate research security risks, such as a science and*
16 *technology risk matrix, informed by threats identified*
17 *by the Director of the Office of Intelligence and Coun-*
18 *terintelligence, to facilitate determinations of the risk*
19 *of loss of United States intellectual property or threat*
20 *to the national security of the United States posed by*
21 *activities carried out under any covered support.*

22 (2) *CONTENT AND IMPLEMENTATION.—In devel-*
23 *oping and using the tools and processes developed*
24 *under paragraph (1), the Secretary shall—*

1 (A) deploy risk-based approaches to evalu-
2 ating, awarding, and managing certain research,
3 development, demonstration, and deployment ac-
4 tivities, including designations that will indicate
5 the relative risk of activities;

6 (B) assess, to the extent practicable, ongoing
7 high-risk activities;

8 (C) designate an officer or employee of the
9 Department of Energy to be responsible for
10 tracking and notifying recipients of any covered
11 support of unmanageable threats to United
12 States national security or of theft or loss of
13 United States intellectual property posed by an
14 entity of concern;

15 (D) consider requiring recipients of covered
16 support to implement additional research secu-
17 rity mitigations for higher-risk activities if ap-
18 propriate; and

19 (E) support the development of research se-
20 curity training for recipients of covered support
21 on the risks posed by entities of concern.

22 (3) ANNUAL UPDATES.—The tools and processes
23 developed under paragraph (1) shall be evaluated an-
24 nually and updated as needed, with threat-informed
25 input from the Office of Intelligence and Counterintel-

1 *ligence, to reflect changes in the risk designation*
2 *under paragraph (2)(A) of research, development,*
3 *demonstration, and deployment activities conducted*
4 *by the Department of Energy.*

5 *(c) ENTITY OF CONCERN.—*

6 *(1) PROHIBITION.—Except as provided in para-*
7 *graph (2), no entity of concern, or individual that*
8 *owns or controls, is owned or controlled by, or is*
9 *under common ownership or control with an entity of*
10 *concern, may receive, or perform work under, any*
11 *covered support.*

12 *(2) WAIVER OF PROHIBITION.—*

13 *(A) IN GENERAL.—The Secretary may*
14 *waive the prohibition under paragraph (1) if de-*
15 *termined by the Secretary to be in the national*
16 *interest.*

17 *(B) NOTIFICATION TO CONGRESS.—Not less*
18 *than 2 weeks prior to issuing a waiver under*
19 *subparagraph (A), the Secretary shall notify*
20 *Congress of the intent to issue the waiver, includ-*
21 *ing a justification for the waiver.*

22 *(3) PENALTY.—*

23 *(A) TERMINATION OF SUPPORT.—On find-*
24 *ing that any entity of concern or individual de-*
25 *scribed in paragraph (1) has received covered*

1 *support and has not received a waiver under*
2 *paragraph (2), the Secretary shall terminate all*
3 *covered support to that entity of concern or indi-*
4 *vidual, as applicable.*

5 *(B) PENALTIES.—An entity of concern or*
6 *individual identified under subparagraph (A)*
7 *shall be—*

8 *(i) prohibited from receiving or par-*
9 *ticipating in covered support for a period of*
10 *not less than 1 year but not more than 10*
11 *years, as determined by the Secretary; or*

12 *(ii) instead of the penalty described in*
13 *clause (i), subject to any other penalties au-*
14 *thorized under applicable law or regulations*
15 *that the Secretary determines to be in the*
16 *national interest.*

17 *(C) NOTIFICATION TO CONGRESS.—Prior to*
18 *imposing a penalty under subparagraph (B), the*
19 *Secretary shall notify Congress of the intent to*
20 *impose the penalty, including a description of*
21 *and justification for the penalty.*

22 *(4) COORDINATION.—The Secretary shall—*

23 *(A) share information about the unmanage-*
24 *able threats described in subsection (a)(3)(E)*
25 *with other Federal agencies; and*

1 (B) develop consistent approaches to identi-
2 fying entities of concern.

3 (d) *INTERNATIONAL AGREEMENTS.*—*This section shall*
4 *be applied in a manner consistent with the obligations of*
5 *the United States under international agreements.*

6 (e) *REPORT REQUIRED.*—*Not later than 240 days*
7 *after the date of enactment of this Act, the Secretary shall*
8 *submit to Congress a report that—*

9 (1) *describes—*

10 (A) *the tools and processes developed under*
11 *subsection (b)(1) and any updates to those tools*
12 *and processes; and*

13 (B) *if applicable, the science and technology*
14 *risk matrix developed under that subsection and*
15 *how that matrix has been applied;*

16 (2) *includes a mitigation plan for managing*
17 *risks posed by countries of risk with respect to future*
18 *or ongoing research and development activities of the*
19 *Department of Energy; and*

20 (3) *defines critical research areas, designated by*
21 *risk, as determined by the Secretary.*

22 **SEC. 309. CONGRESSIONAL OVERSIGHT OF INTELLIGENCE**
23 **COMMUNITY RISK ASSESSMENTS.**

24 (a) *RISK ASSESSMENT DOCUMENTS AND MATE-*
25 *RIALS.*—*Except as provided in subsection (b), whenever an*

1 *element of the intelligence community conducts a risk as-*
2 *essment arising from the mishandling or improper disclo-*
3 *sure of classified information, the Director of National In-*
4 *telligence shall, not later than 30 days after the date of the*
5 *commencement of such risk assessment—*

6 *(1) submit to the congressional intelligence com-*
7 *mittees copies of such documents and materials as*
8 *are—*

9 *(A) within the jurisdiction of such commit-*
10 *tees; and*

11 *(B) subject to the risk assessment; and*

12 *(2) provide such committees a briefing on such*
13 *documents, materials, and risk assessment.*

14 *(b) EXCEPTION.—If the Director determines, with re-*
15 *spect to a risk assessment described in subsection (a), that*
16 *the documents and other materials otherwise subject to*
17 *paragraph (1) of such subsection (a) are of such a volume*
18 *that submittal pursuant to such paragraph would be im-*
19 *practicable, the Director shall—*

20 *(1) in lieu of submitting copies of such docu-*
21 *ments and materials, submit a log of such documents*
22 *and materials; and*

23 *(2) pursuant to a request by the Select Com-*
24 *mittee on Intelligence of the Senate or the Permanent*
25 *Select Committee on Intelligence of the House of Rep-*

1 *representatives for a copy of a document or material in-*
 2 *cluded in such log, submit to such committee such*
 3 *copy.*

4 **SEC. 310. INSPECTOR GENERAL REVIEW OF DISSEMINATION**
 5 **BY FEDERAL BUREAU OF INVESTIGATION**
 6 **RICHMOND, VIRGINIA, FIELD OFFICE OF CER-**
 7 **TAIN DOCUMENT.**

8 (a) *REVIEW REQUIRED.*—*Not later than 120 days*
 9 *after the date of the enactment of this Act, the Inspector*
 10 *General of the Department of Justice shall conduct a review*
 11 *of the actions and events, including any underlying policy*
 12 *direction, that served as a basis for the January 23, 2023,*
 13 *dissemination by the field office of the Federal Bureau of*
 14 *Investigation located in Richmond, Virginia, of a document*
 15 *titled “Interest of Racially or Ethnically Motivated Violent*
 16 *Extremists in Radical-Traditionalist Catholic Ideology Al-*
 17 *most Certainly Presents New Mitigation Opportunities.”.*

18 (b) *SUBMITTAL TO CONGRESS.*—*The Inspector General*
 19 *of the Department of Justice shall submit the findings of*
 20 *the Inspector General with respect to the review required*
 21 *by subsection (a) to the following:*

22 (1) *The congressional intelligence committees.*

23 (2) *The Committee on the Judiciary, Committee*
 24 *on Homeland Security and Governmental Affairs,*
 25 *and the Committee on Appropriations of the Senate.*

1 (3) *The Committee on the Judiciary, the Com-*
 2 *mittee on Oversight and Accountability, and the Com-*
 3 *mittee on Appropriations of the House of Representa-*
 4 *tives.*

5 **SEC. 311. OFFICE OF INTELLIGENCE AND ANALYSIS.**

6 *Section 201 of the Homeland Security Act of 2002 (6*
 7 *U.S.C. 121) is amended by adding at the end the following:*

8 “(h) *PROHIBITION.*—

9 “(1) *DEFINITION.*—*In this subsection, the term*
 10 *‘United States person’ means a United States citizen,*
 11 *an alien known by the Office of Intelligence and*
 12 *Analysis to be a permanent resident alien, an unin-*
 13 *corporated association substantially composed of*
 14 *United States citizens or permanent resident aliens,*
 15 *or a corporation incorporated in the United States,*
 16 *except for a corporation directed and controlled by 1*
 17 *or more foreign governments.*

18 “(2) *COLLECTION OF INFORMATION FROM*
 19 *UNITED STATES PERSONS.*—

20 “(A) *IN GENERAL.*—*Notwithstanding any*
 21 *other provision of law, the Office of Intelligence*
 22 *and Analysis may not engage in the collection of*
 23 *information or intelligence targeting any United*
 24 *States person except as provided in subpara-*
 25 *graph (B).*

“(B) *EXCEPTION.*—Subparagraph (A) shall not apply to any employee, officer, or contractor of the Office of Intelligence and Analysis who is responsible for collecting information from individuals working for a State, local, or Tribal territory government or a private employer.”.

Subtitle B—Central Intelligence Agency

SEC. 321. CHANGE TO PENALTIES AND INCREASED AVAILABILITY OF MENTAL HEALTH TREATMENT FOR UNLAWFUL CONDUCT ON CENTRAL INTELLIGENCE AGENCY INSTALLATIONS.

Section 15(b) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3515(b)) is amended, in the second sentence, by striking “those specified in section 1315(c)(2) of title 40, United States Code” and inserting “the maximum penalty authorized for a Class B misdemeanor under section 3559 of title 18, United States Code”.

SEC. 322. MODIFICATIONS TO PROCUREMENT AUTHORITIES OF THE CENTRAL INTELLIGENCE AGENCY.

Section 3 of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3503) is amended—

(1) in subsection (a), by striking “sections” and all that follows through “session)” and inserting “sections 3201, 3203, 3204, 3206, 3207, 3302 through

1 3306, 3321 through 3323, 3801 through 3808, 3069,
 2 3134, 3841, and 4752 of title 10, United States Code”
 3 and

4 (2) in subsection (d), by striking “in para-
 5 graphs” and all that follows through “1947” and in-
 6 serting “in sections 3201 through 3204 of title 10,
 7 United States Code, shall not be delegable. Each deter-
 8 mination or decision required by sections 3201
 9 through 3204, 3321 through 3323, and 3841 of title
 10 10, United States Code”.

11 **SEC. 323. ESTABLISHMENT OF CENTRAL INTELLIGENCE**
 12 **AGENCY STANDARD WORKPLACE SEXUAL**
 13 **MISCONDUCT COMPLAINT INVESTIGATION**
 14 **PROCEDURE.**

15 (a) **WORKPLACE SEXUAL MISCONDUCT DEFINED.**—
 16 The term “workplace sexual misconduct”—

17 (1) means unwelcome sexual advances, requests
 18 for sexual favors, and other verbal or physical conduct
 19 of a sexual nature when—

20 (A) submission to such conduct is made ei-
 21 ther explicitly or implicitly a term or condition
 22 of an individual’s employment;

23 (B) submission to or rejection of such con-
 24 duct by an individual is used as the basis for

1 *employment decisions affecting such individual;*
2 *or*

3 *(C) such conduct has the purpose or effect of*
4 *unreasonably interfering with an individual's*
5 *work performance or creating an intimidating,*
6 *hostile, or offensive working environment; and*

7 *(2) includes sexual harassment and sexual as-*
8 *sault.*

9 ***(b) STANDARD COMPLAINT INVESTIGATION PROCEDURE.***—*Not later than 90 days after the date of the enact-*
10 *ment of this Act, the Director of the Central Intelligence*
11 *Agency shall—*

12 *(1) establish a standard workplace sexual mis-*
13 *conduct complaint investigation procedure;*

14 *(2) implement the standard workplace sexual*
15 *misconduct complaint investigation procedure*
16 *through clear workforce communication and edu-*
17 *cation on the procedure; and*

18 *(3) submit the standard workplace sexual mis-*
19 *conduct complaint investigation procedure to the con-*
20 *gressional intelligence committees.*

21 ***(c) MINIMUM REQUIREMENTS.***—*The procedure estab-*
22 *lished pursuant to subsection (b)(1) shall, at a minimum—*

23 *(1) identify the individuals and offices of the*
24 *Central Intelligence Agency to which an employee of*
25

1 *the Agency may bring a complaint of workplace sexual*
2 *misconduct;*

3 *(2) detail the steps each individual or office*
4 *identified pursuant to paragraph (1) shall take upon*
5 *receipt of a complaint of workplace sexual misconduct*
6 *and the timeframes within which those steps shall be*
7 *taken, including—*

8 *(A) documentation of the complaint;*

9 *(B) referral or notification to another indi-*
10 *vidual or office;*

11 *(C) measures to document or preserve wit-*
12 *ness statements or other evidence; and*

13 *(D) preliminary investigation of the com-*
14 *plaint;*

15 *(3) set forth standard criteria for determining*
16 *whether a complaint of workplace sexual misconduct*
17 *will be referred to law enforcement and the timeframe*
18 *within which such a referral shall occur; and*

19 *(4) for any complaint not referred to law en-*
20 *forcement, set forth standard criteria for deter-*
21 *mining—*

22 *(A) whether a complaint has been substan-*
23 *tiated; and*

24 *(B) for any substantiated complaint, the*
25 *appropriate disciplinary action.*

1 (d) *ANNUAL REPORTS.*—On or before April 30 of each
2 year, the Director shall submit to the congressional intel-
3 ligence committees, the Subcommittee on Defense of the
4 Committee on Appropriations of the Senate, and the Sub-
5 committee on Defense of the Committee on Appropriations
6 of the House of Representatives an annual report that in-
7 cludes, for the preceding calendar year, the following:

8 (1) *The number of workplace sexual misconduct*
9 *complaints brought to each individual or office of the*
10 *Central Intelligence Agency identified pursuant to*
11 *subsection (c)(1), disaggregated by—*

12 (A) *complaints referred to law enforcement;*

13 *and*

14 (B) *complaints substantiated.*

15 (2) *For each complaint described in paragraph*
16 *(1) that is substantiated, a description of the discipli-*
17 *nary action taken by the Director.*

1 **TITLE IV—MATTERS CON-**
 2 **CERNING FOREIGN COUN-**
 3 **TRIES**

4 **Subtitle A—People’s Republic of**
 5 **China**

6 **SEC. 401. INTELLIGENCE COMMUNITY COORDINATOR FOR**
 7 **ACCOUNTABILITY OF ATROCITIES OF THE**
 8 **PEOPLE’S REPUBLIC OF CHINA.**

9 (a) *DEFINITIONS.—In this section:*

10 (1) *ATROCITY.—The term “atrocitiy” means a*
 11 *crime against humanity, genocide, or a war crime.*

12 (2) *FOREIGN PERSON.—The term “foreign per-*
 13 *son” means—*

14 (A) *any person or entity that is not a*
 15 *United States person; or*

16 (B) *any entity not organized under the laws*
 17 *of the United States or of any jurisdiction with-*
 18 *in the United States.*

19 (3) *UNITED STATES PERSON.—The term “United*
 20 *States person” has the meaning given that term in*
 21 *section 105A(c) of the National Security Act of 1947*
 22 *(50 U.S.C. 3039).*

23 (b) *INTELLIGENCE COMMUNITY COORDINATOR FOR AC-*
 24 *COUNTABILITY OF ATROCITIES OF THE PEOPLE’S REPUB-*
 25 *LIC OF CHINA.—*

1 (1) *DESIGNATION*.—Not later than 90 days after
2 the date of the enactment of this Act, the Director of
3 National Intelligence shall designate a senior official
4 of the Office of the Director of National Intelligence
5 to serve as the intelligence community coordinator for
6 accountability of atrocities of the People’s Republic of
7 China (in this section referred to as the “Coordi-
8 nator”).

9 (2) *DUTIES*.—The Coordinator shall lead the ef-
10 forts of and coordinate and collaborate with the intel-
11 ligence community with respect to the following:

12 (A) *Identifying and addressing any gaps in*
13 intelligence collection relating to atrocities of the
14 People’s Republic of China, including by recom-
15 mending the modification of the priorities of the
16 intelligence community with respect to intel-
17 ligence collection and by utilizing informal proc-
18 esses and collaborative mechanisms with key ele-
19 ments of the intelligence community to increase
20 collection on atrocities of the People’s Republic of
21 China.

22 (B) *Prioritizing and expanding the intel-*
23 ligence analysis with respect to ongoing atroc-
24 ities of the People’s Republic of China and dis-
25 seminating within the United States Government

1 *intelligence relating to the identification and ac-*
2 *tivities of foreign persons suspected of being in-*
3 *involved with or providing support to atrocities of*
4 *the People's Republic of China, including geno-*
5 *cide and forced labor practices in Xinjiang, in*
6 *order to support the efforts of other Federal agen-*
7 *cies, including the Department of State, the De-*
8 *partment of Justice, the Department of the*
9 *Treasury, the Office of Foreign Assets Control,*
10 *the Department of Commerce, the Bureau of In-*
11 *dustry and Security, U.S. Customs and Border*
12 *Protection, and the National Security Council,*
13 *to hold the People's Republic of China account-*
14 *able for such atrocities.*

15 (C) *Increasing efforts to declassify and*
16 *share with the people of the United States and*
17 *the international community information re-*
18 *garding atrocities of the People's Republic of*
19 *China in order to expose such atrocities and*
20 *counter the disinformation and misinformation*
21 *campaign by the People's Republic of China to*
22 *deny such atrocities.*

23 (D) *Documenting and storing intelligence*
24 *and other unclassified information that may be*
25 *relevant to preserve as evidence of atrocities of*

1 *the People’s Republic of China for future ac-*
2 *countability, and ensuring that other relevant*
3 *Federal agencies receive appropriate support*
4 *from the intelligence community with respect to*
5 *the collection, analysis, preservation, and, as ap-*
6 *propriate, dissemination, of intelligence related*
7 *to atrocities of the People’s Republic of China,*
8 *which may include the information from the an-*
9 *annual report required by section 6504 of the Intel-*
10 *ligence Authorization Act for Fiscal Year 2023*
11 *(Public Law 117–263).*

12 *(E) Sharing information with the Forced*
13 *Labor Enforcement Task Force, established under*
14 *section 741 of the United States-Mexico-Canada*
15 *Agreement Implementation Act (19 U.S.C.*
16 *4681), the Department of Commerce, and the De-*
17 *partment of the Treasury for the purposes of en-*
18 *tity listings and sanctions.*

19 *(3) PLAN REQUIRED.—Not later than 120 days*
20 *after the date of the enactment of this Act, the Direc-*
21 *tor shall submit to the appropriate committees of*
22 *Congress—*

23 *(A) the name of the official designated as*
24 *the Coordinator pursuant to paragraph (1); and*

1 (B) *the strategy of the intelligence commu-*
2 *nity for the collection and dissemination of intel-*
3 *ligence relating to ongoing atrocities of the Peo-*
4 *ple’s Republic of China, including a detailed de-*
5 *scription of how the Coordinator shall support,*
6 *and assist in facilitating the implementation of,*
7 *such strategy.*

8 (4) *ANNUAL REPORT TO CONGRESS.—*

9 (A) *REPORTS REQUIRED.—Not later than*
10 *May 1, 2024, and annually thereafter until May*
11 *1, 2034, the Director shall submit to Congress a*
12 *report detailing, for the year covered by the re-*
13 *port—*

14 (i) *the analytical findings, changes in*
15 *collection, and other activities of the intel-*
16 *ligence community with respect to ongoing*
17 *atrocities of the People’s Republic of China;*

18 (ii) *the recipients of information*
19 *shared pursuant to this section for the pur-*
20 *pose of—*

21 (I) *providing support to Federal*
22 *agencies to hold the People’s Republic*
23 *of China accountable for such atroc-*
24 *ities; and*

1 (ii) *sharing information with the*
 2 *people of the United States to counter*
 3 *the disinformation and misinformation*
 4 *campaign by the People's Republic of*
 5 *China to deny such atrocities; and*
 6 (iii) *with respect to clause (ii), the*
 7 *date of any such sharing.*

8 (B) *FORM.*—*Each report submitted under*
 9 *subparagraph (A) may be submitted in classified*
 10 *form, consistent with the protection of intel-*
 11 *ligence sources and methods.*

12 (c) *SUNSET.*—*This section shall cease to have effect on*
 13 *the date that is 10 years after the date of the enactment*
 14 *of this Act.*

15 **SEC. 402. INTERAGENCY WORKING GROUP AND REPORT ON**
 16 **THE MALIGN EFFORTS OF THE PEOPLE'S RE-**
 17 **PUBLIC OF CHINA IN AFRICA.**

18 (a) *ESTABLISHMENT.*—

19 (1) *IN GENERAL.*—*The Director of National In-*
 20 *telligence, in consultation with such heads of elements*
 21 *of the intelligence community as the Director con-*
 22 *siders appropriate, shall establish an interagency*
 23 *working group within the intelligence community to*
 24 *analyze the tactics and capabilities of the People's Re-*
 25 *public of China in Africa.*

1 (2) *ESTABLISHMENT FLEXIBILITY.*—*The working*
 2 *group established under paragraph (1) may be—*

3 *(A) independently established; or*

4 *(B) to avoid redundancy, incorporated into*
 5 *existing working groups or cross-intelligence ef-*
 6 *forts within the intelligence community.*

7 **(b) REPORT.**—

8 **(1) DEFINITION OF APPROPRIATE COMMITTEES**
 9 **OF CONGRESS.**—*In this subsection, the term “appro-*
 10 *priate committees of Congress” means—*

11 *(A) the congressional intelligence commit-*
 12 *tees;*

13 *(B) the Committee on Foreign Relations*
 14 *and the Subcommittee on Defense of the Com-*
 15 *mittee on Appropriations of the Senate; and*

16 *(C) the Committee on Foreign Affairs and*
 17 *the Subcommittee on Defense of the Committee*
 18 *on Appropriations of the House of Representa-*
 19 *tives.*

20 **(2) IN GENERAL.**—*Not later than 120 days after*
 21 *the date of the enactment of this Act, and twice annu-*
 22 *ally thereafter, the working group established under*
 23 *subsection (a) shall submit to the appropriate com-*
 24 *mittees of Congress a report on the specific tactics*

1 *and capabilities of the People's Republic of China in*
2 *Africa.*

3 (3) *ELEMENTS.—Each report required by para-*
4 *graph (2) shall include the following elements:*

5 (A) *An assessment of efforts by the Govern-*
6 *ment of the People's Republic of China to exploit*
7 *mining and reprocessing operations in Africa.*

8 (B) *An assessment of efforts by the Govern-*
9 *ment of the People's Republic of China to pro-*
10 *vide or fund technologies in Africa, including—*

11 (i) *telecommunications and energy*
12 *technologies, such as advanced reactors,*
13 *transportation, and other commercial prod-*
14 *ucts; and*

15 (ii) *by requiring that the People's Re-*
16 *public of China be the sole provider of such*
17 *technologies.*

18 (C) *An assessment of efforts by the Govern-*
19 *ment of the People's Republic of China to expand*
20 *intelligence capabilities in Africa.*

21 (D) *A description of actions taken by the*
22 *intelligence community to counter such efforts.*

23 (E) *An assessment of additional resources*
24 *needed by the intelligence community to better*
25 *counter such efforts.*

1 (4) *FORM.*—Each report required by paragraph
 2 (2) shall be submitted in unclassified form, but may
 3 include a classified annex if necessary.

4 (c) *SUNSET.*—The requirements of this section shall
 5 terminate on the date that is 5 years after the date of the
 6 enactment of this Act.

7 **SEC. 403. AMENDMENT TO REQUIREMENT FOR ANNUAL AS-**
 8 **SESSMENT BY INTELLIGENCE COMMUNITY**
 9 **WORKING GROUP FOR MONITORING THE ECO-**
 10 **NOMIC AND TECHNOLOGICAL CAPABILITIES**
 11 **OF THE PEOPLE’S REPUBLIC OF CHINA.**

12 Section 6503(c)(3)(D) of the Intelligence Authorization
 13 Act for Fiscal Year 2023 (division F of Public Law 117–
 14 263) is amended by striking “the top 200” and inserting
 15 “all the known”.

16 **SEC. 404. ASSESSMENTS OF RECIPROCITY IN THE RELA-**
 17 **TIONSHIP BETWEEN THE UNITED STATES**
 18 **AND THE PEOPLE’S REPUBLIC OF CHINA.**

19 (a) *IN GENERAL.*—Not later than 1 year after the date
 20 of the enactment of this Act, the Assistant Secretary of State
 21 for Intelligence and Research, in consultation with the Di-
 22 rector of National Intelligence and such other heads of ele-
 23 ments of the intelligence community as the Assistant Sec-
 24 retary considers relevant, shall submit to Congress the fol-
 25 lowing:

1 (1) *A comprehensive assessment that identifies*
 2 *critical areas in the security, diplomatic, economic,*
 3 *financial, technological, scientific, commercial, aca-*
 4 *demic, and cultural spheres in which the United*
 5 *States does not enjoy a reciprocal relationship with*
 6 *the People's Republic of China.*

7 (2) *A comprehensive assessment that describes*
 8 *how the lack of reciprocity between the People's Re-*
 9 *public of China and the United States in the areas*
 10 *identified in the assessment required by paragraph*
 11 *(1) provides advantages to the People's Republic of*
 12 *China.*

13 (b) *FORM OF ASSESSMENTS.—*

14 (1) *CRITICAL AREAS.—The assessment required*
 15 *by subsection (a)(1) shall be submitted in unclassified*
 16 *form.*

17 (2) *ADVANTAGES.—The assessment required by*
 18 *subsection (a)(2) shall be submitted in classified form.*

19 **SEC. 405. ANNUAL BRIEFING ON INTELLIGENCE COMMU-**
 20 **NITY EFFORTS TO IDENTIFY AND MITIGATE**
 21 **CHINESE COMMUNIST PARTY AND RUSSIAN**
 22 **FOREIGN MALIGN INFLUENCE OPERATIONS**
 23 **AGAINST THE UNITED STATES.**

24 (a) *DEFINITIONS.—In this section:*

1 (1) *CHINESE ENTITIES ENGAGED IN FOREIGN*
2 *MALIGN INFLUENCE OPERATIONS.*—*The term “Chinese*
3 *entities engaged in foreign malign influence oper-*
4 *ations” means all of the elements of the Government*
5 *of the People’s Republic of China and the Chinese*
6 *Communist Party involved in foreign malign influ-*
7 *ence, such as—*

8 *(A) the Ministry of State Security;*

9 *(B) other security services of the People’s*
10 *Republic of China;*

11 *(C) the intelligence services of the People’s*
12 *Republic of China;*

13 *(D) the United Front Work Department*
14 *and other united front organs;*

15 *(E) state-controlled media systems, such as*
16 *the China Global Television Network (CGTN);*
17 *and*

18 *(F) any entity involved in foreign malign*
19 *influence operations that demonstrably and in-*
20 *tentionally disseminate false information and*
21 *propaganda of the Government of the People’s*
22 *Republic of China or the Chinese Communist*
23 *Party.*

24 (2) *RUSSIAN MALIGN INFLUENCE ACTORS.*—*The*
25 *term “Russian malign influence actors” refers to enti-*

1 *ties or individuals engaged in foreign malign influ-*
 2 *ence operations against the United States who are af-*
 3 *filiated with—*

4 *(A) the intelligence and security services of*
 5 *the Russian Federation*

6 *(B) the Presidential Administration;*

7 *(C) any other entity of the Government of*
 8 *the Russian Federation; or*

9 *(D) Russian mercenary or proxy groups*
 10 *such as the Wagner Group.*

11 *(3) FOREIGN MALIGN INFLUENCE OPERATION.—*

12 *The term “foreign malign influence operation” means*
 13 *a coordinated and often concealed activity that is cov-*
 14 *ered by the definition of the term “foreign malign in-*
 15 *fluence” in section 119C of the National Security Act*
 16 *of 1947 (50 U.S.C. 3059) and uses disinformation,*
 17 *press manipulation, economic coercion, targeted in-*
 18 *vestments, corruption, or academic censorship, which*
 19 *are often intended—*

20 *(A) to coerce and corrupt United States in-*
 21 *terests, values, institutions, or individuals; and*

22 *(B) to foster attitudes, behavior, decisions,*
 23 *or outcomes in the United States that support*
 24 *the interests of the Government of the People’s*

1 *Republic of China or the Chinese Communist*
2 *Party.*

3 (b) *BRIEFING REQUIRED.*—*Not later than 120 days*
4 *after the date of the enactment of this Act and annually*
5 *thereafter until the date that is 5 years after the date of*
6 *the enactment of this Act, the Director of the Foreign Ma-*
7 *lign Influence Center shall, in collaboration with the heads*
8 *of the elements of the intelligence community, provide Con-*
9 *gress a classified briefing on the ways in which the relevant*
10 *elements of the intelligence community are working inter-*
11 *nally and coordinating across the intelligence community*
12 *to identify and mitigate the actions of Chinese and Russian*
13 *entities engaged in foreign malign influence operations*
14 *against the United States, including against United States*
15 *persons.*

16 (c) *ELEMENTS.*—*The classified briefing required by*
17 *subsection (b) shall cover the following:*

18 (1) *The Government of the Russian Federation,*
19 *the Government of the People's Republic of China,*
20 *and the Chinese Communist Party tactics, tools, and*
21 *entities that spread disinformation, misinformation,*
22 *and malign information and conduct influence oper-*
23 *ations, information campaigns, or other propaganda*
24 *efforts.*

1 (2) *A description of ongoing foreign malign in-*
2 *fluence operations and campaigns of the Russian Fed-*
3 *eration against the United States and an assessment*
4 *of their objectives and effectiveness in meeting those*
5 *objectives.*

6 (3) *A description of ongoing foreign malign in-*
7 *fluence operations and campaigns of the People's Re-*
8 *public of China against the United States and an as-*
9 *essment of their objectives and effectiveness in meet-*
10 *ing those objectives.*

11 (4) *A description of any cooperation, informa-*
12 *tion-sharing, amplification, or other coordination be-*
13 *tween the Russian Federation and the People's Re-*
14 *public of China in developing or carrying out foreign*
15 *malign influence operations against the United*
16 *States.*

17 (5) *A description of front organizations, proxies,*
18 *cut-outs, aligned third-party countries, or organiza-*
19 *tions used by the Russian Federation or the People's*
20 *Republic of China to carry out foreign malign influ-*
21 *ence operations against the United States.*

22 (6) *An assessment of the loopholes or*
23 *vulnerabilities in United States law that Russia and*
24 *the People's Republic of China exploit to carry out*
25 *foreign malign influence operations.*

1 (7) *The actions of the Foreign Malign Influence*
2 *Center, in coordination with the Global Engagement*
3 *Center, relating to early-warning, information shar-*
4 *ing, and proactive risk mitigation systems, based on*
5 *the list of entities identified in subsection (a)(1), to*
6 *detect, expose, deter, and counter foreign malign in-*
7 *fluence operations of the Government of the People's*
8 *Republic of China or the Chinese Communist Party*
9 *against the United States.*

10 (8) *The actions of the Foreign Malign Influence*
11 *Center to conduct outreach, to identify and counter*
12 *tactics, tools, and entities described in paragraph (1)*
13 *by sharing information with allies and partners of*
14 *the United States, in coordination with the Global*
15 *Engagement Center, as well as State and local gov-*
16 *ernments, the business community, and civil society*
17 *in order to expose the political influence operations*
18 *and information operations of the Government of the*
19 *Russian Federation and the Government of the Peo-*
20 *ple's Republic of China or the Chinese Communist*
21 *Party carried out against individuals and entities in*
22 *the United States.*

1 **SEC. 406. ASSESSMENT OF THREAT POSED TO UNITED**
 2 **STATES PORTS BY CRANES MANUFACTURED**
 3 **BY COUNTRIES OF CONCERN.**

4 (a) *DEFINITIONS.—In this section:*

5 (1) *APPROPRIATE COMMITTEES OF CONGRESS.—*

6 *The term “appropriate committees of Congress”*
 7 *means—*

8 (A) *the congressional intelligence commit-*
 9 *tees;*

10 (B) *the Committee on Armed Services, the*
 11 *Committee on Homeland Security and Govern-*
 12 *mental Affairs, the Committee on Banking,*
 13 *Housing, and Urban Affairs, and the Sub-*
 14 *committee on Defense of the Committee on Ap-*
 15 *propriations of the Senate; and*

16 (C) *the Committee on Armed Services, the*
 17 *Committee on Oversight and Accountability, the*
 18 *Committee on Financial Services, and the Sub-*
 19 *committee on Defense of the Committee on Ap-*
 20 *propriations of the House of Representatives.*

21 (2) *COUNTRY OF CONCERN.—The term “country*
 22 *of concern” has the meaning given that term in sec-*
 23 *tion 1(m)(1) of the State Department Basic Authori-*
 24 *ties Act of 1956 (22 U.S.C. 2651a(m)(1)).*

25 (b) *ASSESSMENT.—The Director of National Intel-*
 26 *ligence, in coordination with such other heads of the ele-*

1 *ments of the intelligence community as the Director con-*
2 *siders appropriate and the Secretary of Defense, shall con-*
3 *duct an assessment of the threat posed to United States*
4 *ports by cranes manufactured by countries of concern and*
5 *commercial entities of those countries, including the Shang-*
6 *hai Zhenhua Heavy Industries Co. (ZPMC).*

7 *(c) REPORT AND BRIEFING.—*

8 *(1) IN GENERAL.—Not later than 180 days after*
9 *the date of the enactment of this Act, the Director of*
10 *National Intelligence shall submit a report and pro-*
11 *vide a briefing to the appropriate committees of Con-*
12 *gress on the findings of the assessment required by*
13 *subsection (b).*

14 *(2) ELEMENTS.—The report and briefing re-*
15 *quired by paragraph (1) shall outline the potential*
16 *for the cranes described in subsection (b) to collect in-*
17 *telligence, disrupt operations at United States ports,*
18 *and impact the national security of the United*
19 *States.*

20 *(3) FORM OF REPORT.—The report required by*
21 *paragraph (1) shall be submitted in unclassified form,*
22 *but may include a classified annex.*

**Subtitle B—Other Foreign
Countries**

**SEC. 411. REPORT ON EFFORTS TO CAPTURE AND DETAIN
UNITED STATES CITIZENS AS HOSTAGES.**

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

(1) *the congressional intelligence committees;*

(2) *the Committee on Foreign Relations, the Committee on the Judiciary, and the Subcommittee on Defense of the Committee on Appropriations of the Senate; and*

(3) *the Committee on Foreign Affairs, the Committee on the Judiciary, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.*

(b) *IN GENERAL.*—Not later than 120 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the appropriate committees of Congress a report on efforts by the Maduro regime in Venezuela to detain United States citizens and lawful permanent residents.

(c) *ELEMENTS.*—The report required by subsection (b) shall include, regarding the arrest, capture, detainment, or

1 *imprisonment of United States citizens and lawful perma-*
2 *nent residents, the following:*

3 (1) *The names, positions, and institutional af-*
4 *filiation of Venezuelan individuals, or those acting on*
5 *their behalf, who have engaged in such activities.*

6 (2) *A description of any role played by*
7 *transnational criminal organizations, and an identi-*
8 *fication of such organizations.*

9 (3) *Where relevant, an assessment of whether and*
10 *how United States citizens and lawful permanent*
11 *residents have been lured to Venezuela.*

12 (4) *An analysis of the motive for the arrest, cap-*
13 *ture, detainment, or imprisonment of United States*
14 *citizens and lawful permanent residents.*

15 (5) *The total number of United States citizens*
16 *and lawful permanent residents detained or impris-*
17 *oned in Venezuela as of the date on which the report*
18 *is submitted.*

19 (d) *FORM.*—*The report required by subsection (b) shall*
20 *be submitted in unclassified form, but may include a classi-*
21 *fied annex.*

1 **SEC. 412. SENSE OF CONGRESS ON PRIORITY OF FENTANYL**
 2 **IN NATIONAL INTELLIGENCE PRIORITIES**
 3 **FRAMEWORK.**

4 *It is the sense of Congress that the trafficking of illicit*
 5 *fentanyl, including precursor chemicals and manufacturing*
 6 *equipment associated with illicit fentanyl production and*
 7 *organizations that traffic or finance the trafficking of illicit*
 8 *fentanyl, originating from the People's Republic of China*
 9 *and Mexico should be among the highest priorities in the*
 10 *National Intelligence Priorities Framework of the Office of*
 11 *the Director of National Intelligence.*

12 **TITLE V—MATTERS PERTAINING**
 13 **TO UNITED STATES ECO-**
 14 **NOMIC AND EMERGING TECH-**
 15 **NOLOGY COMPETITION WITH**
 16 **UNITED STATES ADVER-**
 17 **SARIES**

18 **Subtitle A—General Matters**

19 **SEC. 501. ASSIGNMENT OF DETAILEES FROM INTEL-**
 20 **LIGENCE COMMUNITY TO DEPARTMENT OF**
 21 **COMMERCE.**

22 *(a) AUTHORITY.—In order to better facilitate the shar-*
 23 *ing of actionable intelligence on foreign adversary intent,*
 24 *capabilities, threats, and operations that pose a threat to*
 25 *the interests or security of the United States, particularly*
 26 *as they relate to the procurement, development, and use of*

1 *dual-use and emerging technologies, the Director of Na-*
2 *tional Intelligence may assign or facilitate the assignment*
3 *of members from across the intelligence community to serve*
4 *as detailees to the Bureau of Industry and Security of the*
5 *Department of Commerce.*

6 (b) *ASSIGNMENT.*—*Detailees assigned pursuant to sub-*
7 *section (a) shall be drawn from such elements of the intel-*
8 *ligence community as the Director considers appropriate,*
9 *in consultation with the Secretary of Commerce.*

10 (c) *EXPERTISE.*—*The Director shall ensure that*
11 *detailees assigned pursuant to subsection (a) have subject*
12 *matter expertise on countries of concern, including China,*
13 *Iran, North Korea, and Russia, as well as functional areas*
14 *such as illicit procurement, counterproliferation, emerging*
15 *and foundational technology, economic and financial intel-*
16 *ligence, information and communications technology sys-*
17 *tems, supply chain vulnerability, and counterintelligence.*

18 (d) *DUTY CREDIT.*—*The detail of an employee of the*
19 *intelligence community to the Department of Commerce*
20 *under subsection (a) shall be without interruption or loss*
21 *of civil service status or privilege.*

1 ***Subtitle B—Next-generation Energy,***
 2 ***Biotechnology, and Artificial In-***
 3 ***telligence***

4 ***SEC. 511. EXPANDED ANNUAL ASSESSMENT OF ECONOMIC***
 5 ***AND TECHNOLOGICAL CAPABILITIES OF THE***
 6 ***PEOPLE’S REPUBLIC OF CHINA.***

7 *Section 6503(c)(3) of the Intelligence Authorization*
 8 *Act for Fiscal Year 2023 (Public Law 117–263) is amended*
 9 *by adding at the end the following:*

10 *“(I) A detailed assessment, prepared in con-*
 11 *sultation with all elements of the working*
 12 *group—*

13 *“(i) of the investments made by the*
 14 *People’s Republic of China in—*

15 *“(I) artificial intelligence;*

16 *“(II) next-generation energy tech-*
 17 *nologies, especially small modular re-*
 18 *actors and advanced batteries; and*

19 *“(III) biotechnology; and*

20 *“(ii) that identifies—*

21 *“(I) competitive practices of the*
 22 *People’s Republic of China relating to*
 23 *the technologies described in clause (i);*

24 *“(II) opportunities to counter the*
 25 *practices described in subclause (I);*

1 “(III) countries the People’s Re-
2 public of China is targeting for exports
3 of civil nuclear technology;

4 “(IV) countries best positioned to
5 utilize civil nuclear technologies from
6 the United States in order to facilitate
7 the commercial export of those tech-
8 nologies;

9 “(V) United States vulnerabilities
10 in the supply chain of these tech-
11 nologies; and

12 “(VI) opportunities to counter the
13 export by the People’s Republic of
14 China of civil nuclear technologies
15 globally.

16 “(J) An identification and assessment of
17 any unmet resource or authority needs of the
18 working group that affect the ability of the work-
19 ing group to carry out this section.”.

20 **SEC. 512. ASSESSMENT OF USING CIVIL NUCLEAR ENERGY**
21 **FOR INTELLIGENCE COMMUNITY CAPABILI-**
22 **TIES.**

23 (a) *ASSESSMENT REQUIRED.*—The Director of Na-
24 tional Intelligence shall, in consultation with the heads of
25 such other elements of the intelligence community as the Di-

1 *rector considers appropriate, conduct an assessment of ca-*
2 *pabilities identified by the Intelligence Community Con-*
3 *tinuity Program established pursuant to section E(3) of In-*
4 *telligence Community Directive 118, or any successor direc-*
5 *tive, or such other intelligence community facilities or intel-*
6 *ligence community capabilities as may be determined by*
7 *the Director to be critical to United States national secu-*
8 *rity, that have unique energy needs—*

9 *(1) to ascertain the feasibility and advisability*
10 *of using civil nuclear reactors to meet such needs; and*
11 *(2) to identify such additional resources, tech-*
12 *nologies, infrastructure, or authorities needed, or*
13 *other potential obstacles, to commence use of a nuclear*
14 *reactor to meet such needs.*

15 *(b) REPORT.—Not later than 180 days after the date*
16 *of the enactment of this Act, the Director shall submit to*
17 *the congressional intelligence committees, the Committee on*
18 *Homeland Security and Governmental Affairs and the*
19 *Committee on Appropriations of the Senate, and the Com-*
20 *mittee on Oversight and Accountability and the Committee*
21 *on Appropriations of the House of Representatives a report,*
22 *which may be in classified form, on the findings of the Di-*
23 *rector with respect to the assessment conducted pursuant*
24 *to subsection (a).*

1 **SEC. 513. POLICIES ESTABLISHED BY DIRECTOR OF NA-**
2 **TIONAL INTELLIGENCE FOR ARTIFICIAL IN-**
3 **TELLIGENCE CAPABILITIES.**

4 (a) *IN GENERAL.*—Section 6702 of the Intelligence Au-
5 thorization Act for Fiscal Year 2023 (50 U.S.C. 3334m)
6 is amended—

7 (1) in subsection (a), in the matter preceding
8 paragraph (1), by striking “subsection (b)” and in-
9 serting “subsection (c)”;

10 (2) by redesignating subsection (b) as subsection
11 (c); and

12 (3) by inserting after subsection (a) the fol-
13 lowing:

14 “(b) *POLICIES.*—

15 “(1) *IN GENERAL.*—In carrying out subsection
16 (a)(1), not later than 1 year after the date of the en-
17 actment of the Intelligence Authorization Act for Fis-
18 cal Year 2024, the Director of National Intelligence,
19 in consultation with the heads of the elements of the
20 intelligence community, the Director of the Office of
21 Management and Budget, and such other officials as
22 the Director of National Intelligence determines ap-
23 propriate, shall establish the policies described in
24 paragraph (2).

25 “(2) *POLICIES DESCRIBED.*—The policies de-
26 scribed in this paragraph are policies for the acquisi-

1 *tion, adoption, development, use, coordination, and*
2 *maintenance of artificial intelligence capabilities*
3 *that—*

4 *“(A) establish a lexicon relating to the use*
5 *of machine learning and artificial intelligence*
6 *developed or acquired by elements of the intel-*
7 *ligence community;*

8 *“(B) establish guidelines for evaluating the*
9 *performance of models developed or acquired by*
10 *elements of the intelligence community, such as*
11 *by—*

12 *“(i) specifying conditions for the con-*
13 *tinuous monitoring of artificial intelligence*
14 *capabilities for performance, including the*
15 *conditions for retraining or retiring models*
16 *based on performance;*

17 *“(ii) documenting performance objec-*
18 *tives, including specifying how performance*
19 *objectives shall be developed and contrac-*
20 *tually enforced for capabilities procured*
21 *from third parties;*

22 *“(iii) specifying the manner in which*
23 *models should be audited, as necessary, in-*
24 *cluding the types of documentation that*
25 *should be provided to any auditor; and*

1 “(iv) specifying conditions under
2 which models used by elements of the intel-
3 ligence community should be subject to test-
4 ing and evaluation for vulnerabilities to
5 techniques meant to undermine the avail-
6 ability, integrity, or privacy of an artificial
7 intelligence capability;

8 “(C) establish guidelines for tracking de-
9 pendencies in adjacent systems, capabilities, or
10 processes impacted by the retraining or
11 sunsetting of any model described in subpara-
12 graph (B);

13 “(D) establish documentation requirements
14 for capabilities procured from third parties,
15 aligning such requirements, as necessary, with
16 existing documentation requirements applicable
17 to capabilities developed by elements of the intel-
18 ligence community;

19 “(E) establish standards for the documenta-
20 tion of imputed, augmented, or synthetic data
21 used to train any model developed, procured, or
22 used by an element of the intelligence commu-
23 nity; and

24 “(F) provide guidance on the acquisition
25 and usage of models that have previously been

1 *trained by a third party for subsequent modi-*
 2 *fication and usage by such an element.*

3 “(3) *POLICY REVIEW AND REVISION.*—*The Direc-*
 4 *tor of National Intelligence shall periodically review*
 5 *and revise each policy established under paragraph*
 6 *(1).”.*

7 “(b) *CONFORMING AMENDMENT.*—*Section 6712(b)(1) of*
 8 *such Act (50 U.S.C. 3024 note) is amended by striking “sec-*
 9 *tion 6702(b)” and inserting “section 6702(c)”.*

10 ***TITLE VI—WHISTLEBLOWER*** 11 ***MATTERS***

12 ***SEC. 601. SUBMITTAL TO CONGRESS OF COMPLAINTS AND*** 13 ***INFORMATION BY WHISTLEBLOWERS IN THE*** 14 ***INTELLIGENCE COMMUNITY.***

15 “(a) *AMENDMENTS TO CHAPTER 4 OF TITLE 5.*—

16 “(1) *APPOINTMENT OF SECURITY OFFICERS.*—*Sec-*
 17 *tion 416 of title 5, United States Code, is amended*
 18 *by adding at the end the following:*

19 “(i) *APPOINTMENT OF SECURITY OFFICERS.*—*Each*
 20 *Inspector General under this section, including the des-*
 21 *ignees of the Inspector General of the Department of Defense*
 22 *pursuant to subsection (b)(3), shall appoint within their of-*
 23 *fices security officers to provide, on a permanent basis, con-*
 24 *fidential, security-related guidance and direction to em-*
 25 *ployees and contractors described in subsection (b)(1) who*

1 *intend to report to Congress complaints or information, so*
 2 *that such employees and contractors can obtain direction*
 3 *on how to report to Congress in accordance with appro-*
 4 *priate security practices.”.*

5 (2) *PROCEDURES.*—*Subsection (e) of such section*
 6 *is amended—*

7 (A) *in paragraph (1), by inserting “or any*
 8 *other committee of jurisdiction of the Senate or*
 9 *the House of Representatives” after “either or*
 10 *both of the intelligence committees”;*

11 (B) *by amending paragraph (2) to read as*
 12 *follows:*

13 “(2) *LIMITATION.*—

14 “(A) *IN GENERAL.*—*Except as provided in*
 15 *subparagraph (B), the employee may contact an*
 16 *intelligence committee or another committee of*
 17 *jurisdiction directly as described in paragraph*
 18 *(1) of this subsection or in subsection (b)(4) only*
 19 *if the employee—*

20 “(i) *before making such a contact, fur-*
 21 *nishes to the head of the establishment,*
 22 *through the Inspector General (or designee),*
 23 *a statement of the employee’s complaint or*
 24 *information and notice of the employee’s in-*
 25 *tent to contact an intelligence committee or*

1 *another committee of jurisdiction of the*
2 *Senate or the House of Representatives di-*
3 *rectly; and*

4 *“(ii)(I) obtains and follows, from the*
5 *head of the establishment, through the In-*
6 *spector General (or designee), procedural di-*
7 *rection on how to contact an intelligence*
8 *committee or another committee of jurisdic-*
9 *tion of the Senate or the House of Rep-*
10 *resentatives in accordance with appropriate*
11 *security practices; or*

12 *“(II) obtains and follows such proce-*
13 *dural direction from the applicable security*
14 *officer appointed under subsection (i).*

15 *“(B) LACK OF PROCEDURAL DIRECTION.—If*
16 *an employee seeks procedural direction under*
17 *subparagraph (A)(ii) and does not receive such*
18 *procedural direction within 30 days, or receives*
19 *insufficient direction to report to Congress a*
20 *complaint or information, the employee may*
21 *contact an intelligence committee or any other*
22 *committee of jurisdiction of the Senate or the*
23 *House of Representatives directly without obtain-*
24 *ing or following the procedural direction other-*
25 *wise required under such subparagraph.”; and*

1 (C) by redesignating paragraph (3) as
2 paragraph (4); and

3 (D) by inserting after paragraph (2) the fol-
4 lowing:

5 “(3) COMMITTEE MEMBERS AND STAFF.—An em-
6 ployee of an element of the intelligence community
7 who intends to report to Congress a complaint or in-
8 formation may report such complaint or information
9 to the Chairman and Vice Chairman or Ranking
10 Member, as the case may be, of an intelligence com-
11 mittee or another committee of jurisdiction of the
12 Senate or the House of Representatives, a non-
13 partisan member of the committee staff designated for
14 purposes of receiving complaints or information
15 under this section, or a member of the majority staff
16 and a member of the minority staff of the com-
17 mittee.”.

18 (3) CLARIFICATION OF RIGHT TO REPORT DI-
19 RECTLY TO CONGRESS.—Subsection (b) of such section
20 is amended by adding at the end the following:

21 “(4) CLARIFICATION OF RIGHT TO REPORT DI-
22 RECTLY TO CONGRESS.—Subject to paragraphs (2)
23 and (3) of subsection (e), an employee of an element
24 of the intelligence community who intends to report

1 to Congress a complaint or information may report
2 such complaint or information directly to Congress.”.

3 (b) *AMENDMENTS TO NATIONAL SECURITY ACT OF*
4 1947.—

5 (1) *APPOINTMENT OF SECURITY OFFICERS.*—*Sec-*
6 *tion 103H(j) of the National Security Act of 1947 (50*
7 *U.S.C. 3033(j)) is amended by adding at the end the*
8 *following:*

9 “(5) *The Inspector General shall appoint within*
10 *the Office of the Inspector General security officers as*
11 *required by section 416(i) of title 5, United States*
12 *Code.”.*

13 (2) *PROCEDURES.*—*Subparagraph (D) of section*
14 *103H(k)(5) of such Act (50 U.S.C. 3033(k)(5)) is*
15 *amended—*

16 (A) *in clause (i), by inserting “or any other*
17 *committee of jurisdiction of the Senate or the*
18 *House of Representatives” after “either or both of*
19 *the congressional intelligence committees”;*

20 (B) *by amending clause (ii) to read as fol-*
21 *lows:*

22 “(ii)(I) *Except as provided in subclause (II), an*
23 *employee may contact a congressional intelligence*
24 *committee or another committee of jurisdiction di-*

1 *rectly as described in clause (i) only if the em-*
2 *ployee—*

3 *“(aa) before making such a contact, fur-*
4 *nishes to the Director, through the Inspector*
5 *General, a statement of the employee’s complaint*
6 *or information and notice of the employee’s in-*
7 *tent to contact a congressional intelligence com-*
8 *mittee or another committee of jurisdiction of the*
9 *Senate or the House of Representatives directly;*
10 *and*

11 *“(bb)(AA) obtains and follows, from the Di-*
12 *rector, through the Inspector General, procedural*
13 *direction on how to contact a congressional intel-*
14 *ligence committee or another committee of juris-*
15 *diction of the Senate or the House of Representa-*
16 *tives in accordance with appropriate security*
17 *practices; or*

18 *“(BB) obtains and follows such procedural*
19 *direction from the applicable security officer ap-*
20 *pointed under section 416(i) of title 5, United*
21 *States Code.*

22 *“(II) If an employee seeks procedural direc-*
23 *tion under subclause (I)(bb) and does not receive*
24 *such procedural direction within 30 days, or re-*
25 *ceives insufficient direction to report to Congress*

1 *a complaint or information, the employee may*
2 *contact a congressional intelligence committee or*
3 *any other committee of jurisdiction of the Senate*
4 *or the House of Representatives directly without*
5 *obtaining or following the procedural direction*
6 *otherwise required under such subclause.”;*

7 *(C) by redesignating clause (iii) as clause*
8 *(iv); and*

9 *(D) by inserting after clause (ii) the fol-*
10 *lowing:*

11 *“(iii) An employee of an element of the intel-*
12 *ligence community who intends to report to Congress*
13 *a complaint or information may report such com-*
14 *plaint or information to the Chairman and Vice*
15 *Chairman or Ranking Member, as the case may be,*
16 *of a congressional intelligence committee or another*
17 *committee of jurisdiction of the Senate or the House*
18 *of Representatives, a nonpartisan member of the com-*
19 *mittee staff designated for purposes of receiving com-*
20 *plaints or information under this section, or a mem-*
21 *ber of the majority staff and a member of the minor-*
22 *ity staff of the committee.”.*

23 *(3) CLARIFICATION OF RIGHT TO REPORT DI-*
24 *RECTLY TO CONGRESS.—Subparagraph (A) of such*
25 *section is amended—*

1 (A) by inserting “(i)” before “An employee
2 of”; and

3 (B) by adding at the end the following:

4 “(ii) Subject to clauses (ii) and (iii) of subpara-
5 graph (D), an employee of an element of the intel-
6 ligence community who intends to report to Congress
7 a complaint or information may report such com-
8 plaint or information directly to Congress, regardless
9 of whether the complaint or information is with re-
10 spect to an urgent concern—

11 “(I) in lieu of reporting such complaint or
12 information under clause (i); or

13 “(II) in addition to reporting such com-
14 plaint or information under clause (i).”.

15 (c) AMENDMENTS TO THE CENTRAL INTELLIGENCE
16 AGENCY ACT OF 1949.—

17 (1) APPOINTMENT OF SECURITY OFFICERS.—Sec-
18 tion 17(d)(5) of the Central Intelligence Agency Act
19 of 1949 (50 U.S.C. 3517(d)(5)) is amended by adding
20 at the end the following:

21 “(I) The Inspector General shall appoint within the
22 Office of the Inspector General security officers as required
23 by section 416(i) of title 5, United States Code.”.

24 (2) PROCEDURES.—Subparagraph (D) of such
25 section is amended—

1 (A) in clause (i), by inserting “or any other
2 committee of jurisdiction of the Senate or the
3 House of Representatives” after “either or both of
4 the intelligence committees”;

5 (B) by amending clause (ii) to read as fol-
6 lows:

7 “(ii)(I) Except as provided in subclause (II), an em-
8 ployee may contact an intelligence committee or another
9 committee of jurisdiction directly as described in clause (i)
10 only if the employee—

11 “(aa) before making such a contact, furnishes to
12 the Director, through the Inspector General, a state-
13 ment of the employee’s complaint or information and
14 notice of the employee’s intent to contact an intel-
15 ligence committee or another committee of jurisdiction
16 of the Senate or the House of Representatives directly;
17 and

18 “(bb)(AA) obtains and follows, from the Director,
19 through the Inspector General, procedural direction
20 on how to contact an intelligence committee or an-
21 other committee of jurisdiction of the Senate or the
22 House of Representatives in accordance with appro-
23 priate security practices; or

1 “(BB) obtains and follows such procedural direc-
2 tion from the applicable security officer appointed
3 under section 416(i) of title 5, United States Code.

4 “(II) If an employee seeks procedural direction
5 under subclause (I)(bb) and does not receive such pro-
6 cedural direction within 30 days, or receives insuffi-
7 cient direction to report to Congress a complaint or
8 information, the employee may contact an intelligence
9 committee or another committee of jurisdiction of the
10 Senate or the House of Representatives directly with-
11 out obtaining or following the procedural direction
12 otherwise required under such subclause.”;

13 (C) by redesignating clause (iii) as clause
14 (iv); and

15 (D) by inserting after clause (ii) the fol-
16 lowing:

17 “(iii) An employee of the Agency who intends to report
18 to Congress a complaint or information may report such
19 complaint or information to the Chairman and Vice Chair-
20 man or Ranking Member, as the case may be, of an intel-
21 ligence committee or another committee of jurisdiction of
22 the Senate or the House of Representatives, a nonpartisan
23 member of the committee staff designated for purposes of
24 receiving complaints or information under this section, or

1 *a member of the majority staff and a member of the minor-*
 2 *ity staff of the committee.”.*

3 (3) *CLARIFICATION OF RIGHT TO REPORT DI-*
 4 *RECTLY TO CONGRESS.*—Subparagraph (A) of such
 5 *section is amended—*

6 (A) *by inserting “(i)” before “An employee*
 7 *of”; and*

8 (B) *by adding at the end the following:*

9 “(ii) *Subject to clauses (ii) and (iii) of subparagraph*
 10 *(D), an employee of the Agency who intends to report to*
 11 *Congress a complaint or information may report such com-*
 12 *plaint or information directly to Congress, regardless of*
 13 *whether the complaint or information is with respect to an*
 14 *urgent concern—*

15 “(I) *in lieu of reporting such complaint or infor-*
 16 *mation under clause (i); or*

17 “(II) *in addition to reporting such complaint or*
 18 *information under clause (i).”.*

19 (d) *RULE OF CONSTRUCTION.*—*Nothing in this section*
 20 *or an amendment made by this section shall be construed*
 21 *to revoke or diminish any right of an individual provided*
 22 *by section 2303 of title 5, United States Code.*

1 **SEC. 602. PROHIBITION AGAINST DISCLOSURE OF WHISTLE-**
 2 **BLOWER IDENTITY AS REPRISAL AGAINST**
 3 **WHISTLEBLOWER DISCLOSURE BY EMPLOY-**
 4 **EES AND CONTRACTORS IN INTELLIGENCE**
 5 **COMMUNITY.**

6 (a) *IN GENERAL.*—Section 1104 of the National Secu-
 7 rity Act of 1947 (50 U.S.C. 3234) is amended—

8 (1) in subsection (a)(3) of such section—

9 (A) in subparagraph (I), by striking “; or”
 10 and inserting a semicolon;

11 (B) by redesignating subparagraph (J) as
 12 subparagraph (K); and

13 (C) by inserting after subparagraph (I) the
 14 following:

15 “(J) a knowing and willful disclosure re-
 16 vealing the identity or other personally identifi-
 17 able information of an employee or contractor
 18 employee so as to identify the employee or con-
 19 tractor employee as an employee or contractor
 20 employee who has made a lawful disclosure de-
 21 scribed in subsection (b) or (c); or”;

22 (2) by redesignating subsections (f) and (g) as
 23 subsections (g) and (h), respectively; and

24 (3) by inserting after subsection (e) the following:

25 “(f) *PERSONNEL ACTIONS INVOLVING DISCLOSURE OF*
 26 *WHISTLEBLOWER IDENTITY.*—A personnel action described

1 *in subsection (a)(3)(J) shall not be considered to be in viola-*
2 *tion of subsection (b) or (c) under the following cir-*
3 *cumstances:*

4 “(1) *The personnel action was taken with the ex-*
5 *press consent of the employee or contractor employee.*

6 “(2) *An Inspector General with oversight respon-*
7 *sibility for a covered intelligence community element*
8 *determines that—*

9 “(A) *the personnel action was unavoidable*
10 *under section 103H(g)(3)(A) of this Act (50*
11 *U.S.C. 3033(g)(3)(A)), section 17(e)(3)(A) of the*
12 *Central Intelligence Agency Act of 1949 (50*
13 *U.S.C. 3517(e)(3)(A)), section 407(b) of title 5,*
14 *United States Code, or section 420(b)(2)(B) of*
15 *such title;*

16 “(B) *the personnel action was made to an*
17 *official of the Department of Justice responsible*
18 *for determining whether a prosecution should be*
19 *undertaken; or*

20 “(C) *the personnel action was required by*
21 *statute or an order from a court of competent ju-*
22 *risdiction.”.*

23 (b) *APPLICABILITY TO DETAILEES.—Subsection (a) of*
24 *section 1104 of such Act (50 U.S.C. 3234) is amended by*
25 *adding at the end the following:*

1 “(5) *EMPLOYEE*.—The term ‘employee’, with re-
 2 spect to an agency or a covered intelligence commu-
 3 nity element, includes an individual who has been de-
 4 tailed to such agency or covered intelligence commu-
 5 nity element.”.

6 (c) *HARMONIZATION OF ENFORCEMENT*.—Subsection
 7 (g) of such section, as redesignated by subsection (a)(2) of
 8 this section, is amended to read as follows:

9 “(g) *ENFORCEMENT*.—

10 “(1) *IN GENERAL*.—Except as otherwise provided
 11 in this subsection, the President shall provide for the
 12 enforcement of this section.

13 “(2) *HARMONIZATION WITH OTHER ENFORCE-*
 14 *MENT*.—To the fullest extent possible, the President
 15 shall provide for enforcement of this section in a man-
 16 ner that is consistent with the enforcement of section
 17 2302(b)(8) of title 5, United States Code, especially
 18 with respect to policies and procedures used to adju-
 19 dicate alleged violations of such section.”.

20 **SEC. 603. ESTABLISHING PROCESS PARITY FOR ADVERSE**
 21 **SECURITY CLEARANCE AND ACCESS DETER-**
 22 **MINATIONS.**

23 Subparagraph (C) of section 3001(j)(4) of the Intel-
 24 ligence Reform and Terrorism Prevention Act of 2004 (50
 25 U.S.C. 3341(j)(4)) is amended to read as follows:

1 “(C) CONTRIBUTING FACTOR.—

2 “(i) *IN GENERAL*.—Subject to clause
3 (iii), in determining whether the adverse se-
4 curity clearance or access determination
5 violated paragraph (1), the agency shall
6 find that paragraph (1) was violated if the
7 individual has demonstrated that a disclo-
8 sure described in paragraph (1) was a con-
9 tributing factor in the adverse security
10 clearance or access determination taken
11 against the individual.

12 “(ii) *CIRCUMSTANTIAL EVIDENCE*.—An
13 individual under clause (i) may dem-
14 onstrate that the disclosure was a contrib-
15 uting factor in the adverse security clear-
16 ance or access determination taken against
17 the individual through circumstantial evi-
18 dence, such as evidence that—

19 “(I) the official making the deter-
20 mination knew of the disclosure; and

21 “(II) the determination occurred
22 within a period such that a reasonable
23 person could conclude that the disclo-
24 sure was a contributing factor in the
25 determination.

1 “(iii) *DEFENSE.*—*In determining*
 2 *whether the adverse security clearance or*
 3 *access determination violated paragraph*
 4 *(1), the agency shall not find that para-*
 5 *graph (1) was violated if, after a finding*
 6 *that a disclosure was a contributing factor,*
 7 *the agency demonstrates by clear and con-*
 8 *vincing evidence that it would have made*
 9 *the same security clearance or access deter-*
 10 *mination in the absence of such disclosure.”.*

11 **SEC. 604. ELIMINATION OF CAP ON COMPENSATORY DAM-**
 12 **AGES FOR RETALIATORY REVOCATION OF SE-**
 13 **CURITY CLEARANCES AND ACCESS DETER-**
 14 **MINATIONS.**

15 *Section 3001(j)(4)(B) of the Intelligence Reform and*
 16 *Terrorism Prevention Act of 2004 (50 U.S.C. 3341(j)(4)(B))*
 17 *is amended, in the second sentence, by striking “not to ex-*
 18 *ceed \$300,000”.*

19 **SEC. 605. MODIFICATION AND REPEAL OF REPORTING RE-**
 20 **QUIREMENTS.**

21 *(a) MODIFICATION OF FREQUENCY OF WHISTLE-*
 22 *BLOWER NOTIFICATIONS TO INSPECTOR GENERAL OF THE*
 23 *INTELLIGENCE COMMUNITY.*—*Section 5334(a) of the*
 24 *Damon Paul Nelson and Matthew Young Pollard Intel-*
 25 *ligence Authorization Act for Fiscal Years 2018, 2019, and*

1 2020 (Public Law 116–92; 50 U.S.C. 3033 note) is amended
 2 by striking “in real time” and inserting “monthly”.

3 (b) *REPEAL OF REQUIREMENT FOR INSPECTORS GEN-*
 4 *ERAL REVIEWS OF ENHANCED PERSONNEL SECURITY PRO-*
 5 *GRAMS.*—

6 (1) *IN GENERAL.*—Section 11001 of title 5,
 7 United States Code, is amended—

8 (A) by striking subsection (d); and

9 (B) by redesignating subsection (e) as sub-
 10 section (d).

11 (2) *TECHNICAL CORRECTIONS.*—Subsection (d)
 12 of section 11001 of such title, as redesignated by
 13 paragraph (1)(B), is amended—

14 (A) in paragraph (3), by adding “and”
 15 after the semicolon at the end; and

16 (B) in paragraph (4), by striking “; and”
 17 and inserting a period.

18 ***TITLE VII—CLASSIFICATION***

19 ***REFORM***

20 ***Subtitle A—Classification Reform***

21 ***Act of 2023***

22 ***SEC. 701. SHORT TITLE.***

23 This subtitle may be cited as the “Classification Re-
 24 form Act of 2023”.

1 **SEC. 702. DEFINITIONS.**

2 *In this subtitle:*

3 (1) *AGENCY.*—The term “agency” means any
4 *Executive agency as defined in section 105 of title 5,*
5 *United States Code, any military department as de-*
6 *defined in section 102 of such title, and any other entity*
7 *in the executive branch of the Federal Government*
8 *that comes into the possession of classified informa-*
9 *tion.*

10 (2) *CLASSIFY, CLASSIFIED, CLASSIFICATION.*—
11 *The terms “classify”, “classified”, and “classifica-*
12 *tion” refer to the process by which information is de-*
13 *termined to require protection from unauthorized dis-*
14 *closure pursuant to Executive Order 13526 (50 U.S.C.*
15 *3161 note; relating to classified national security in-*
16 *formation), or previous and successor executive orders*
17 *or similar directives, or section 703 in order to pro-*
18 *tect the national security of the United States.*

19 (3) *CLASSIFIED INFORMATION.*—The term “clas-
20 *sified information” means information that has been*
21 *classified under Executive Order 13526 (50 U.S.C.*
22 *3161 note; relating to classified national security in-*
23 *formation), or previous and successor executive orders*
24 *or similar directives, or section 703.*

25 (4) *DECLASSIFY, DECLASSIFIED, DECLASSIFICA-*
26 *TION.*—The terms “declassify”, “declassified”, and

1 “declassification” refer to the process by which infor-
 2 mation that has been classified is determined to no
 3 longer require protection from unauthorized disclosure
 4 pursuant to Executive Order 13526 (50 U.S.C. 3161
 5 note; relating to classified national security informa-
 6 tion), or previous and successor executive orders or
 7 similar directives, or section 703.

8 (5) *INFORMATION.*—The term “information”
 9 means any knowledge that can be communicated, or
 10 documentary material, regardless of its physical form
 11 or characteristics, that is owned by, is produced by or
 12 for, or is under the control of the United States Gov-
 13 ernment.

14 **SEC. 703. CLASSIFICATION AND DECLASSIFICATION OF IN-**
 15 **FORMATION.**

16 (a) *IN GENERAL.*—The President may, in accordance
 17 with this section, protect from unauthorized disclosure any
 18 information owned by, produced by or for, or under the con-
 19 trol of the executive branch of the Federal Government when
 20 there is a demonstrable need to do so in order to protect
 21 the national security of the United States.

22 (b) *ESTABLISHMENT OF STANDARDS AND PROCE-*
 23 *DURES FOR CLASSIFICATION AND DECLASSIFICATION.*—

24 (1) *GOVERNMENTWIDE PROCEDURES.*—

1 (A) *CLASSIFICATION.*—*The President shall,*
2 *to the extent necessary, establish categories of in-*
3 *formation that may be classified and procedures*
4 *for classifying information under subsection (a).*

5 (B) *DECLASSIFICATION.*—*At the same time*
6 *the President establishes categories and proce-*
7 *dures under subparagraph (A), the President*
8 *shall establish procedures for declassifying infor-*
9 *mation that was previously classified.*

10 (C) *MINIMUM REQUIREMENTS.*—*The proce-*
11 *dures established pursuant to subparagraphs (A)*
12 *and (B) shall—*

13 (i) *provide that information may be*
14 *classified under this section, and may re-*
15 *main classified under this section, only if*
16 *the harm to national security that might*
17 *reasonably be expected from disclosure of*
18 *such information outweighs the public inter-*
19 *est in disclosure of such information;*

20 (ii) *establish standards and criteria for*
21 *the classification of information;*

22 (iii) *establish standards, criteria, and*
23 *timelines for the declassification of informa-*
24 *tion classified under this section;*

1 (iv) provide for the automatic declassi-
2 fication of classified records with perma-
3 nent historical value;

4 (v) provide for the timely review of
5 materials submitted for pre-publication;

6 (vi) narrow the criteria for classifica-
7 tion set forth under section 1.4 of Executive
8 Order 13526 (50 U.S.C. 3161 note; relating
9 to classified national security information),
10 as in effect on the day before the date of the
11 enactment of this Act;

12 (vii) narrow the exemptions from auto-
13 matic declassification set forth under sec-
14 tion 3.3(b) of Executive Order 13526 (50
15 U.S.C. 3161 note; relating to classified na-
16 tional security information), as in effect on
17 the day before the date of the enactment of
18 this Act;

19 (viii) provide a clear and specific defi-
20 nition of “harm to national security” as it
21 pertains to clause (i); and

22 (ix) provide a clear and specific defini-
23 tion of “intelligence sources and methods”
24 as it pertains to the categories and proce-
25 dures under subparagraph (A).

1 (2) *AGENCY STANDARDS AND PROCEDURES.*—

2 (A) *IN GENERAL.*—*The head of each agency*
3 *shall establish a single set of consolidated stand-*
4 *ards and procedures to permit such agency to*
5 *classify and declassify information created by*
6 *such agency in accordance with the categories*
7 *and procedures established by the President*
8 *under this section and otherwise to carry out*
9 *this section.*

10 (B) *SUBMITTAL TO CONGRESS.*—*Each agen-*
11 *cy head shall submit to Congress the standards*
12 *and procedures established by such agency head*
13 *under subparagraph (A).*

14 (c) *CONFORMING AMENDMENT TO FOIA.*—*Section*
15 *552(b)(1) of title 5, United States Code, is amended to read*
16 *as follows:*

17 “(1)(A) *specifically authorized to be classified*
18 *under section 703 of the Intelligence Authorization*
19 *Act for Fiscal Year 2024, or specifically authorized*
20 *under criteria established by an Executive order to be*
21 *kept secret in the interest of national security; and*

22 “(B) *are in fact properly classified pursuant to*
23 *that section or Executive order;”.*

24 (d) *EFFECTIVE DATE.*—

1 (1) *IN GENERAL.*—Subsections (a) and (b) shall
2 take effect on the date that is 180 days after the date
3 of the enactment of this Act.

4 (2) *RELATION TO PRESIDENTIAL DIRECTIVES.*—
5 Presidential directives regarding classifying, safe-
6 guarding, and declassifying national security infor-
7 mation, including Executive Order 13526 (50 U.S.C.
8 3161 note; relating to classified national security in-
9 formation), or successor order, in effect on the day be-
10 fore the date of the enactment of this Act, as well as
11 procedures issued pursuant to such Presidential direc-
12 tives, shall remain in effect until superseded by proce-
13 dures issues pursuant to subsection (b).

14 **SEC. 704. TRANSPARENCY OFFICERS.**

15 (a) *DESIGNATION.*—The Attorney General, the Sec-
16 retary of Defense, the Secretary of State, the Secretary of
17 the Treasury, the Secretary of Health and Human Services,
18 the Secretary of Homeland Security, the Director of Na-
19 tional Intelligence, the Director of the Central Intelligence
20 Agency, the Director of the National Security Agency, the
21 Director of the Federal Bureau of Investigation, and the
22 head of any other department, agency, or element of the ex-
23 ecutive branch of the Federal Government determined by
24 the Privacy and Civil Liberties Oversight Board established
25 by section 1061 of the Intelligence Reform and Terrorism

1 *Prevention Act of 2004 (42 U.S.C. 2000ee) to be appro-*
2 *priate for coverage under this section, shall each designate*
3 *at least 1 senior officer to serve as the principal advisor*
4 *to assist such head of a department, agency, or element and*
5 *other officials of the department, agency, or element of the*
6 *head in identifying records of significant public interest*
7 *and prioritizing appropriate review of such records in order*
8 *to facilitate the public disclosure of such records in redacted*
9 *or unredacted form.*

10 (b) *DETERMINING PUBLIC INTEREST IN DISCLO-*
11 *SURE.—In assisting the head of a department, agency, or*
12 *element and other officials of such department, agency, or*
13 *element in identifying records of significant public interest*
14 *under subsection (a), the senior officer designated by the*
15 *head under such subsection shall consider whether—*

16 (1) *or not disclosure of the information would*
17 *better enable United States citizens to hold Federal*
18 *Government officials accountable for their actions and*
19 *policies;*

20 (2) *or not disclosure of the information would*
21 *assist the United States criminal justice system in*
22 *holding persons responsible for criminal acts or acts*
23 *contrary to the Constitution;*

24 (3) *or not disclosure of the information would*
25 *assist Congress or any committee or subcommittee*

1 *thereof, in carrying out its oversight responsibilities*
2 *with regard to the executive branch of the Federal*
3 *Government or in adequately informing itself of exec-*
4 *utive branch policies and activities in order to carry*
5 *out its legislative responsibilities;*

6 *(4) the disclosure of the information would assist*
7 *Congress or the public in understanding the interpre-*
8 *tation of the Federal Government of a provision of*
9 *law, including Federal regulations, Presidential di-*
10 *rectives, statutes, case law, and the Constitution of the*
11 *United States; or*

12 *(5) or not disclosure of the information would*
13 *bring about any other significant benefit, including*
14 *an increase in public awareness or understanding of*
15 *Government activities or an enhancement of Federal*
16 *Government efficiency.*

17 *(c) PERIODIC REPORTS.—*

18 *(1) IN GENERAL.—Each senior officer designated*
19 *under subsection (a) shall periodically, but not less*
20 *frequently than annually, submit a report on the ac-*
21 *tivities of the officer, including the documents deter-*
22 *mined to be in the public interest for disclosure under*
23 *subsection (b), to—*

1 (A) the Committee on Homeland Security
 2 and Governmental Affairs and the Select Com-
 3 mittee on Intelligence of the Senate;

4 (B) the Committee on Oversight and Gov-
 5 ernment Reform and the Permanent Select Com-
 6 mittee on Intelligence of the House of Represent-
 7 atives; and

8 (C) the head of the department, agency, or
 9 element of the senior officer.

10 (2) *FORM.*—Each report submitted pursuant to
 11 paragraph (1) shall be submitted, to the greatest ex-
 12 tent possible, in unclassified form, with a classified
 13 annex as may be necessary.

14 ***Subtitle B—Sensible Classification***
 15 ***Act of 2023***

16 ***SEC. 711. SHORT TITLE.***

17 *This subtitle may be cited as the “Sensible Classifica-*
 18 *tion Act of 2023”.*

19 ***SEC. 712. DEFINITIONS.***

20 *In this subtitle:*

21 (1) *AGENCY.*—The term “agency” has the mean-
 22 ing given the term “Executive agency” in section 105
 23 of title 5, United States Code.

1 (2) *CLASSIFICATION.*—*The term “classification”*
2 *means the act or process by which information is de-*
3 *termined to be classified information.*

4 (3) *CLASSIFIED INFORMATION.*—*The term “clas-*
5 *sified information” means information that has been*
6 *determined pursuant to Executive Order 12958 (50*
7 *U.S.C. 3161 note; relating to classified national secu-*
8 *rity information), or successor order, to require pro-*
9 *tection against unauthorized disclosure and is marked*
10 *to indicate its classified status when in documentary*
11 *form.*

12 (4) *DECLASSIFICATION.*—*The term “declassifica-*
13 *tion” means the authorized change in the status of in-*
14 *formation from classified information to unclassified*
15 *information.*

16 (5) *DOCUMENT.*—*The term “document” means*
17 *any recorded information, regardless of the nature of*
18 *the medium or the method or circumstances of record-*
19 *ing.*

20 (6) *DOWNGRADE.*—*The term “downgrade”*
21 *means a determination by a declassification authority*
22 *that information classified and safeguarded at a spec-*
23 *ified level shall be classified and safeguarded at a*
24 *lower level.*

1 (7) *INFORMATION.*—*The term “information”*
2 *means any knowledge that can be communicated or*
3 *documentary material, regardless of its physical form*
4 *or characteristics, that is owned by, is produced by or*
5 *for, or is under the control of the United States Gov-*
6 *ernment.*

7 (8) *ORIGINATE, ORIGINATING, AND ORIGI-*
8 *NATED.*—*The term “originate”, “originating”, and*
9 *“originated”, with respect to classified information*
10 *and an authority, means the authority that classified*
11 *the information in the first instance.*

12 (9) *RECORDS.*—*The term “records” means the*
13 *records of an agency and Presidential papers or Pres-*
14 *idential records, as those terms are defined in title 44,*
15 *United States Code, including those created or main-*
16 *tained by a government contractor, licensee, certifi-*
17 *cate holder, or grantee that are subject to the spon-*
18 *soring agency’s control under the terms of the con-*
19 *tract, license, certificate, or grant.*

20 (10) *SECURITY CLEARANCE.*—*The term “security*
21 *clearance” means an authorization to access classified*
22 *information.*

23 (11) *UNAUTHORIZED DISCLOSURE.*—*The term*
24 *“unauthorized disclosure” means a communication or*

1 *physical transfer of classified information to an un-*
2 *authorized recipient.*

3 (12) *UNCLASSIFIED INFORMATION.*—*The term*
4 *“unclassified information” means information that is*
5 *not classified information.*

6 **SEC. 713. FINDINGS AND SENSE OF THE SENATE.**

7 (a) *FINDINGS.*—*The Senate makes the following find-*
8 *ings:*

9 (1) *According to a report released by the Office*
10 *of the Director of Intelligence in 2020 titled “Fiscal*
11 *Year 2019 Annual Report on Security Clearance De-*
12 *terminations”, more than 4,000,000 individuals have*
13 *been granted eligibility for a security clearance.*

14 (2) *At least 1,300,000 of such individuals have*
15 *been granted access to information classified at the*
16 *Top Secret level.*

17 (b) *SENSE OF THE SENATE.*—*It is the sense of the Sen-*
18 *ate that—*

19 (1) *the classification system of the Federal Gov-*
20 *ernment is in urgent need of reform;*

21 (2) *the number of people with access to classified*
22 *information is exceedingly high and must be justified*
23 *or reduced;*

1 (3) reforms are necessary to reestablish trust be-
2 tween the Federal Government and the people of the
3 United States; and

4 (4) classification should be limited to the min-
5 imum necessary to protect national security while
6 balancing the public's interest in disclosure.

7 **SEC. 714. CLASSIFICATION AUTHORITY.**

8 (a) *IN GENERAL.*—The authority to classify informa-
9 tion originally may be exercised only by—

10 (1) the President and, in the performance of ex-
11 ecutive duties, the Vice President;

12 (2) the head of an agency or an official of any
13 agency authorized by the President pursuant to a des-
14 ignation of such authority in the Federal Register;
15 and

16 (3) an official of the Federal Government to
17 whom authority to classify information originally has
18 been delegated pursuant to subsection (c).

19 (b) *SCOPE OF AUTHORITY.*—An individual authorized
20 by this section to classify information originally at a speci-
21 fied level may also classify the information originally at
22 a lower level.

23 (c) *DELEGATION OF ORIGINAL CLASSIFICATION AU-*
24 *THORITY.*—An official of the Federal Government may be

1 *delegated original classification authority subject to the fol-*
2 *lowing:*

3 (1) *Delegation of original classification author-*
4 *ity shall be limited to the minimum required to ad-*
5 *minister this section. Agency heads shall be respon-*
6 *sible for ensuring that designated subordinate officials*
7 *have a demonstrable and continuing need to exercise*
8 *this authority.*

9 (2) *Authority to originally classify information*
10 *at the level designated as “Top Secret” may be dele-*
11 *gated only by the President, in the performance of ex-*
12 *ecutive duties, the Vice President, or an agency head*
13 *or official designated pursuant to subsection (a)(2).*

14 (3) *Authority to originally classify information*
15 *at the level designated as “Secret” or “Confidential”*
16 *may be delegated only by the President, in the per-*
17 *formance of executive duties, the Vice President, or an*
18 *agency head or official designated pursuant to sub-*
19 *section (a)(2), or the senior agency official described*
20 *in section 5.4(d) of Executive Order 13526 (50 U.S.C.*
21 *3161 note; relating to classified national security in-*
22 *formation), or successor order, provided that official*
23 *has been delegated “Top Secret” original classifica-*
24 *tion authority by the agency head.*

1 (4) *Each delegation of original classification au-*
2 *thority shall be in writing and the authority shall not*
3 *be redelegated except as provided by paragraphs (1),*
4 *(2), and (3). Each delegation shall identify the offi-*
5 *cial by name or position title.*

6 (d) *TRAINING REQUIRED.—*

7 (1) *IN GENERAL.—An individual may not be*
8 *delegated original classification authority under this*
9 *section unless the individual has first received train-*
10 *ing described in paragraph (2).*

11 (2) *TRAINING DESCRIBED.—Training described*
12 *in this paragraph is training on original classifica-*
13 *tion that includes instruction on the proper safe-*
14 *guarding of classified information and of the crimi-*
15 *nal, civil, and administrative sanctions that may be*
16 *brought against an individual who fails to protect*
17 *classified information from unauthorized disclosure.*

18 (e) *EXCEPTIONAL CASES.—*

19 (1) *IN GENERAL.—When an employee, con-*
20 *tractor, licensee, certificate holder, or grantee of an*
21 *agency who does not have original classification au-*
22 *thority originates information believed by that em-*
23 *ployee, contractor, licensee, certificate holder, or*
24 *grantee to require classification, the information shall*
25 *be protected in a manner consistent with Executive*

1 *Order 13526 (50 U.S.C. 3161 note; relating to classi-*
2 *fied national security information), or successor*
3 *order.*

4 (2) *TRANSMITTAL.*—*An employee, contractor, li-*
5 *cencee, certificate holder, or grantee described in para-*
6 *graph (1), who originates information described in*
7 *such paragraph, shall promptly transmit such infor-*
8 *mation to—*

9 (A) *the agency that has appropriate subject*
10 *matter interest and classification authority with*
11 *respect to this information; or*

12 (B) *if it is not clear which agency has ap-*
13 *propriate subject matter interest and classifica-*
14 *tion authority with respect to the information,*
15 *the Director of the Information Security Over-*
16 *sight Office.*

17 (3) *AGENCY DECISIONS.*—*An agency that re-*
18 *ceives information pursuant to paragraph (2)(A) or*
19 *(4) shall decide within 30 days whether to classify*
20 *this information.*

21 (4) *INFORMATION SECURITY OVERSIGHT OFFICE*
22 *ACTION.*—*If the Director of the Information Security*
23 *Oversight Office receives information under para-*
24 *graph (2)(B), the Director shall determine the agency*
25 *having appropriate subject matter interest and classi-*

1 *fication authority and forward the information, with*
2 *appropriate recommendations, to that agency for a*
3 *classification determination.*

4 **SEC. 715. PROMOTING EFFICIENT DECLASSIFICATION RE-**
5 **VIEW.**

6 (a) *IN GENERAL.*—Whenever an agency is processing
7 a request pursuant to section 552 of title 5, United States
8 Code (commonly known as the “Freedom of Information
9 Act”) or the mandatory declassification review provisions
10 of Executive Order 13526 (50 U.S.C. 3161 note; relating
11 to classified national security information), or successor
12 order, and identifies responsive classified records that are
13 more than 25 years of age as of December 31 of the year
14 in which the request is received, the head of the agency shall
15 review the record and process the record for declassification
16 and release by the National Declassification Center of the
17 National Archives and Records Administration.

18 (b) *APPLICATION.*—Subsection (a) shall apply—

19 (1) *regardless of whether or not the record de-*
20 *scribed in such subsection is in the legal custody of*
21 *the National Archives and Records Administration;*
22 *and*

23 (2) *without regard for any other provisions of*
24 *law or existing agreements or practices between agen-*
25 *cies.*

1 **SEC. 716. TRAINING TO PROMOTE SENSIBLE CLASSIFICA-**
 2 **TION.**

3 (a) *DEFINITIONS.—In this section:*

4 (1) *OVER-CLASSIFICATION.—The term “over-clas-*
 5 *sification” means classification at a level that exceeds*
 6 *the minimum level of classification that is sufficient*
 7 *to protect the national security of the United States.*

8 (2) *SENSIBLE CLASSIFICATION.—The term “sen-*
 9 *sible classification” means classification at a level*
 10 *that is the minimum level of classification that is suf-*
 11 *ficient to protect the national security of the United*
 12 *States.*

13 (b) *TRAINING REQUIRED.—Each head of an agency*
 14 *with classification authority shall conduct training for em-*
 15 *ployees of the agency with classification authority to dis-*
 16 *courage over-classification and to promote sensible classi-*
 17 *fication.*

18 **SEC. 717. IMPROVEMENTS TO PUBLIC INTEREST DECLAS-**
 19 **SIFICATION BOARD.**

20 *Section 703 of the Public Interest Declassification Act*
 21 *of 2000 (50 U.S.C. 3355a) is amended—*

22 (1) *in subsection (c), by adding at the end the*
 23 *following:*

24 “(5) *A member of the Board whose term has expired*
 25 *may continue to serve until a successor is appointed and*
 26 *sworn in.”; and*

1 (2) in subsection (f)—

2 (A) by inserting “(1)” before “Any em-
3 ployee”; and

4 (B) by adding at the end the following:

5 “(2)(A) In addition to any employees detailed to the
6 Board under paragraph (1), the Board may hire not more
7 than 12 staff members.

8 “(B) There are authorized to be appropriated to carry
9 out subparagraph (A) such sums as are necessary for fiscal
10 year 2024 and each fiscal year thereafter.”.

11 **SEC. 718. IMPLEMENTATION OF TECHNOLOGY FOR CLASSI-**
12 **FICATION AND DECLASSIFICATION.**

13 (a) *IN GENERAL.*—Not later than 1 year after the date
14 of the enactment of this Act, the Administrator of the Office
15 of Electronic Government (in this section referred to as the
16 “Administrator”) shall, in consultation with the Secretary
17 of Defense, the Director of the Central Intelligence Agency,
18 the Director of National Intelligence, the Public Interest De-
19 classification Board, the Director of the Information Secu-
20 rity Oversight Office, and the head of the National Declas-
21 sification Center of the National Archives and Records Ad-
22 ministration—

23 (1) research a technology-based solution—

24 (A) utilizing machine learning and artifi-
25 cial intelligence to support efficient and effective

1 *systems for classification and declassification;*
2 *and*

3 *(B) to be implemented on an interoperable*
4 *and federated basis across the Federal Govern-*
5 *ment; and*

6 *(2) submit to the President a recommendation*
7 *regarding a technology-based solution described in*
8 *paragraph (1) that should be adopted by the Federal*
9 *Government.*

10 *(b) STAFF.—The Administrator may hire sufficient*
11 *staff to carry out subsection (a).*

12 *(c) REPORT.—Not later than 540 days after the date*
13 *of the enactment of this Act, the President shall submit to*
14 *Congress a classified report on the technology-based solution*
15 *recommended by the Administrator under subsection (a)(2)*
16 *and the President's decision regarding its adoption.*

17 **SEC. 719. STUDIES AND RECOMMENDATIONS ON NECESSITY**
18 **OF SECURITY CLEARANCES.**

19 *(a) AGENCY STUDIES ON NECESSITY OF SECURITY*
20 *CLEARANCES.—*

21 *(1) STUDIES REQUIRED.—The head of each*
22 *agency that grants security clearances to personnel of*
23 *such agency shall conduct a study on the necessity of*
24 *such clearances.*

25 *(2) REPORTS REQUIRED.—*

1 (A) *IN GENERAL.*—Not later than 1 year
2 after the date of the enactment of this Act, each
3 head of an agency that conducts a study under
4 paragraph (1) shall submit to Congress a report
5 on the findings of the agency head with respect
6 to such study, which the agency head may clas-
7 sify as appropriate.

8 (B) *REQUIRED ELEMENTS.*—Each report
9 submitted by the head of an agency under sub-
10 paragraph (A) shall include, for such agency, the
11 following:

12 (i) *The number of personnel eligible for*
13 access to information up to the “Top Se-
14 cret” level.

15 (ii) *The number of personnel eligible*
16 for access to information up to the “Secret”
17 level.

18 (iii) *Information on any reduction in*
19 the number of personnel eligible for access to
20 classified information based on the study
21 conducted under paragraph (1).

22 (iv) *A description of how the agency*
23 head will ensure that the number of security
24 clearances granted by such agency will be
25 kept to the minimum required for the con-

1 *duct of agency functions, commensurate*
 2 *with the size, needs, and mission of the*
 3 *agency.*

4 (3) *INDUSTRY.*—*This subsection shall apply to*
 5 *the Secretary of Defense in the Secretary's capacity as*
 6 *the Executive Agent for the National Industrial Secu-*
 7 *rity Program, and the Secretary shall treat contrac-*
 8 *tors, licensees, and grantees as personnel of the De-*
 9 *partment of Defense for purposes of the studies and*
 10 *reports required by this subsection.*

11 (b) *DIRECTOR OF NATIONAL INTELLIGENCE REVIEW*
 12 *OF SENSITIVE COMPARTMENTED INFORMATION.*—*The Di-*
 13 *rector of National Intelligence shall—*

14 (1) *review the number of personnel eligible for*
 15 *access to sensitive compartmented information; and*

16 (2) *submit to Congress a report on how the Di-*
 17 *rector will ensure that the number of such personnel*
 18 *is limited to the minimum required.*

19 (c) *AGENCY REVIEW OF SPECIAL ACCESS PRO-*
 20 *GRAMS.*—*Each head of an agency who is authorized to es-*
 21 *tablish a special access program by Executive Order 13526*
 22 *(50 U.S.C. 3161 note; relating to classified national secu-*
 23 *rity information), or successor order, shall—*

24 (1) *review the number of personnel of the agency*
 25 *eligible for access to such special access programs; and*

1 (2) *submit to Congress a report on how the agen-*
2 *cy head will ensure that the number of such personnel*
3 *is limited to the minimum required.*

4 (d) *SECRETARY OF ENERGY REVIEW OF Q AND L*
5 *CLEARANCES.—The Secretary of Energy shall—*

6 (1) *review the number of personnel of the De-*
7 *partment of Energy granted Q and L access; and*

8 (2) *submit to Congress a report on how the Sec-*
9 *retary will ensure that the number of such personnel*
10 *is limited to the minimum required*

11 (e) *INDEPENDENT REVIEWS.—Not later than 180 days*
12 *after the date on which a study is completed under sub-*
13 *section (a) or a review is completed under subsections (b)*
14 *through (d), the Director of the Information Security Over-*
15 *sight Office of the National Archives and Records Adminis-*
16 *tration, the Director of National Intelligence, and the Pub-*
17 *lic Interest Declassification Board shall each review the*
18 *study or review, as the case may be.*

1 **TITLE VIII—SECURITY CLEAR-**
2 **ANCE AND TRUSTED WORK-**
3 **FORCE**

4 **SEC. 801. REVIEW OF SHARED INFORMATION TECHNOLOGY**
5 **SERVICES FOR PERSONNEL VETTING.**

6 (a) *DEFINITION OF APPROPRIATE COMMITTEES OF*
7 *CONGRESS.—In this section, the term “appropriate com-*
8 *mittees of Congress” means—*

9 (1) *the congressional intelligence committees;*

10 (2) *the Committee on Armed Services and the*
11 *Subcommittee on Defense of the Committee on Appro-*
12 *priations of the Senate; and*

13 (3) *the Committee on Armed Services and the*
14 *Subcommittee on Defense of the Committee on Appro-*
15 *priations of the House of Representatives.*

16 (b) *IN GENERAL.—Not later than 1 year after the date*
17 *of the enactment of this Act, the Director of National Intel-*
18 *ligence shall submit to the appropriate committees of Con-*
19 *gress a review of the extent to which the intelligence commu-*
20 *nity can use information technology services shared among*
21 *the intelligence community for purposes of personnel vet-*
22 *ting, including with respect to human resources, suitability,*
23 *and security.*

1 **SEC. 802. TIMELINESS STANDARD FOR RENDERING DETER-**
2 **MINATIONS OF TRUST FOR PERSONNEL VET-**
3 **TING.**

4 (a) *TIMELINESS STANDARD.*—

5 (1) *IN GENERAL.*—*The President shall, acting*
6 *through the Security Executive Agent and the Suit-*
7 *ability and Credentialing Executive Agent, establish*
8 *and publish in such public venue as the President*
9 *considers appropriate, new timeliness performance*
10 *standards for processing personnel vetting trust deter-*
11 *minations in accordance with the Federal personnel*
12 *vetting performance management standards.*

13 (2) *QUINQUENNIAL REVIEWS.*—*Not less fre-*
14 *quently than once every 5 years, the President shall,*
15 *acting through the Security Executive Agent and the*
16 *Suitability and Credentialing Executive Agent—*

17 (A) *review the standards established pursu-*
18 *ant to paragraph (1); and*

19 (B) *pursuant to such review—*

20 (i) *update such standards as the Presi-*
21 *dent considers appropriate; and*

22 (ii) *publish in the Federal Register*
23 *such updates as may be made pursuant to*
24 *clause (i).*

25 (3) *CONFORMING AMENDMENT.*—*Section 3001 of*
26 *the Intelligence Reform and Terrorism Prevention Act*

1 of 2004 (50 U.S.C. 3341) is amended by striking sub-
2 section (g).

3 (b) *QUARTERLY REPORTS ON IMPLEMENTATION.*—

4 (1) *IN GENERAL.*—Not less frequently than quar-
5 terly, the Security Executive Agent and the Suit-
6 ability and Credentialing Executive Agent shall joint-
7 ly make available to the public a quarterly report on
8 the compliance of Executive agencies (as defined in
9 section 105 of title 5, United States Code) with the
10 standards established pursuant to subsection (a).

11 (2) *DISAGGREGATION.*—Each report made avail-
12 able pursuant to paragraph (1) shall disaggregate, to
13 the greatest extent practicable, data by appropriate
14 category of personnel risk and between Government
15 and contractor personnel.

16 (c) *COMPLEMENTARY STANDARDS FOR INTELLIGENCE*
17 *COMMUNITY.*—The Director of National Intelligence may,
18 in consultation with the Security, Suitability, and
19 Credentialing Performance Accountability Council estab-
20 lished pursuant to Executive Order 13467 (50 U.S.C. 3161
21 note; relating to reforming processes related to suitability
22 for Government employment, fitness for contractor employ-
23 ees, and eligibility for access to classified national security
24 information) establish for the intelligence community

1 *standards complementary to those established pursuant to*
 2 *subsection (a).*

3 **SEC. 803. ANNUAL REPORT ON PERSONNEL VETTING TRUST**
 4 **DETERMINATIONS.**

5 (a) *DEFINITION OF PERSONNEL VETTING TRUST DE-*
 6 *TERMINATION.*—*In this section, the term “personnel vetting*
 7 *trust determination” means any determination made by an*
 8 *executive branch agency as to whether an individual can*
 9 *be trusted to perform job functions or to be granted access*
 10 *necessary for a position.*

11 (b) *ANNUAL REPORT.*—*Not later than March 30, 2024,*
 12 *and annually thereafter for 5 years, the Director of Na-*
 13 *tional Intelligence, acting as the Security Executive Agent,*
 14 *and the Director of the Office of Personnel Management,*
 15 *acting as the Suitability and Credentialing Executive*
 16 *Agent, in coordination with the Security, Suitability, and*
 17 *Credentialing Performance Accountability Council, shall*
 18 *jointly make available to the public a report on specific*
 19 *types of personnel vetting trust determinations made during*
 20 *the fiscal year preceding the fiscal year in which the report*
 21 *is made available, disaggregated, to the greatest extent pos-*
 22 *sible, by the following:*

23 (1) *Determinations of eligibility for national se-*
 24 *curity-sensitive positions, separately noting—*

1 (A) the number of individuals granted ac-
2 cess to national security information; and

3 (B) the number of individuals determined
4 to be eligible for but not granted access to na-
5 tional security information.

6 (2) Determinations of suitability or fitness for a
7 public trust position.

8 (3) Status as a Government employee, a con-
9 tractor employee, or other category.

10 (c) *ELIMINATION OF REPORT REQUIREMENT.*—Sec-
11 tion 3001 of the Intelligence Reform and Terrorism Preven-
12 tion Act of 2004 (50 U.S.C. 3341) is amended by striking
13 subsection (h).

14 **SEC. 804. SURVEY TO ASSESS STRENGTHS AND WEAK-**
15 **NESSES OF TRUSTED WORKFORCE 2.0.**

16 Not later than 1 year after the date of the enactment
17 of this Act, and once every 2 years thereafter until 2029,
18 the Comptroller General of the United States shall admin-
19 ister a survey to such sample of Federal agencies, Federal
20 contractors, and other persons that require security clear-
21 ances to access classified information as the Comptroller
22 General considers appropriate to assess—

23 (1) the strengths and weaknesses of the imple-
24 mentation of the Trusted Workforce 2.0 initiative;
25 and

1 (2) *the effectiveness of vetting Federal personnel*
 2 *while managing risk during the onboarding of such*
 3 *personnel.*

4 **SEC. 805. PROHIBITION ON DENIAL OF ELIGIBILITY FOR AC-**
 5 **CESS TO CLASSIFIED INFORMATION SOLELY**
 6 **BECAUSE OF PAST USE OF CANNABIS.**

7 (a) *DEFINITIONS.—In this section:*

8 (1) *CANNABIS.—The term “cannabis” has the*
 9 *meaning given the term “marihuana” in section 102*
 10 *of the Controlled Substances Act (21 U.S.C. 802).*

11 (2) *ELIGIBILITY FOR ACCESS TO CLASSIFIED IN-*
 12 *FORMATION.—The term “eligibility for access to clas-*
 13 *sified information” has the meaning given the term*
 14 *in the procedures established pursuant to section*
 15 *801(a) of the National Security Act of 1947 (50*
 16 *U.S.C. 3161(a)).*

17 (b) *PROHIBITION.—Notwithstanding any other provi-*
 18 *sion of law, the head of an element of the intelligence com-*
 19 *munity may not make a determination to deny eligibility*
 20 *for access to classified information to an individual based*
 21 *solely on the use of cannabis by the individual prior to the*
 22 *submission of the application for a security clearance by*
 23 *the individual.*

1 ***TITLE IX—ANOMALOUS HEALTH***
 2 ***INCIDENTS***

3 ***SEC. 901. IMPROVED FUNDING FLEXIBILITY FOR PAYMENTS***
 4 ***MADE BY THE CENTRAL INTELLIGENCE***
 5 ***AGENCY FOR QUALIFYING INJURIES TO THE***
 6 ***BRAIN.***

7 *Section 19A(d) of the Central Intelligence Agency Act*
 8 *of 1949 (50 U.S.C. 3519b(d)) is amended by striking para-*
 9 *graph (3) and inserting the following new paragraph:*

10 “(3) *FUNDING.*—

11 “(A) *IN GENERAL.*—*Payment under para-*
 12 *graph (2) in a fiscal year may be made using*
 13 *any funds—*

14 “(i) *appropriated in advance specifi-*
 15 *cally for payments under such paragraph;*
 16 *or*

17 “(ii) *reprogrammed in accordance with*
 18 *section 504 of the National Security Act of*
 19 *1947 (50 U.S.C. 3094).*

20 “(B) *BUDGET.*—*For each fiscal year, the*
 21 *Director shall include with the budget justifica-*
 22 *tion materials submitted to Congress in support*
 23 *of the budget of the President for that fiscal year*
 24 *pursuant to section 1105(a) of title 31, United*
 25 *States Code, an estimate of the funds required in*

1 that fiscal year to make payments under para-
2 graph (2).”.

3 **SEC. 902. CLARIFICATION OF REQUIREMENTS TO SEEK CER-**
4 **TAIN BENEFITS RELATING TO INJURIES TO**
5 **THE BRAIN.**

6 (a) *IN GENERAL.*—Section 19A(d)(5) of the Central
7 Intelligence Agency Act of 1949 (50 U.S.C. 3519b(d)(5)) is
8 amended—

9 (1) by striking “Payments made” and inserting
10 the following:

11 “(A) *IN GENERAL.*—Payments made”; and
12 (2) by adding at the end the following:

13 “(B) *RELATION TO CERTAIN FEDERAL*
14 *WORKERS COMPENSATION LAWS.*—Without re-
15 gard to the requirements in sections (b) and (c),
16 covered employees need not first seek benefits
17 provided under chapter 81 of title 5, United
18 States Code, to be eligible solely for payment au-
19 thorized under paragraph (2) of this sub-
20 section.”.

21 (b) *REGULATIONS.*—Not later than 90 days after the
22 date of the enactment of this Act, the Director of the Central
23 Intelligence Agency shall—

24 (1) revise applicable regulations to conform with
25 the amendment made by subsection (a); and

1 (2) *submit to the congressional intelligence com-*
 2 *mittees, the Subcommittee on Defense of the Com-*
 3 *mittee on Appropriations of the Senate, and the Sub-*
 4 *committee on Defense of the Committee on Appropria-*
 5 *tions of the House of Representatives copies of such*
 6 *regulations, as revised pursuant to paragraph (1).*

7 **SEC. 903. INTELLIGENCE COMMUNITY IMPLEMENTATION**
 8 **OF HAVANA ACT OF 2021 AUTHORITIES.**

9 (a) *REGULATIONS.*—*Except as provided in subsection*
 10 *(c), not later than 180 days after the date of the enactment*
 11 *of this Act, each head of an element of the intelligence com-*
 12 *munity that has not already done so shall—*

13 (1) *issue regulations and procedures to imple-*
 14 *ment the authorities provided by section 19A(d) of the*
 15 *Central Intelligence Agency Act of 1949 (50 U.S.C.*
 16 *3519b(d)) and section 901(i) of title IX of division J*
 17 *of the Further Consolidated Appropriations Act, 2020*
 18 *(22 U.S.C. 2680b(i)) to provide payments under such*
 19 *sections, to the degree that such authorities are appli-*
 20 *cable to the head of the element; and*

21 (2) *submit to the congressional intelligence, the*
 22 *Subcommittee on Defense of the Committee on Appro-*
 23 *priations of the Senate, and the Subcommittee on De-*
 24 *fense of the Committee on Appropriations of the*

1 *House of Representatives committees copies of such*
2 *regulations.*

3 **(b) REPORTING.**—*Not later than 210 days after the*
4 *date of the enactment of this Act, each head of an element*
5 *of the intelligence community shall submit to the congres-*
6 *sional intelligence committees, the Subcommittee on Defense*
7 *of the Committee on Appropriations of the Senate, and the*
8 *Subcommittee on Defense of the Committee on Appropria-*
9 *tions of the House of Representatives a report on—*

10 *(1) the estimated number of individuals associ-*
11 *ated with their element that may be eligible for pay-*
12 *ment under the authorities described in subsection*
13 *(a)(1);*

14 *(2) an estimate of the obligation that the head of*
15 *the intelligence community element expects to incur*
16 *in fiscal year 2025 as a result of establishing the reg-*
17 *ulations pursuant to subsection (a)(1); and*

18 *(3) any perceived barriers or concerns in imple-*
19 *menting such authorities.*

20 **(c) ALTERNATIVE REPORTING.**—*Not later than 180*
21 *days after the date of the enactment of this Act, each head*
22 *of an element of the intelligence community (other than the*
23 *Director of the Central Intelligence Agency) who believes*
24 *that the authorities described in subsection (a)(1) are not*
25 *currently relevant for individuals associated with their ele-*

1 *ment, or who are not otherwise in position to issue the regu-*
 2 *lations and procedures required by subsection (a)(1) shall*
 3 *provide written and detailed justification to the congres-*
 4 *sional intelligence committees, the Subcommittee on Defense*
 5 *of the Committee on Appropriations of the Senate, and the*
 6 *Subcommittee on Defense of the Committee on Appropria-*
 7 *tions of the House of Representatives to explain this posi-*
 8 *tion.*

9 **SEC. 904. REPORT AND BRIEFING ON CENTRAL INTEL-**
 10 **LIGENCE AGENCY HANDLING OF ANOMALOUS**
 11 **HEALTH INCIDENTS.**

12 *(a) DEFINITIONS.—In this section:*

13 *(1) AGENCY.—The term “Agency” means the*
 14 *Central Intelligence Agency.*

15 *(2) QUALIFYING INJURY.—The term “qualifying*
 16 *injury” has the meaning given such term in section*
 17 *19A(d)(1) of the Central Intelligence Agency Act of*
 18 *1949 (50 U.S.C. 3519b(d)(1)).*

19 *(b) IN GENERAL.—Not later than 60 days after the*
 20 *date of the enactment of this Act, the Director of the Central*
 21 *Intelligence Agency shall submit to the congressional intel-*
 22 *ligence committees a report on the handling of anomalous*
 23 *health incidents by the Agency.*

24 *(c) CONTENTS.—The report required by subsection (b)*
 25 *shall include the following:*

1 (1) *HAVANA ACT IMPLEMENTATION.*—

2 (A) *An explanation of how the Agency de-*
3 *termines whether a reported anomalous health*
4 *incident resulted in a qualifying injury or a*
5 *qualifying injury to the brain.*

6 (B) *The number of participants of the Ex-*
7 *panded Care Program of the Central Intelligence*
8 *Agency who—*

9 (i) *have a certified qualifying injury*
10 *or a certified qualifying injury to the brain;*
11 *and*

12 (ii) *as of September 30, 2023, applied*
13 *to the Expanded Care Program due to a re-*
14 *ported anomalous health incident.*

15 (C) *A comparison of the number of anoma-*
16 *lous health incidents reported by applicants to*
17 *the Expanded Care Program that occurred in the*
18 *United States and that occurred in a foreign*
19 *country.*

20 (D) *The specific reason each applicant was*
21 *approved or denied for payment under the Ex-*
22 *panded Care Program.*

23 (E) *The number of applicants who were ini-*
24 *tially denied payment but were later approved*
25 *on appeal.*

1 (F) *The average length of time, from the*
 2 *time of application, for an applicant to receive*
 3 *a determination from the Expanded Care Pro-*
 4 *gram, aggregated by qualifying injuries and*
 5 *qualifying injuries to the brain.*

6 (2) *PRIORITY CASES.—*

7 (A) *A detailed list of priority cases of*
 8 *anomalous health incidents, including, for each*
 9 *incident, locations, dates, times, and cir-*
 10 *cumstances.*

11 (B) *For each priority case listed in accord-*
 12 *ance with subparagraph (A), a detailed expla-*
 13 *nation of each credible alternative explanation*
 14 *that the Agency assigned to the incident, includ-*
 15 *ing—*

16 (i) *how the incident was discovered;*

17 (ii) *how the incident was assigned*
 18 *within the Agency; and*

19 (iii) *whether an individual affected by*
 20 *the incident is provided an opportunity to*
 21 *appeal the credible alternative explanation.*

22 (C) *For each priority case of an anomalous*
 23 *health incident determined to be largely con-*
 24 *sistent with the definition of “anomalous health*
 25 *incident” established by the National Academy of*

1 *Sciences and for which the Agency does not have*
2 *a credible alternative explanation, a detailed de-*
3 *scription of such case.*

4 (3) *ANOMALOUS HEALTH INCIDENT SENSORS.—*

5 (A) *A list of all types of sensors that the*
6 *Agency has developed or deployed with respect to*
7 *reports of anomalous health incidents, including,*
8 *for each type of sensor, the deployment location,*
9 *the date and the duration of the employment of*
10 *such type of sensor, and, if applicable, the reason*
11 *for removal.*

12 (B) *A list of entities to which the Agency*
13 *has provided unrestricted access to data associ-*
14 *ated with anomalous health incidents.*

15 (C) *A list of requests for support the Agency*
16 *has received from elements of the Federal Gov-*
17 *ernment regarding sensor development, testing,*
18 *or deployment, and a description of the support*
19 *provided in each case.*

20 (D) *A description of all emitter signatures*
21 *obtained by sensors associated with anomalous*
22 *health incidents in Agency holdings since 2016,*
23 *including—*

1 (i) the identification of any of such
2 emitters that the Agency prioritizes as a
3 threat; and

4 (ii) an explanation of such
5 prioritization.

6 (d) *ADDITIONAL SUBMISSIONS.*—Concurrent with the
7 submission of the report required by subsection (b), the Di-
8 rector of the Central Intelligence Agency shall submit to the
9 congressional intelligence committees, the Subcommittee on
10 Defense of the Committee on Appropriations of the Senate,
11 and the Subcommittee on Defense of the Committee on Ap-
12 propriations of the House of Representatives—

13 (1) a template of each form required to apply for
14 the Expanded Care Program, including with respect
15 to payments for a qualifying injury or a qualifying
16 injury to the brain;

17 (2) copies of internal guidance used by the Agen-
18 cy to adjudicate claims for the Expanded Care Pro-
19 gram, including with respect to payments for a quali-
20 fying injury to the brain;

21 (3) the case file of each applicant to the Ex-
22 panded Care Program who applied due to a reported
23 anomalous health incident, including supporting
24 medical documentation, with name and other identi-
25 fying information redacted;

1 (4) *copies of all informational and instructional*
 2 *materials provided to employees of and other individ-*
 3 *uals affiliated with the Agency with respect to apply-*
 4 *ing for the Expanded Care Program; and*

5 (5) *copies of Agency guidance provided to em-*
 6 *ployees of and other individuals affiliated with the*
 7 *Agency with respect to reporting and responding to a*
 8 *suspected anomalous health incident, and the roles*
 9 *and responsibilities of each element of the Agency*
 10 *tasked with responding to a report of an anomalous*
 11 *health incident.*

12 (e) *BRIEFING.*—*Not later than 90 days after the date*
 13 *of the enactment of this Act, the Director of the Central In-*
 14 *telligence Agency shall brief the congressional intelligence*
 15 *committees, the Subcommittee on Defense of the Committee*
 16 *on Appropriations of the Senate, and the Subcommittee on*
 17 *Defense of the Committee on Appropriations of the House*
 18 *of Representatives on the report.*

19 ***TITLE X—ELECTION SECURITY***

20 ***SEC. 1001. STRENGTHENING ELECTION CYBERSECURITY TO*** 21 ***UPHOLD RESPECT FOR ELECTIONS THROUGH*** 22 ***INDEPENDENT TESTING ACT OF 2023.***

23 (a) *REQUIRING PENETRATION TESTING AS PART OF*
 24 *THE TESTING AND CERTIFICATION OF VOTING SYSTEMS.—*
 25 *Section 231 of the Help America Vote Act of 2002 (52*

1 *U.S.C. 20971) is amended by adding at the end the fol-*
2 *lowing new subsection:*

3 “(e) *REQUIRED PENETRATION TESTING.*—

4 “(1) *IN GENERAL.*—Not later than 180 days
5 after the date of the enactment of this subsection, the
6 Commission shall provide for the conduct of penetra-
7 tion testing as part of the testing, certification, decer-
8 tification, and recertification of voting system hard-
9 ware and software by accredited laboratories under
10 this section.

11 “(2) *ACCREDITATION.*—The Director of the Na-
12 tional Institute of Standards and Technology shall
13 recommend to the Commission entities the Director
14 proposes be accredited to carry out penetration testing
15 under this subsection and certify compliance with the
16 penetration testing-related guidelines required by this
17 subsection. The Commission shall vote on the accredi-
18 tation of any entity recommended. The requirements
19 for such accreditation shall be a subset of the require-
20 ments for accreditation of laboratories under sub-
21 section (b) and shall only be based on consideration
22 of an entity’s competence to conduct penetration test-
23 ing under this subsection.”.

1 (b) *INDEPENDENT SECURITY TESTING AND COORDI-*
 2 *NATED CYBERSECURITY VULNERABILITY DISCLOSURE PRO-*
 3 *GRAM FOR ELECTION SYSTEMS.*—

4 (1) *IN GENERAL.*—Subtitle *D* of title *II* of the
 5 *Help America Vote Act of 2002* (42 U.S.C. 15401 *et*
 6 *seq.*) is amended by adding at the end the following
 7 *new part:*

8 **“PART 7—INDEPENDENT SECURITY TESTING AND**
 9 **COORDINATED CYBERSECURITY VULNER-**
 10 **ABILITY DISCLOSURE PILOT PROGRAM FOR**
 11 **ELECTION SYSTEMS**

12 **“SEC. 297. INDEPENDENT SECURITY TESTING AND COORDI-**
 13 **NATED CYBERSECURITY VULNERABILITY DIS-**
 14 **CLOSURE PILOT PROGRAM FOR ELECTION**
 15 **SYSTEMS.**

16 “(a) *IN GENERAL.*—

17 “(1) *ESTABLISHMENT.*—The Commission, in
 18 *consultation with the Secretary, shall establish an*
 19 *Independent Security Testing and Coordinated Vul-*
 20 *nerability Disclosure Pilot Program for Election Sys-*
 21 *tems (VDP–E) (in this section referred to as the ‘pro-*
 22 *gram’)* in order to test for and disclose cybersecurity
 23 *vulnerabilities in election systems.*

24 “(2) *DURATION.*—The program shall be con-
 25 *ducted for a period of 5 years.*

1 “(3) *REQUIREMENTS.*—*In carrying out the pro-*
2 *gram, the Commission, in consultation with the Sec-*
3 *retary, shall—*

4 “(A) *establish a mechanism by which an*
5 *election systems vendor may make their election*
6 *system (including voting machines and source*
7 *code) available to cybersecurity researchers par-*
8 *ticipating in the program;*

9 “(B) *provide for the vetting of cybersecurity*
10 *researchers prior to their participation in the*
11 *program, including the conduct of background*
12 *checks;*

13 “(C) *establish terms of participation that—*

14 “(i) *describe the scope of testing per-*
15 *mitted under the program;*

16 “(ii) *require researchers to—*

17 “(I) *notify the vendor, the Com-*
18 *mission, and the Secretary of any cy-*
19 *bersecurity vulnerability they identify*
20 *with respect to an election system; and*

21 “(II) *otherwise keep such vulner-*
22 *ability confidential for 180 days after*
23 *such notification;*

24 “(iii) *require the good faith participa-*
25 *tion of all participants in the program;*

1 “(iv) require an election system ven-
2 dor, within 180 days after validating notifi-
3 cation of a critical or high vulnerability (as
4 defined by the National Institute of Stand-
5 ards and Technology) in an election system
6 of the vendor, to—

7 “(I) send a patch or propound
8 some other fix or mitigation for such
9 vulnerability to the appropriate State
10 and local election officials, in consulta-
11 tion with the researcher who discovered
12 it; and

13 “(II) notify the Commission and
14 the Secretary that such patch has been
15 sent to such officials;

16 “(D) in the case where a patch or fix to ad-
17 dress a vulnerability disclosed under subpara-
18 graph (C)(ii)(I) is intended to be applied to a
19 system certified by the Commission, provide—

20 “(i) for the expedited review of such
21 patch or fix within 90 days after receipt by
22 the Commission; and

23 “(ii) if such review is not completed by
24 the last day of such 90 day period, that
25 such patch or fix shall be deemed to be cer-

1 *tified by the Commission, subject to any*
 2 *subsequent review of such determination by*
 3 *the Commission; and*

4 “(E) 180 days after the disclosure of a vul-
 5 nerability under subparagraph (C)(ii)(I), notify
 6 the Director of the Cybersecurity and Infrastruc-
 7 ture Security Agency of the vulnerability for in-
 8 clusion in the database of Common
 9 Vulnerabilities and Exposures.

10 “(4) VOLUNTARY PARTICIPATION; SAFE HAR-
 11 BOR.—

12 “(A) VOLUNTARY PARTICIPATION.—Partici-
 13 pation in the program shall be voluntary for
 14 election systems vendors and researchers.

15 “(B) SAFE HARBOR.—When conducting re-
 16 search under this program, such research and
 17 subsequent publication shall be considered to be:

18 “(i) Authorized in accordance with sec-
 19 tion 1030 of title 18, United States Code
 20 (commonly known as the ‘Computer Fraud
 21 and Abuse Act’), (and similar state laws),
 22 and the election system vendor will not ini-
 23 tiate or support legal action against the re-
 24 searcher for accidental, good faith violations
 25 of the program.

1 “(ii) *Exempt from the anti-circumven-*
 2 *tion rule of section 1201 of title 17, United*
 3 *States Code (commonly known as the ‘Dig-*
 4 *ital Millennium Copyright Act’), and the*
 5 *election system vendor will not bring a*
 6 *claim against a researcher for circumven-*
 7 *tion of technology controls.*

8 “(C) *RULE OF CONSTRUCTION.*—*Nothing in*
 9 *this paragraph may be construed to limit or oth-*
 10 *erwise affect any exception to the general prohi-*
 11 *bition against the circumvention of technological*
 12 *measures under subparagraph (A) of section*
 13 *1201(a)(1) of title 17, United States Code, in-*
 14 *cluding with respect to any use that is excepted*
 15 *from that general prohibition by the Librarian*
 16 *of Congress under subparagraphs (B) through*
 17 *(D) of such section 1201(a)(1).*

18 “(5) *EXEMPT FROM DISCLOSURE.*—*Cybersecurity*
 19 *vulnerabilities discovered under the program shall be*
 20 *exempt from section 552 of title 5, United States Code*
 21 *(commonly referred to as the Freedom of Information*
 22 *Act).*

23 “(6) *DEFINITIONS.*—*In this subsection:*

24 “(A) *CYBERSECURITY VULNERABILITY.*—
 25 *The term ‘cybersecurity vulnerability’ means,*

1 *with respect to an election system, any security*
2 *vulnerability that affects the election system.*

3 “(B) *ELECTION INFRASTRUCTURE.*—*The*
4 *term ‘election infrastructure’ means—*

5 “(i) *storage facilities, polling places,*
6 *and centralized vote tabulation locations*
7 *used to support the administration of elec-*
8 *tions for public office; and*

9 “(ii) *related information and commu-*
10 *nications technology, including—*

11 “(I) *voter registration databases;*

12 “(II) *election management sys-*
13 *tems;*

14 “(III) *voting machines;*

15 “(IV) *electronic mail and other*
16 *communications systems (including*
17 *electronic mail and other systems of*
18 *vendors who have entered into con-*
19 *tracts with election agencies to support*
20 *the administration of elections, manage*
21 *the election process, and report and*
22 *display election results); and*

23 “(V) *other systems used to manage*
24 *the election process and to report and*

1 *display election results on behalf of an*
2 *election agency.*

3 “(C) *ELECTION SYSTEM.*—*The term ‘elec-*
4 *tion system’ means any information system that*
5 *is part of an election infrastructure, including*
6 *any related information and communications*
7 *technology described in subparagraph (B)(ii).*

8 “(D) *ELECTION SYSTEM VENDOR.*—*The*
9 *term ‘election system vendor’ means any person*
10 *providing, supporting, or maintaining an elec-*
11 *tion system on behalf of a State or local election*
12 *official.*

13 “(E) *INFORMATION SYSTEM.*—*The term ‘in-*
14 *formation system’ has the meaning given the*
15 *term in section 3502 of title 44, United States*
16 *Code.*

17 “(F) *SECRETARY.*—*The term ‘Secretary’*
18 *means the Secretary of Homeland Security.*

19 “(G) *SECURITY VULNERABILITY.*—*The term*
20 *‘security vulnerability’ has the meaning given*
21 *the term in section 102 of the Cybersecurity In-*
22 *formation Sharing Act of 2015 (6 U.S.C.*
23 *1501).’.*

24 (2) *CLERICAL AMENDMENT.*—*The table of con-*
25 *tents of such Act is amended by adding at the end of*

1 *the items relating to subtitle D of title II the fol-*
 2 *lowing:*

“PART 7—INDEPENDENT SECURITY TESTING AND COORDINATED CYBERSECURITY VULNERABILITY DISCLOSURE PROGRAM FOR ELECTION SYSTEMS

“Sec. 297. Independent security testing and coordinated cybersecurity vulnerability disclosure program for election systems.”.

3 ***TITLE XI—OTHER MATTERS***

4 ***SEC. 1101. MODIFICATION OF REPORTING REQUIREMENT*** 5 ***FOR ALL-DOMAIN ANOMALY RESOLUTION OF-*** 6 ***FICE.***

7 *Section 1683(k)(1) of the National Defense Authoriza-*
 8 *tion Act for Fiscal Year 2022 (50 U.S.C. 3373(k)(1)), as*
 9 *amended by section 6802(a) of the Intelligence Authoriza-*
 10 *tion Act for Fiscal Year 2023 (Public Law 117–263), is*
 11 *amended—*

12 (1) *in the heading, by striking “DIRECTOR OF*
 13 *NATIONAL INTELLIGENCE AND SECRETARY OF DE-*
 14 *FENSE” and inserting “ALL-DOMAIN ANOMALY RESO-*
 15 *LUTION OFFICE”;* and

16 (2) *in subparagraph (A), by striking “Director*
 17 *of National Intelligence and the Secretary of Defense*
 18 *shall jointly” and inserting “Director of the Office*
 19 *shall”.*

20 ***SEC. 1102. FUNDING LIMITATIONS RELATING TO UNIDENTI-*** 21 ***FIED ANOMALOUS PHENOMENA.***

22 (a) *DEFINITIONS.—In this section:*

1 (1) *APPROPRIATE COMMITTEES OF CONGRESS.*—

2 *The term “appropriate committees of Congress”*
 3 *means—*

4 (A) *the Select Committee on Intelligence, the*
 5 *Committee on Armed Services, and the Com-*
 6 *mittee on Appropriations of the Senate; and*

7 (B) *the Permanent Select Committee on In-*
 8 *telligence, the Committee on Armed Services, and*
 9 *the Committee on Appropriations of the House of*
 10 *Representatives.*

11 (2) *CONGRESSIONAL LEADERSHIP.*—*The term*
 12 *“congressional leadership” means—*

13 (A) *the majority leader of the Senate;*

14 (B) *the minority leader of the Senate;*

15 (C) *the Speaker of the House of Representa-*
 16 *tives; and*

17 (D) *the minority leader of the House of*
 18 *Representatives.*

19 (3) *DIRECTOR.*—*The term “Director” means the*
 20 *Director of the All-domain Anomaly Resolution Of-*
 21 *fice.*

22 (4) *UNIDENTIFIED ANOMALOUS PHENOMENA.*—

23 *The term “unidentified anomalous phenomena” has*
 24 *the meaning given such term in section 1683(n) of the*
 25 *National Defense Authorization Act for Fiscal Year*

1 2022 (50 U.S.C. 3373(n)), as amended by section
2 6802(a) of the Intelligence Authorization Act for Fis-
3 cal Year 2023 (Public Law 117–263).

4 (b) *SENSE OF CONGRESS.*—It is the sense of Congress
5 that, due to the increasing potential for technology surprise
6 from foreign adversaries and to ensure sufficient integra-
7 tion across the United States industrial base and avoid
8 technology and security stovepipes—

9 (1) the United States industrial base must retain
10 its global lead in critical advanced technologies; and

11 (2) the Federal Government must expand aware-
12 ness about any historical exotic technology ante-
13 cedents previously provided by the Federal Govern-
14 ment for research and development purposes.

15 (c) *LIMITATIONS.*—No amount authorized to be appro-
16 priated by this Act may be obligated or expended, directly
17 or indirectly, in part or in whole, for, on, in relation to,
18 or in support of activities involving unidentified anomalous
19 phenomena protected under any form of special access or
20 restricted access limitations that have not been formally, of-
21 ficially, explicitly, and specifically described, explained,
22 and justified to the appropriate committees of Congress,
23 congressional leadership, and the Director, including for
24 any activities relating to the following:

1 (1) *Recruiting, employing, training, equipping,*
2 *and operations of, and providing security for, govern-*
3 *ment or contractor personnel with a primary, sec-*
4 *ondary, or contingency mission of capturing, recov-*
5 *ering, and securing unidentified anomalous phe-*
6 *nomena craft or pieces and components of such craft.*

7 (2) *Analyzing such craft or pieces or components*
8 *thereof, including for the purpose of determining*
9 *properties, material composition, method of manufac-*
10 *ture, origin, characteristics, usage and application,*
11 *performance, operational modalities, or reverse engi-*
12 *neering of such craft or component technology.*

13 (3) *Managing and providing security for pro-*
14 *tecting activities and information relating to uniden-*
15 *tified anomalous phenomena from disclosure or com-*
16 *promise.*

17 (4) *Actions relating to reverse engineering or*
18 *replicating unidentified anomalous phenomena tech-*
19 *nology or performance based on analysis of materials*
20 *or sensor and observational information associated*
21 *with unidentified anomalous phenomena.*

22 (5) *The development of propulsion technology, or*
23 *aerospace craft that uses propulsion technology, sys-*
24 *tems, or subsystems, that is based on or derived from*
25 *or inspired by inspection, analysis, or reverse engi-*

1 *neering of recovered unidentified anomalous phe-*
2 *nomena craft or materials.*

3 (6) *Any aerospace craft that uses propulsion*
4 *technology other than chemical propellants, solar*
5 *power, or electric ion thrust.*

6 (d) *NOTIFICATION AND REPORTING.—Any person cur-*
7 *rently or formerly under contract with the Federal Govern-*
8 *ment that has in their possession material or information*
9 *provided by or derived from the Federal Government relat-*
10 *ing to unidentified anomalous phenomena that formerly or*
11 *currently is protected by any form of special access or re-*
12 *stricted access shall—*

13 (1) *not later than 60 days after the date of the*
14 *enactment of this Act, notify the Director of such pos-*
15 *session; and*

16 (2) *not later than 180 days after the date of the*
17 *enactment of this Act, make available to the Director*
18 *for assessment, analysis, and inspection—*

19 (A) *all such material and information; and*

20 (B) *a comprehensive list of all non-earth or-*
21 *igin or exotic unidentified anomalous phe-*
22 *nomena material.*

23 (e) *LIABILITY.—No criminal or civil action may lie*
24 *or be maintained in any Federal or State court against*
25 *any person for receiving material or information described*

1 *in subsection (d) if that person complies with the notifica-*
2 *tion and reporting provisions described in such subsection.*

3 *(f) LIMITATION REGARDING INDEPENDENT RESEARCH*
4 *AND DEVELOPMENT.—*

5 *(1) IN GENERAL.—Consistent with Department*
6 *of Defense Instruction Number 3204.01 (dated August*
7 *20, 2014, incorporating change 2, dated July 9, 2020;*
8 *relating to Department policy for oversight of inde-*
9 *pendent research and development), independent re-*
10 *search and development funding relating to material*
11 *or information described in subsection (c) shall not be*
12 *allowable as indirect expenses for purposes of con-*
13 *tracts covered by such instruction, unless such mate-*
14 *rial and information is made available to the Direc-*
15 *tor in accordance with subsection (d).*

16 *(2) EFFECTIVE DATE AND APPLICABILITY.—*
17 *Paragraph (1) shall take effect on the date that is 60*
18 *days after the date of the enactment of this Act and*
19 *shall apply with respect to funding from amounts ap-*
20 *propriated before, on, or after such date.*

21 *(g) NOTICE TO CONGRESS.—Not later than 30 days*
22 *after the date on which the Director has received a notifica-*
23 *tion under paragraph (1) of subsection (d) or information*
24 *or material under paragraph (2) of such subsection, the Di-*
25 *rector shall provide written notification of such receipt to*

1 *the appropriate committees of Congress, the Committee on*
2 *Homeland Security and Governmental Affairs of the Sen-*
3 *ate, the Committee on Oversight and Accountability of the*
4 *House of Representatives, and congressional leadership.*

Attest:

Secretary.

118TH CONGRESS
1ST SESSION

H.R. 2670

AMENDMENT