

SEPTEMBER 7, 2021

RULES COMMITTEE PRINT 117-13
TEXT OF H.R. 4350, NATIONAL DEFENSE
AUTHORIZATION ACT FOR FISCAL YEAR 2022

**[Showing the text of H.R. 4350, as ordered reported by the
Committee on Armed Services]**

1 **SECTION 1. SHORT TITLE.**

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

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

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

8 (1) Division A—Department of Defense Au-
9 thORIZATIONS.

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

12 (3) Division C—Department of Energy Na-
13 tional Security Authorizations and Other Authoriza-
14 tions.

15 (4) Division D—Funding Tables.

16 (5) Division E—Non-Department of Defense
17 Matters.

1 (b) TABLE OF CONTENTS.—The table of contents for
2 this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Organization of Act into divisions; table of contents.
- Sec. 3. Congressional defense committees.

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- Sec. 101. Authorization of appropriations.

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- Sec. 112. Multiyear procurement authority for UH-60M and HH-60M Black Hawk helicopters.
- Sec. 113. Continuation of Soldier Enhancement Program.
- Sec. 114. Strategy for the procurement of accessories for the next generation squad weapon.

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- Sec. 122. Inclusion of basic and functional design in assessments required prior to start of construction on first ship of a shipbuilding program.
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- Sec. 124. Incorporation of advanced degaussing systems into DDG-51 class destroyers.

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- Sec. 132. Limitation on availability of funds for the B-52 Commercial Engine Replacement Program.
- Sec. 133. Inventory requirements and limitations relating to certain air refueling tanker aircraft.
- Sec. 134. Minimum inventory of tactical airlift aircraft and limitation on modification of Air National Guard tactical airlift flying missions.
- Sec. 135. Procurement authority for certain parts of the ground-based strategic deterrent cryptographic device.

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- Sec. 141. Implementation of affordability, operational, and sustainment cost constraints for the F-35 aircraft program.
- Sec. 142. Limitation on availability of funds for aircraft systems for the armed overwatch program.
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- Sec. 212. Modification of mechanisms for expedited access to technical talent and expertise at academic institutions to support Department of Defense missions.
- Sec. 213. Modification of mechanisms for expedited access to technical talent and expertise at academic institutions.
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- Sec. 220. Identification of the hypersonics facilities and capabilities of the Major Range and Test Facility Base.
- Sec. 221. Requirement to maintain access to category 3 subterranean training facility.
- Sec. 222. Prohibition on reduction of naval aviation testing and evaluation capacity.
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- Sec. 315. Maintenance of current analytical tools for evaluation of energy resilience measures.
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- Sec. 1071. Technical, conforming, and clerical amendments.
- Sec. 1072. Assistant Secretary of Defense for Indo-Pacific Security Affairs.
- Sec. 1073. Improvement of transparency and congressional oversight of civil reserve air fleet.
- Sec. 1074. Enhancements to national mobilization exercises.
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- Sec. 1076. Responsibilities for national mobilization; personnel requirements.
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- Sec. 1079. Defense Resource Budgeting and Allocation Commission.
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- Sec. 1081. Technology pilot program to support ballot transmission for absent uniformed services and overseas votes.
- Sec. 1082. Recognition of the Memorial, Memorial Garden, and K9 Memorial of the National Navy UDT-SEAL Museum in Fort Pierce, Florida, as the official national memorial, memorial garden, and K9 memorial, respectively, of Navy SEALs and their predecessors.
- Sec. 1083. Sense of Congress on the legacy, contributions, and sacrifices of American Indian and Alaska Natives in the Armed Forces.
- Sec. 1084. Name of Naval Medical Center Camp Lejeune.
- Sec. 1085. Sense of Congress regarding naming a warship the USS Fallujah.
- Sec. 1086. Name of Air Force Utah test and training range.
- Sec. 1087. Name of Air Force Utah Test and Training Range Consolidated Mission Control Center.
- Sec. 1088. Sense of Congress regarding crisis at the Southwest border.
- Sec. 1089. Improvements and clarifications relating to unauthorized use of computers of Department of Defense.

TITLE XI—CIVILIAN PERSONNEL MATTERS

- Sec. 1101. One-year extension of authority to waive annual limitation on premium pay and aggregate limitation on pay for Federal civilian employees working overseas.
- Sec. 1102. One-year extension of temporary authority to grant allowances, benefits, and gratuities to civilian personnel on official duty in a combat zone.
- Sec. 1103. DARPA personnel management authority to attract science and engineering experts.
- Sec. 1104. Civilian personnel management.
- Sec. 1105. Comptroller General review of Naval Audit Service operations.
- Sec. 1106. Implementation of GAO recommendations on tracking, response, and training for civilian employees of the Department of Defense regarding sexual harassment and assault.
- Sec. 1107. Guidelines for reductions in civilian positions.
- Sec. 1108. Repeal of 2-year probationary period.
- Sec. 1109. Amendment to diversity and inclusion reporting.
- Sec. 1110. Including active duty in the armed forces in meeting service requirement for Federal employee family and medical leave.
- Sec. 1111. Treatment of hours worked under a qualified trade-of-time arrangement.
- Sec. 1112. Modification of temporary authority to appoint retired members of the armed forces to positions in the Department of Defense.
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- Sec. 1114. Limiting the number of local wage areas defined within a pay locality.

TITLE XII—MATTERS RELATING TO FOREIGN NATIONS

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- Sec. 1201. Extension of support of special operations for irregular warfare.

Subtitle B—Matters Relating to Afghanistan and Pakistan

- Sec. 1211. Clarification of certain matters regarding protection of Afghan allies.
- Sec. 1212. Afghanistan Security Forces Fund.
- Sec. 1213. Prohibition on providing funds or material resources of the Department of Defense to the Taliban.
- Sec. 1214. Prohibition on transporting currency to the Taliban and the Islamic Emirate of Afghanistan.
- Sec. 1215. Extension and modification of authority for reimbursement of certain coalition nations for support provided to United States military operations.
- Sec. 1216. Quarterly briefings on the security environment in Afghanistan and United States military operations related to the security of, and threats emanating from, Afghanistan.
- Sec. 1217. Quarterly report on the threat potential of Al-Qaeda and related terrorist groups under a Taliban regime in Afghanistan.
- Sec. 1218. Sense of Congress.

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

- Sec. 1221. Extension and modification of authority to provide assistance to vetted Syrian groups and individuals.
- Sec. 1222. Extension and modification of authority to support operations and activities of the Office of Security Cooperation in Iraq.

- Sec. 1223. Extension and modification of authority to provide assistance to counter the Islamic State of Iraq and Syria.
- Sec. 1224. Prohibition of transfers to Badr organization.
- Sec. 1225. Prohibition on transfers to Iran.
- Sec. 1226. Report on Iran-China military ties.
- Sec. 1227. Report on Iranian military capabilities.
- Sec. 1228. Report on Iranian terrorist proxies.

Subtitle D—Matters Relating to Russia

- Sec. 1231. Extension of limitation on military cooperation between the United States and Russia.
- Sec. 1232. Prohibition on availability of funds relating to sovereignty of Russia over Crimea.
- Sec. 1233. Modification and extension of Ukraine Security Assistance Initiative.
- Sec. 1234. Report on options for assisting the Government of Ukraine in addressing integrated air and missile defense gaps.
- Sec. 1235. Biennial report on Russian influence operations and campaigns targeting military alliances and partnerships of which the United States is a member.
- Sec. 1236. Sense of Congress on Georgia.

Subtitle E—Matters Relating to the Indo-Pacific Region

- Sec. 1241. Sense of Congress on a free and open Indo-Pacific region.
- Sec. 1242. Clarification of required budget information related to the Indo-Pacific.
- Sec. 1243. Report on cooperation between the National Guard and Taiwan.
- Sec. 1244. Report on military and security developments involving the People's Republic of China.
- Sec. 1245. Biennial report on influence operations and campaigns of the Government of the People's Republic of China targeting military alliances and partnerships of which the United States is a member.
- Sec. 1246. Report on efforts by the People's Republic of China to expand its presence and influence in Latin America and the Caribbean.
- Sec. 1247. Sense of Congress on Taiwan defense relations.
- Sec. 1248. Sense of Congress on inviting Taiwan to the Rim of the Pacific exercise.
- Sec. 1249. Sense of Congress on enhancing defense and security cooperation with Singapore.
- Sec. 1250. Sense of Congress.
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- Sec. 1252. Statement of policy.

TITLE XIII—OTHER MATTERS RELATING TO FOREIGN NATIONS

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- Sec. 1301. Report on the state of United States military investment in Europe including the European Deterrence Initiative.
- Sec. 1302. Sense of Congress on United States defense posture in Europe.
- Sec. 1303. Sense of Congress on security assistance to the Baltic countries.

Subtitle B—Security Cooperation and Assistance

- Sec. 1311. Extension of authority for certain payments to redress injury and loss.
- Sec. 1312. Foreign Area Officer assessment and review.
- Sec. 1313. Women, peace, and security act implementation at military service academies.

Subtitle C—Other Matters

- Sec. 1321. Extension of authority for Department of Defense support for stabilization activities in national security interest of the United States.
- Sec. 1322. Notification relating to overseas humanitarian, disaster, and civic aid funds obligated in support of Operation Allies Refuge.
- Sec. 1323. Limitation on use of funds for the 2022 Olympic and Paralympic Winter games in China.
- Sec. 1324. Report on hostilities involving United States Armed Forces.

TITLE XIV—OTHER AUTHORIZATIONS

Subtitle A—Military Programs

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

Subtitle B—Other Matters

- Sec. 1411. Acquisition of strategic and critical materials from the national technology and industrial base.
- Sec. 1412. Authority for transfer of funds to joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund for Captain James A. Lovell Health Care Center, Illinois.
- Sec. 1413. Authorization of appropriations for Armed Forces Retirement Home.

TITLE XV—CYBERSPACE-RELATED MATTERS

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- Sec. 1501. Cyber threat information collaboration environment.
- Sec. 1502. Enterprise-wide procurement of commercial cyber threat information products.

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- Sec. 1511. Legacy information technologies and systems accountability.
- Sec. 1512. Update relating to responsibilities of Chief Information Officer.
- Sec. 1513. Protective Domain Name System within the Department of Defense.

Subtitle C—Cyber Weapons

- Sec. 1521. Notification requirements regarding cyber weapons.
- Sec. 1522. Cybersecurity of weapon systems.

Subtitle D—Other Cyber Matters

- Sec. 1531. Feasibility study regarding establishment within the Department of Defense a designated central program office, headed by a senior Department official, responsible for overseeing all academic engagement programs focusing on creating cyber talent across the Department.
- Sec. 1532. Prohibition on Chief Information Officer of the Department of Defense serving as Principal Cyber Advisor of the Department.

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

Subtitle A—Space Activities

- Sec. 1601. Improvements to tactically responsive space launch program.
- Sec. 1602. National security space launch program.
- Sec. 1603. Classification review of programs of the Space Force.
- Sec. 1604. Report on Range of the Future initiative of the Space Force.
- Sec. 1605. Norms of behavior for international rules-based order in space.
- Sec. 1606. Programs of record of Space Force and commercial capabilities.
- Sec. 1607. Clarification of domestic services and capabilities in leveraging commercial satellite remote sensing.
- Sec. 1608. National Security Council briefing on potential harmful interference to Global Positioning System.

Subtitle B—Defense Intelligence and Intelligence-Related Activities

- Sec. 1611. Notification of certain threats to United States Armed Forces by foreign governments.
- Sec. 1612. Strategy and plan to implement certain defense intelligence reforms.
- Sec. 1613. Authority of Under Secretary of Defense for Intelligence and Security to engage in fundraising for certain nonprofit organizations.
- Sec. 1614. Executive agent for explosive ordnance intelligence.
- Sec. 1615. Inclusion of explosive ordnance intelligence in Defense Intelligence Agency activities.

Subtitle C—Nuclear Forces

- Sec. 1621. Exercises of nuclear command, control, and communications system.
- Sec. 1622. Independent review of nuclear command, control, and communications system.
- Sec. 1623. Review of safety, security, and reliability of nuclear weapons and related systems.
- Sec. 1624. Review of engineering and manufacturing development contract for ground-based strategic deterrent program.
- Sec. 1625. Long-range standoff weapon.
- Sec. 1626. Prohibition on reduction of the intercontinental ballistic missiles of the United States.
- Sec. 1627. Limitation on availability of certain funds until submission of information relating to proposed budget for nuclear-armed sea-launched cruise missile.
- Sec. 1628. Limitation on availability of certain funds until submission of information relating to nuclear-armed sea-launched cruise missile.
- Sec. 1629. Annual certification on readiness of Minuteman III intercontinental ballistic missiles.
- Sec. 1630. Cost estimate to re-alert long-range bombers.
- Sec. 1631. Notification regarding intercontinental ballistic missiles of China.

- Sec. 1632. Information regarding review of Minuteman III service life extension program.
- Sec. 1633. Sense of Congress regarding nuclear posture review.

Subtitle D—Missile Defense Programs

- Sec. 1641. Directed energy programs for ballistic and hypersonic missile defense.
- Sec. 1642. Notification of changes to non-standard acquisition and requirements processes and responsibilities of Missile Defense Agency.
- Sec. 1643. Missile defense radar in Hawaii.
- Sec. 1644. Guam integrated air and missile defense system.
- Sec. 1645. Limitation on availability of funds until receipt of certain report on Guam.
- Sec. 1646. Repeal of transition of ballistic missile defense programs to military departments .
- Sec. 1647. Certification required for Russia and China to tour certain missile defense sites.
- Sec. 1648. Sense of Congress on next generation interceptor program.

Subtitle E—Other Matters

- Sec. 1651. Cooperative threat reduction funds.
- Sec. 1652. Establishment of office to address unidentified aerial phenomena.
- Sec. 1653. Matters regarding Integrated Deterrence Review.
- Sec. 1654. Sense of Congress on indemnification and the conventional prompt global strike weapon system.

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

- Sec. 1701. Technical, conforming, and clerical amendments related to the transfer and reorganization of defense acquisition statutes.
- Sec. 1702. Conforming cross reference technical amendments related to the transfer and reorganization of defense acquisition statutes.

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

- Sec. 2001. Short title.
- Sec. 2002. Expiration of authorizations and amounts required to be specified by law.
- Sec. 2003. Effective date.

TITLE XXI—ARMY MILITARY CONSTRUCTION

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

TITLE XXII—NAVY MILITARY CONSTRUCTION

- Sec. 2201. Authorized Navy construction and land acquisition projects.

- Sec. 2202. Family housing.
Sec. 2203. Authorization of appropriations, Navy.

TITLE XXIII—AIR FORCE MILITARY CONSTRUCTION

- Sec. 2301. Authorized Air Force construction and land acquisition projects.
Sec. 2302. Family housing.
Sec. 2303. Authorization of appropriations, Air Force.
Sec. 2304. Extension of authority to carry out certain fiscal year 2017 projects.
Sec. 2305. Modification of authority to carry out military construction projects at Tyndall Air Force Base, Florida.

TITLE XXIV—DEFENSE AGENCIES MILITARY CONSTRUCTION

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

TITLE XXV—INTERNATIONAL PROGRAMS

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

Subtitle B—Host Country In-Kind Contributions

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

TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

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

TITLE XXVII—BASE REALIGNMENT AND CLOSURE ACTIVITIES

- Sec. 2701. Authorization of appropriations for base realignment and closure activities funded through Department of Defense Base Closure Account.
Sec. 2702. Conditions on closure of Pueblo Chemical Depot and Chemical Agent-Destruction Pilot Plant, Colorado.

TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS

Subtitle A—Military Construction Program Changes

- Sec. 2801. Special construction authority to use operation and maintenance funds to meet certain United States military-related construction needs in friendly foreign countries.
- Sec. 2802. Increase in maximum amount authorized for use of unspecified minor military construction project authority.
- Sec. 2803. Increased transparency and public availability of information regarding solicitation and award of subcontracts under military construction contracts.
- Sec. 2804. Public availability of information on Facilities Sustainment, Restoration, and Modernization projects and activities.
- Sec. 2805. Limitations on authorized cost and scope of work variations.
- Sec. 2806. Use of qualified apprentices by military construction contractors.
- Sec. 2807. Modification and extension of temporary, limited authority to use operation and maintenance funds for construction projects in certain areas outside the United States.

Subtitle B—Continuation of Military Housing Reforms

- Sec. 2811. Applicability of window fall prevention requirements to all military family housing whether privatized or Government-owned and Government-controlled.
- Sec. 2812. Modification of military housing to accommodate tenants with disabilities.
- Sec. 2813. Required investments in improving military unaccompanied housing.
- Sec. 2814. Improvement of Department of Defense child development centers and increased availability of child care for children of military personnel.

Subtitle C—Real Property and Facilities Administration

- Sec. 2821. Secretary of the Navy authority to support development and operation of National Museum of the United States Navy.
- Sec. 2822. Expansion of Secretary of the Navy authority to lease and license United States Navy museum facilities to generate revenue to support museum administration and operations.
- Sec. 2823. Department of Defense monitoring of real property ownership and occupancy in vicinity of military installations to identify foreign adversary ownership or occupancy.

Subtitle D—Military Facilities Master Plan Requirements

- Sec. 2831. Cooperation with State and local governments in development of master plans for major military installations.
- Sec. 2832. Prompt completion of military installation resilience component of master plans for at-risk major military installations.
- Sec. 2833. Congressional oversight of master plans for Army ammunition plants guiding future infrastructure, facility, and production equipment improvements.

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

- Sec. 2841. Amendment of Unified Facilities Criteria to require inclusion of private nursing and lactation space in certain military construction projects.
- Sec. 2842. Additional Department of Defense activities to improve energy resiliency of military installations.

- Sec. 2843. Consideration of anticipated increased share of electric vehicles in Department of Defense vehicle fleet and owned by members of the Armed Forces and Department employees.
- Sec. 2844. Conditions on revision of Unified Facilities Criteria or Unified Facilities Guide Specifications regarding use of variable refrigerant flow systems.

Subtitle F—Land Conveyances

- Sec. 2851. Modification of restrictions on use of former Navy property conveyed to University of California, San Diego, California.
- Sec. 2852. Land conveyance, Joint Base Cape Cod, Bourne, Massachusetts.
- Sec. 2853. Land conveyance, Rosecrans Air National Guard Base, Saint Joseph, Missouri.
- Sec. 2854. Land conveyance, Naval Air Station Oceana, Virginia Beach, Virginia.

Subtitle G—Authorized Pilot Programs

- Sec. 2861. Pilot program on increased use of mass timber in military construction.
- Sec. 2862. Pilot program on increased use of sustainable building materials in military construction.
- Sec. 2863. Pilot program on establishment of account for reimbursement for use of testing facilities at installations of the Department of the Air Force.
- Sec. 2864. Pilot program to expedite 5G telecommunications on military installations through deployment of telecommunications infrastructure.

Subtitle H—Asia-Pacific and Indo-Pacific Issues

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

Subtitle I—Miscellaneous Studies and Reports

- Sec. 2881. Identification of organic industrial base gaps and vulnerabilities related to climate change and defensive cybersecurity capabilities.

Subtitle J—Other Matters

- Sec. 2891. Clarification of installation and maintenance requirements regarding fire extinguishers in Department of Defense facilities.

TITLE XXIX—ADDITIONAL MILITARY CONSTRUCTION PROJECTS RELATED TO SCIENCE, TECHNOLOGY, TEST, AND EVALUATION

- Sec. 2901. Authorized Army construction and land acquisition projects.
- Sec. 2902. Authorized Navy construction and land acquisition projects.
- Sec. 2903. Authorized Air Force construction and land acquisition projects.
- Sec. 2904. Authorization of appropriations.

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

TITLE XXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

Subtitle A—National Security Programs and Authorizations

- Sec. 3101. National Nuclear Security Administration.
- Sec. 3102. Defense environmental cleanup.
- Sec. 3103. Other defense activities.
- Sec. 3104. Nuclear energy.

Subtitle B—Program Authorizations, Restrictions, Limitations, and Other Matters

- Sec. 3111. Improvements to annual reports on condition of the United States nuclear weapons stockpile.
- Sec. 3112. Modifications to certain reporting requirements.
- Sec. 3113. Plutonium pit production capacity.
- Sec. 3114. Report on Runit Dome and related hazards.
- Sec. 3115. University-based nuclear nonproliferation collaboration program.
- Sec. 3116. Prohibition on availability of funds to reconvert or retire W76–2 warheads.

TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD

- Sec. 3201. Authorization.
- Sec. 3202. Technical amendments regarding Chair and Vice Chair of Defense Nuclear Facilities Safety Board.

TITLE XXXIV—NAVAL PETROLEUM RESERVES

- Sec. 3401. Authorization of appropriations.

TITLE XXXV—MARITIME MATTERS

Subtitle A—Maritime Administration

- Sec. 3501. Authorization of the Maritime Administration.
- Sec. 3502. Maritime Administration.

Subtitle B—Other Matters

- Sec. 3511. Effective period for issuance of documentation for recreational vessels.
- Sec. 3512. America’s marine highway program.
- Sec. 3513. Committees on maritime matters.
- Sec. 3514. Port Infrastructure Development Program.
- Sec. 3515. Uses of emerging marine technologies and practices.
- Sec. 3516. Prohibition on participation of long term charters in Tanker Security Fleet.
- Sec. 3517. Coastwise endorsement.
- Sec. 3518. Report on efforts of combatant commands to combat threats posed by illegal, unreported, and unregulated fishing.
- Sec. 3519. Coast Guard yard improvement.
- Sec. 3520. Authorization to purchase duplicate medals.

DIVISION D—FUNDING TABLES

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

TITLE XLI—PROCUREMENT

- Sec. 4101. Procurement.

TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND
EVALUATION

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

TITLE XLIII—OPERATION AND MAINTENANCE

Sec. 4301. Operation and maintenance.

TITLE XLIV—MILITARY PERSONNEL

Sec. 4401. Military personnel.

TITLE XLV—OTHER AUTHORIZATIONS

Sec. 4501. Other authorizations.

TITLE XLVI—MILITARY CONSTRUCTION

Sec. 4601. Military construction.

TITLE XLVII—DEPARTMENT OF ENERGY NATIONAL SECURITY
PROGRAMS

Sec. 4701. Department of Energy national security programs.

DIVISION E—NON-DEPARTMENT OF DEFENSE MATTERS

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

Sec. 5001. Short title.

Sec. 5002. Clarifying amendments to definitions.

Sec. 5003. Barry Goldwater Scholarship and Excellence in Education Awards.

Sec. 5004. Stipends.

Sec. 5005. Scholarship and research internship conditions.

Sec. 5006. Sustainable investments of funds.

Sec. 5007. Administrative provisions.

TITLE LI—FINANCIAL SERVICES MATTERS

Sec. 5101. Enhanced protection against debt collector harassment of
servicemembers.

Sec. 5102. Comptroller General study on enhanced protection against debt col-
lector harassment of servicemembers.

Sec. 5103. Support to enhance the capacity of International Monetary Fund
members to evaluate the legal and financial terms of sovereign
debt contracts.

Sec. 5104. Adverse information in cases of trafficking.

Sec. 5105. United States policy regarding international financial institution as-
sistance with respect to advanced wireless technologies.

TITLE LII—RECOMMENDATIONS OF THE NATIONAL SECURITY
COMMISSION ON ARTIFICIAL INTELLIGENCE

Sec. 5201. Modification of National Defense Science and Technology Strategy.

Sec. 5202. Department of Defense plan to compete in the global information
environment.

Sec. 5203. Resourcing plan for digital ecosystem.

- Sec. 5204. Digital Talent recruiting officer.
- Sec. 5205. Occupational series for digital career fields.
- Sec. 5206. Artificial intelligence readiness goals.
- Sec. 5207. Pilot program to facilitate the agile acquisition of technologies for warfighters.
- Sec. 5208. Short course on emerging technologies for senior civilian leaders.

TITLE LIII—GREAT LAKES WINTER SHIPPING

- Sec. 5301. Great Lakes winter shipping.

TITLE LX—OTHER MATTERS

- Sec. 6001. FAA rating of civilian pilots of the Department of Defense.
- Sec. 6002. Property disposition for affordable housing.
- Sec. 6003. Requirement to establish a national network for microelectronics research and development.
- Sec. 6004. Definition of State for purposes of Omnibus Crime Control and Safe Streets Act of 1968.
- Sec. 6005. Advancing Mutual Interests and Growing Our Success.
- Sec. 6006. Department of Veterans Affairs Governors Challenge grant program.
- Sec. 6007. Foreign Corruption Accountability.
- Sec. 6008. Justice for Victims of Kleptocracy.
- Sec. 6009. Expansion of scope of Department of Veterans Affairs open burn pit registry to include open burn pits in Egypt and Syria.
- Sec. 6010. Extension of period of eligibility by reason of school closures due to emergency and other situations under Department of Veterans Affairs training and rehabilitation program for veterans with service-connected disabilities.
- Sec. 6011. Extension of time limitation for use of entitlement under Department of Veterans Affairs educational assistance programs by reason of school closures due to emergency and other situations.
- Sec. 6012. Exemption of certain Homeland Security fees for certain immediate relatives of an individual who received the Purple Heart.

1 **SEC. 3. CONGRESSIONAL DEFENSE COMMITTEES.**

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

1 **DIVISION A—DEPARTMENT OF**
2 **DEFENSE AUTHORIZATIONS**
3 **TITLE I—PROCUREMENT**
4 **Subtitle A—Authorization of**
5 **Appropriations**

6 **SEC. 101. AUTHORIZATION OF APPROPRIATIONS.**

7 Funds are hereby authorized to be appropriated for
8 fiscal year 2022 for procurement for the Army, the Navy
9 and the Marine Corps, the Air Force and the Space Force,
10 and Defense-wide activities, as specified in the funding
11 table in section 4101.

12 **Subtitle B—Army Programs**

13 **SEC. 111. MULTIYEAR PROCUREMENT AUTHORITY FOR AH-**
14 **64E APACHE HELICOPTERS.**

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

21 (b) **CONDITION FOR OUT-YEAR CONTRACT PAY-**
22 **MENTS.—**A contract entered into under subsection (a)
23 shall provide that any obligation of the United States to
24 make a payment under the contract for a fiscal year after

1 fiscal year 2022 is subject to the availability of appropria-
2 tions for that purpose for such later fiscal year.

3 **SEC. 112. MULTIYEAR PROCUREMENT AUTHORITY FOR UH-**
4 **60M AND HH-60M BLACK HAWK HELI-**
5 **COPTERS.**

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

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

18 **SEC. 113. CONTINUATION OF SOLDIER ENHANCEMENT PRO-**
19 **GRAM.**

20 (a) REQUIREMENT TO CONTINUE PROGRAM.—The
21 Secretary of the Army, acting through the Assistant Sec-
22 retary of the Army for Acquisition, Logistics, and Tech-
23 nology in accordance with subsection (b), shall continue
24 to carry out the Soldier Enhancement Program estab-
25 lished pursuant to section 203 of the National Defense

1 Authorization Act for Fiscal Years 1990 and 1991 (Public
2 Law 101–189; 103 Stat. 1394).

3 (b) RESPONSIBLE OFFICIAL.—The Secretary of the
4 Army shall designate the Assistant Secretary of the Army
5 for Acquisition, Logistics, and Technology as the official
6 in the Department of the Army with principal responsi-
7 bility for the management of the Soldier Enhancement
8 Program under subsection (a).

9 (c) DUTIES.—The duties of the Soldier Enhancement
10 Program shall include the identification, research, develop-
11 ment, test, and evaluation of commercially available off-
12 the-shelf items (as defined in section 104 of title 41,
13 United States Code) and software applications to accel-
14 erate the efforts of the Army to integrate, modernize, and
15 enhance weapons and equipment for use by Army soldiers,
16 including—

17 (1) lighter, more lethal weapons; and

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

1 **SEC. 114. STRATEGY FOR THE PROCUREMENT OF ACCES-**
2 **SORIES FOR THE NEXT GENERATION SQUAD**
3 **WEAPON.**

4 (a) STRATEGY REQUIRED.—The Secretary of the
5 Army shall develop and implement a strategy to identify,
6 test, qualify, and procure, on a competitive basis, acces-
7 sories for the next generation squad weapon of the Army,
8 including magazines and other components that could af-
9 fect the performance of such weapon.

10 (b) MARKET SURVEY AND QUALIFICATION ACTIVI-
11 TIES.—

12 (1) INITIAL MARKET SURVEY.—Not later than
13 one year after a decision is made to enter into full-
14 rate production for the next generation squad weap-
15 on, the Secretary of the Army shall conduct a mar-
16 ket survey to identify accessories for such weapon,
17 including magazines and other components, that
18 could affect the weapon's performance.

19 (2) QUALIFICATION ACTIVITIES.—After com-
20 pleting the market survey under paragraph (1), the
21 Secretary of the Army may compete, select, procure,
22 and conduct tests of such components to qualify
23 such components for purchase and use. A decision to
24 qualify such components shall be based on estab-
25 lished technical standards for operational safety and
26 weapon effectiveness.

1 (c) INFORMATION TO CONGRESS.—Not later than
2 180 days after the date of the enactment of this Act, the
3 Secretary of the Army shall provide to the congressional
4 defense committees a briefing or a report on—

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

7 (2) the results of the market survey and quali-
8 fication activities under subsection (b).

9 **Subtitle C—Navy Programs**

10 **SEC. 121. EXTENSION OF PROCUREMENT AUTHORITY FOR** 11 **CERTAIN AMPHIBIOUS SHIPBUILDING PRO-** 12 **GRAMS.**

13 Section 124(a)(1) of the William M. (Mac) Thorn-
14 berry National Defense Authorization Act for Fiscal Year
15 2021 (Public Law 116–283) is amended by striking “fis-
16 cal year 2021” and inserting “fiscal years 2021 and
17 2022”.

18 **SEC. 122. INCLUSION OF BASIC AND FUNCTIONAL DESIGN** 19 **IN ASSESSMENTS REQUIRED PRIOR TO** 20 **START OF CONSTRUCTION ON FIRST SHIP OF** 21 **A SHIPBUILDING PROGRAM.**

22 Section 124 of the National Defense Authorization
23 Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat.
24 28; 10 U.S.C. 8661 note) is amended—

25 (1) in subsection (a)—

1 (A) in the matter preceding paragraph (1),
2 by striking “Concurrent with approving the
3 start of construction of the first ship for any
4 major shipbuilding program, the Secretary of
5 the Navy shall” and inserting “The Secretary
6 of the Navy may not enter into a contract for
7 the construction of the first ship for any major
8 shipbuilding program until a period of 30 days
9 has elapsed following the date on which the
10 Secretary”;

11 (B) in paragraph (1)—

12 (i) by striking “submit” and inserting
13 “submits”; and

14 (ii) by striking “and” at the end;

15 (C) in paragraph (2)—

16 (i) by striking “certify” and inserting
17 “certifies”; and

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

20 (D) by adding at the end the following new
21 paragraph:

22 “(3) certifies to the congressional defense com-
23 mittees that the basic and functional design of the
24 vessel is complete.”; and

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

3 “(5) **BASIC AND FUNCTIONAL DESIGN.**—The
4 term ‘basic and functional design’, when used with
5 respect to a vessel, means design through computer-
6 aided models, that—

7 “(A) fixes the hull structure of the vessel;

8 “(B) sets the hydrodynamics of the vessel;

9 “(C) routes all major distributive systems
10 of the vessel, including electricity, water, and
11 other utilities; and

12 “(D) identifies the exact positioning of pip-
13 ing and other outfitting within each block of the
14 vessel.”.

15 **SEC. 123. MULTIYEAR PROCUREMENT AUTHORITY FOR**
16 **ARLEIGH BURKE CLASS DESTROYERS.**

17 (a) **AUTHORITY FOR MULTIYEAR PROCUREMENT.**—
18 Subject to section 2306b of title 10, United States Code,
19 the Secretary of the Navy may enter into one or more
20 multiyear contracts for the procurement of up to 15
21 Arleigh Burke class Flight III guided missile destroyers.

22 (b) **AUTHORITY FOR ADVANCE PROCUREMENT.**—The
23 Secretary of the Navy may enter into one or more con-
24 tracts, beginning in fiscal year 2023, for advance procure-
25 ment associated with the destroyers for which authoriza-

1 tion to enter into a multiyear procurement contract is pro-
2 vided under subsection (a), and for systems and sub-
3 systems associated with such destroyers in economic order
4 quantities when cost savings are achievable.

5 (c) **CONDITION FOR OUT-YEAR CONTRACT PAY-**
6 **MENTS.**—A contract entered into under subsection (a)
7 shall provide that any obligation of the United States to
8 make a payment under the contract for a fiscal year after
9 fiscal year 2023 is subject to the availability of appropria-
10 tions or funds for that purpose for such later fiscal year.

11 (d) **LIMITATION.**—The Secretary of the Navy may
12 not modify a contract entered into under subsection (a)
13 if the modification would increase the target price of the
14 destroyer by more than 10 percent above the target price
15 specified in the original contract awarded for the destroyer
16 under subsection (a).

17 **SEC. 124. INCORPORATION OF ADVANCED DEGAUSSING**
18 **SYSTEMS INTO DDG-51 CLASS DESTROYERS.**

19 (a) **IN GENERAL.**—The Secretary of the Navy shall
20 ensure that an advanced degaussing system is incor-
21 porated into any DDG-51 class destroyer procured pursu-
22 ant to a covered contract.

23 (b) **COVERED CONTRACT DEFINED.**—In this section,
24 the term “covered contract” means a multiyear contract
25 for the procurement of a DDG-51 destroyer that is en-

1 tered into by the Secretary of the Navy on or after the
2 date of the enactment of this Act.

3 **Subtitle D—Air Force Programs**

4 **SEC. 131. CONTRACT FOR LOGISTICS SUPPORT FOR VC-25B**

5 **AIRCRAFT.**

6 Section 143 of the John S. McCain National Defense
7 Authorization Act for Fiscal Year 2019 (Public Law 115–
8 232; 132 Stat. 1668) is amended—

9 (1) in paragraph (1), by striking “, unless oth-
10 erwise approved in accordance with established pro-
11 cedures”; and

12 (2) in paragraph (2), by inserting “such” be-
13 fore “logistics support contract”.

14 **SEC. 132. LIMITATION ON AVAILABILITY OF FUNDS FOR**

15 **THE B-52 COMMERCIAL ENGINE REPLACE-** 16 **MENT PROGRAM.**

17 (a) LIMITATION.—None of the funds authorized to
18 be appropriated by this Act or otherwise made available
19 for fiscal year 2022 for the research and development, de-
20 sign, procurement, or advanced procurement of materials
21 for the B-52 Commercial Engine Replacement Program
22 may be obligated or expended until the date on which the
23 Secretary of Defense submits to the congressional defense
24 committees the report described in section 2432 of title
25 10, United States Code, for the most recently concluded

1 fiscal quarter for the B-52 Commercial Engine Replace-
2 ment Program in accordance with subsection (b)(1).

3 (b) ADDITIONAL REQUIREMENTS.—

4 (1) TREATMENT OF BASELINE ESTIMATE.—The
5 Secretary of Defense shall deem the Baseline Esti-
6 mate for the B-52 Commercial Engine Replacement
7 Program for fiscal year 2018 as the original Base-
8 line Estimate for the Program.

9 (2) UNIT COST REPORTS AND CRITICAL COST
10 GROWTH.—

11 (A) Subject to subparagraph (B), the Sec-
12 retary shall carry out sections 2433 and 2433a
13 of title 10, United States Code, with respect to
14 the B-52 Commercial Engine Replacement Pro-
15 gram, as if the Department had submitted a
16 Selected Acquisition Report for the Program
17 that included the Baseline Estimate for the
18 Program for fiscal year 2018 as the original
19 Baseline Estimate, except that the Secretary
20 shall not carry out subparagraph (B) or sub-
21 paragraph (C) of section 2433a(c)(1) of such
22 title with respect to the Program.

23 (B) In carrying out the review required by
24 section 2433a of such title, the Secretary shall
25 not enter into a transaction under section 2371

1 or 2371b of such title, exercise an option under
2 such a transaction, or otherwise extend such a
3 transaction with respect to the B-52 Commer-
4 cial Engine Replacement Program except to the
5 extent determined necessary by the milestone
6 decision authority, on a non-delegable basis, to
7 ensure that the program can be restructured as
8 intended by the Secretary without unnecessarily
9 wasting resources.

10 (c) DEFINITIONS.—In this section:

11 (1) The term “Baseline Estimate” has the
12 meaning given the term in section 2433(a)(2) of title
13 10, United States Code.

14 (2) The term “milestone decision authority”
15 has the meaning given the term in section
16 2366b(g)(3) of title 10, United States Code.

17 (3) The term “original Baseline Estimate” has
18 the meaning given the term in section 2435(d)(1) of
19 title 10, United States Code.

20 (4) The term “Selected Acquisition Report”
21 means a Selected Acquisition Report submitted to
22 Congress under section 2432 of title 10, United
23 States Code.

1 **SEC. 133. INVENTORY REQUIREMENTS AND LIMITATIONS**
2 **RELATING TO CERTAIN AIR REFUELING**
3 **TANKER AIRCRAFT.**

4 (a) **MINIMUM INVENTORY REQUIREMENTS FOR KC-**
5 **10A AIRCRAFT.—**

6 (1) **FISCAL YEAR 2022.—**During the period be-
7 ginning on October 1, 2021, and ending on October
8 1, 2022, the Secretary of the Air Force shall, except
9 as provided in paragraph (3), maintain a minimum
10 of 36 KC-10A aircraft designated as primary mis-
11 sion aircraft inventory.

12 (2) **FISCAL YEAR 2023.—**During the period be-
13 ginning on October 1, 2022, and ending on October
14 1, 2023, the Secretary of the Air Force shall, except
15 as provided in paragraph (3), maintain a minimum
16 of 24 KC-10A aircraft designated as primary mis-
17 sion aircraft inventory.

18 (3) **EXCEPTION.—**The requirements of para-
19 graphs (1) and (2) shall not apply to individual KC-
20 10A aircraft that the Secretary of the Air Force de-
21 termines, on a case-by-case basis, to be no longer
22 mission capable because of mishaps, other damage,
23 or being uneconomical to repair.

24 (b) **LIMITATION ON RETIREMENT OF KC-135 AIR-**
25 **CRAFT.—**

1 (1) LIMITATION.—Except as provided in para-
2 graph (2), the Secretary of the Air Force may not
3 retire more than 18 KC–135 aircraft during the pe-
4 riod beginning on the date of the enactment of this
5 Act and ending on October 1, 2023.

6 (2) EXCEPTION.—The limitation in paragraph
7 (1) shall not apply to individual KC–135 aircraft
8 that the Secretary of the Air Force determines, on
9 a case-by-case basis, to be no longer mission capable
10 because of mishaps, other damage, or being uneco-
11 nomical to repair.

12 (c) PROHIBITION ON REDUCTION OF KC–135 AIR-
13 CRAFT IN PMAI OF THE RESERVE COMPONENTS.—None
14 of the funds authorized to be appropriated by this Act or
15 otherwise made available for fiscal year 2022 for the Air
16 Force may be obligated or expended to reduce the number
17 of KC–135 aircraft designated as primary mission aircraft
18 inventory within the reserve components of the Air Force.

19 (d) PRIMARY MISSION AIRCRAFT INVENTORY DE-
20 FINED.—In this section, the term “primary mission air-
21 craft inventory” has the meaning given that term in sec-
22 tion 9062(i)(2)(B) of title 10, United States Code.

1 **SEC. 134. MINIMUM INVENTORY OF TACTICAL AIRLIFT AIR-**
2 **CRAFT AND LIMITATION ON MODIFICATION**
3 **OF AIR NATIONAL GUARD TACTICAL AIRLIFT**
4 **FLYING MISSIONS.**

5 (a) MINIMUM INVENTORY REQUIREMENT.—During
6 the period beginning on October 1, 2021, and ending on
7 October 1, 2026, the Secretary of the Air Force shall
8 maintain a total inventory of tactical airlift aircraft of not
9 less than 279 aircraft.

10 (b) EXCEPTION.—The Secretary of the Air Force
11 may reduce the number of tactical airlift aircraft in the
12 Air Force below the minimum number specified in sub-
13 section (a) if the Secretary determines, on a case-by-case
14 basis, that an aircraft is no longer mission capable because
15 of a mishap or other damage.

16 (c) LIMITATION ON MODIFICATION OF AIR NA-
17 TIONAL GUARD TACTICAL AIRLIFT FLYING MISSIONS.—
18 The Secretary of the Air Force may not modify the flying
19 mission of a tactical airlift unit of the Air National Guard
20 unless—

21 (1) the Secretary and the Governor of the State
22 concerned agree, in writing, to such modification;
23 and

24 (2) the Secretary submits to the congressional
25 defense committees a copy of such agreement to-

1 gether with an explanation of the reasons for such
2 modification.

3 **SEC. 135. PROCUREMENT AUTHORITY FOR CERTAIN PARTS**
4 **OF THE GROUND-BASED STRATEGIC DETER-**
5 **RENT CRYPTOGRAPHIC DEVICE.**

6 (a) IN GENERAL.—The Secretary of the Air Force
7 may enter into contracts for the life-of-type procurement
8 of covered parts supporting the KS-75 cryptographic de-
9 vice under the Ground Based Strategic Deterrent pro-
10 gram.

11 (b) COVERED PARTS DEFINED.—In this section the
12 term “covered parts” means commercially available off-
13 the-shelf items as defined in section 104 of title 41, United
14 States Code.

15 (c) AVAILABILITY OF FUNDS.—Notwithstanding sec-
16 tion 1502(a) of title 31, United States Code, of the
17 amount authorized to be appropriated for fiscal year 2022
18 by section 101 and available for missile procurement, Air
19 Force, as specified in the corresponding funding table in
20 section 4101, \$10,900,000 shall be available for the pro-
21 curement of covered parts pursuant to contracts entered
22 into under subsection (a).

1 **Subtitle E—Defense-wide, Joint,**
2 **and Multiservice Matters**

3 **SEC. 141. IMPLEMENTATION OF AFFORDABILITY, OPER-**
4 **ATIONAL, AND SUSTAINMENT COST CON-**
5 **STRAINTS FOR THE F-35 AIRCRAFT PRO-**
6 **GRAM.**

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

8 (1) LIMITATION.—Beginning on October 1,
9 2028, the total number of F-35A aircraft that the
10 Secretary of the Air Force may maintain in the air-
11 craft inventory of the Air Force may not exceed the
12 lesser of—

13 (A) 1,763; or

14 (B) the number obtained by—

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

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

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

24 (A) 4,100,000, divided by

1 (B) a number equal to the average cost-
2 per-tail-per-year of the F-35A aircraft of the
3 Air Force during fiscal year 2027 (as deter-
4 mined by the Secretary of the Air Force in ac-
5 cordance with subsection (e)).

6 (b) F-35B QUANTITY LIMIT FOR THE MARINE
7 CORPS.—

8 (1) LIMITATION.—Beginning on October 1,
9 2028, the total number of F-35B aircraft that the
10 Secretary of the Navy may maintain in the aircraft
11 inventory of the Marine Corps may not exceed the
12 lesser of—

13 (A) 353; or

14 (B) the number obtained by—

15 (i) multiplying 353 by the cost-per-tail
16 factor determined under paragraph (2);
17 and

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

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

24 (A) 6,800,000, divided by

1 (B) a number equal to the average cost-
2 per-tail-per-year of the F-35B aircraft of the
3 Marine Corps during fiscal year 2027 (as deter-
4 mined by the Secretary of the Navy in accord-
5 ance with subsection (e)).

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

7 (1) LIMITATION.—Beginning on October 1,
8 2028, the total number of F-35C aircraft that the
9 Secretary of the Navy may maintain in the aircraft
10 inventory of the Navy may not exceed the lesser of—

11 (A) 273; or

12 (B) the number obtained by—

13 (i) multiplying 273 by the cost-per-tail
14 factor determined under paragraph (2);
15 and

16 (ii) rounding the product of the cal-
17 culation under clause (i) to the nearest
18 whole number.

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

22 (A) 7,500,000, divided by

23 (B) a number equal to the average cost-
24 per-tail-per-year of the F-35C aircraft of the
25 Navy during fiscal year 2027 (as determined by

1 the Secretary of the Navy in accordance with
2 subsection (e)).

3 (d) F-35C QUANTITY LIMIT FOR THE MARINE
4 CORPS.—

5 (1) LIMITATION.—Beginning on October 1,
6 2028, the total number of F-35C aircraft that the
7 Secretary of the Navy may maintain in the aircraft
8 inventory of the Marine Corps may not exceed the
9 lesser of—

10 (A) 67; or

11 (B) the number obtained by—

12 (i) multiplying 67 by the cost-per-tail
13 factor determined under paragraph (2);
14 and

15 (ii) rounding the product of the cal-
16 culation under clause (i) to the nearest
17 whole number.

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

21 (A) 6,800,000, divided by

22 (B) a number equal to the average cost-
23 per-tail-per-year of the F-35C aircraft of the
24 Marine Corps during fiscal year 2027 (as deter-

1 mined by the Secretary of the Navy in accord-
2 ance with subsection (e)).

3 (e) DETERMINATION OF COST-PER-TAIL-PER-YEAR
4 FOR FISCAL YEAR 2027.—

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

7 (A) the Secretary of the Air Force shall
8 determine the average cost-per-tail of the F-
9 35A aircraft of the Air Force during fiscal year
10 2027; and

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

13 (i) the F-35B aircraft of the Marine
14 Corps during such fiscal year;

15 (ii) the F-35C aircraft of the Navy
16 during such fiscal year; and

17 (iii) the F-35C aircraft of the Marine
18 Corps during such fiscal year.

19 (2) CALCULATION.—For purposes of paragraph
20 (1), the average cost-per-tail of a variant of an F-
21 35 aircraft of an Armed Force shall be determined
22 by—

23 (A) adding the total amount expended for
24 fiscal year 2027 (in base year fiscal 2012 dol-

1 lars) for all such aircraft in the inventory of the
2 Armed Force for—

3 (i) unit level manpower;

4 (ii) unit operations;

5 (iii) maintenance;

6 (iv) sustaining support;

7 (v) continuing system support; and

8 (vi) modifications; and

9 (B) dividing the sum obtained under sub-
10 paragraph (A) by the average number of such
11 aircraft in the inventory of the Armed Force
12 during such fiscal year.

13 (f) WAIVER AUTHORITY.—The Secretary of Defense
14 may waive the quantity limits under any of subsections
15 (a) through (d) if, prior to issuing such a waiver, the Sec-
16 retary certifies to the congressional defense committees
17 that procuring additional quantities of a variant of an F-
18 35 aircraft above the applicable quantity limit are required
19 to meet the national military strategy requirements of the
20 combatant commanders. The authority of the Secretary
21 under this subsection may not be delegated.

22 (g) AIRCRAFT DEFINED.—In this section, the term
23 “aircraft” means aircraft owned and operated by an
24 Armed Force of the United States and does not include

1 aircraft owned or operated by an armed force of a foreign
2 country.

3 **SEC. 142. LIMITATION ON AVAILABILITY OF FUNDS FOR**
4 **AIRCRAFT SYSTEMS FOR THE ARMED**
5 **OVERWATCH PROGRAM.**

6 (a) LIMITATION.—Of the funds authorized to be ap-
7 propriated by this Act or otherwise made available for fis-
8 cal year 2022 for the Department of Defense for the pro-
9 curement of aircraft systems for the armed overwatch pro-
10 gram of the United States Special Operations Command,
11 not more than 50 percent may be obligated or expended
12 until the date on which the documentation described in
13 subsection (b) is submitted to the congressional defense
14 committees.

15 (b) DOCUMENTATION DESCRIBED.—The documenta-
16 tion described in this subsection is the airborne intel-
17 ligence, surveillance, and reconnaissance acquisition road-
18 map for the United States Special Operations Command
19 required to be submitted to the congressional defense com-
20 mittees under section 165 of the William M. (Mac) Thorn-
21 berry National Defense Authorization Act for Fiscal Year
22 2021 (Public Law 116–283).

23 (c) REQUIREMENT TO MAINTAIN CAPABILITIES.—
24 Until such time as the Secretary of Defense identifies a
25 suitable replacement for the U–28 aircraft, the Secretary

1 shall maintain the U–28 aircraft platform to provide nec-
2 essary capabilities to sustain operations to meet the oper-
3 ational intelligence, surveillance, and reconnaissance re-
4 quirements of combatant commanders.

5 **SEC. 143. MAJOR WEAPON SYSTEMS CAPABILITY ASSESS-**
6 **MENT PROCESS AND PROCEDURE REVIEW**
7 **AND REPORT.**

8 (a) REVIEW.—The Secretary of Defense shall review,
9 and modify as appropriate, the processes of the Depart-
10 ment for the management of strategic risk with respect
11 to capabilities of major weapon systems, including the
12 processes for—

13 (1) ensuring the suitability of major weapon
14 systems to address current and emerging military
15 threats; and

16 (2) identifying for upgrade or replacement any
17 fielded major weapon system that is not capable of
18 effectively meeting operational requirements.

19 (b) REPORT.—Not later than one year after the date
20 of the enactment of this section, the Secretary of Defense
21 shall submit to the congressional defense committees and
22 the Comptroller General of the United States a report con-
23 taining the following:

1 (1) A comprehensive description of the current
2 policies and processes of the Department of Defense
3 for—

4 (A) assessing the effectiveness, and the
5 costs, of fielded major weapon systems in ad-
6 dressing the current, mid-term, and long-term
7 threats identified in the contingency plans of
8 the combatant commands;

9 (B) assessing tradeoffs, including in terms
10 of resources, funding, time, capabilities, and
11 programmatic and operational risk, between de-
12 veloping a new major weapon system compared
13 to—

14 (i) continued use of a fielded major
15 weapon system; and

16 (ii) replacing a fielded major weapon
17 system;

18 (C) developing strategies for the continued
19 use or replacement of fielded major weapon sys-
20 tems that ensure that the capabilities of major
21 weapon systems are viable and resilient against
22 evolving threats; and

23 (D) developing and implementing plans for
24 the replacement and divestment of fielded major

1 weapon systems that manage the related stra-
2 tegic risk.

3 (2) The key factors considered by the Secretary
4 of Defense when applying the policies and processes
5 described in paragraph (1).

6 (3) An assessment of the extent to which the
7 policies and processes described in paragraph (1) en-
8 able the Secretary of Defense to—

9 (A) evaluate, at regular intervals, whether
10 a major weapon system—

11 (i) meets operational requirements;

12 and

13 (ii) is capable of addressing emerging
14 and evolving threats identified in the Na-
15 tional Defense Strategy;

16 (B) efficiently and effectively determine if
17 a fielded major weapon system should continue
18 to be used or replaced and divested and—

19 (i) with respect to a fielded major
20 weapon system that should continue to be
21 used, how long such use should continue;
22 and

23 (ii) with respect to a fielded major
24 weapon system that should be replaced and
25 divested—

1 (I) how long such replacement
2 will take;

3 (II) the period over which such
4 divestment should occur; and

5 (III) the expected improvements
6 in the effectiveness of the replacement
7 major weapon system to meet oper-
8 ational requirements;

9 (C) effectively implement the determina-
10 tions described in subparagraph (B); and

11 (D) manage strategic risk relative to the
12 effectiveness of major weapon systems meeting
13 operational requirements.

14 (4) An identification of the fielded major weap-
15 on systems with respect to which the Secretary of
16 Defense completed replacement or divestment during
17 the period beginning on January 1, 2010, and end-
18 ing on the date on which the report is submitted
19 under this subsection.

20 (5) An assessment of the processes involved in
21 the decisions of the Secretary of Defense to replace
22 and divest the fielded major weapon systems identi-
23 fied under paragraph (4), including an assessment
24 of the effectiveness in meeting operational require-

1 ments and the timeliness of those processes involved
2 in making replacement decisions.

3 (6) An identification of any fielded major weap-
4 on systems with respect to which, as of the date on
5 which the report is submitted under this subsection,
6 the Secretary of Defense plans to complete replace-
7 ment or divestment not later than December 31,
8 2035.

9 (7) An analysis of the plans of the Secretary of
10 Defense with respect to replacing or divesting the
11 fielded major weapon systems identified under para-
12 graph (6), including—

13 (A) the rationale supporting such replace-
14 ment or divestment plans;

15 (B) any anticipated challenges to carrying
16 out the replacement or divestments; and

17 (C) a description of how the Secretary of
18 Defense will manage at an appropriate level the
19 strategic risk relative to the availability and ef-
20 fectiveness of the fielded major weapons sys-
21 tems to be divested, including a description of
22 any risk mitigation plans.

23 (8) An identification of the major weapon sys-
24 tem upgrade efforts and the research, development,

1 and acquisition programs to replace fielded major
2 weapon systems that the Secretary of Defense—

3 (A) began after December 31, 2009; or

4 (B) as of the date on which the report is
5 submitted under this subsection, plans to begin
6 not later than December 31, 2035.

7 (9) An assessment of how the replacement
8 major weapon systems from the programs identified
9 under paragraph (8) will meet current and future
10 operational requirements in the National Defense
11 Strategy.

12 (c) COMPTROLLER GENERAL BRIEFING AND RE-
13 PORT.—

14 (1) ASSESSMENTS.—The Comptroller General
15 of the United States shall conduct a preliminary as-
16 sessment and a detailed assessment of the report re-
17 quired under subsection (b).

18 (2) BRIEFING.—Not later than 180 days after
19 the date on which the Secretary of Defense submits
20 to the Comptroller General the report required
21 under subsection (b), the Comptroller General shall
22 brief the congressional defense committees on the
23 preliminary assessment of such report required
24 under paragraph (1).

1 (3) REPORT.—The Comptroller General shall
2 submit to the congressional defense committees a re-
3 port on the findings of the detailed assessment re-
4 quired under paragraph (1).

5 (d) DEFINITIONS.—In this section:

6 (1) The term “National Defense Strategy”
7 means the strategy required under section 113(g) of
8 title 10, United States Code.

9 (2) The term “major weapon system” has the
10 meaning given such term under section 2379(f) of
11 title 10, United States Code.

12 (3) The term “strategic risk” means a risk aris-
13 ing from updating or replacing a major weapon sys-
14 tem, or the decision to not update or replace a major
15 weapon system.

16 **SEC. 144. REPORTS ON EXERCISE OF WAIVER AUTHORITY**
17 **WITH RESPECT TO CERTAIN AIRCRAFT EJEC-**
18 **TION SEATS.**

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

1 (1) the number of aircrew ejection seats in-
2 stalled in the aircraft used, or expected to be used,
3 at such location;

4 (2) of the ejection seats identified under para-
5 graph (1), the number that have been, or are ex-
6 pected to be, placed in service subject to a waiver
7 due to—

8 (A) deferred maintenance; or

9 (B) the inability to obtain parts to make
10 repairs or to fulfill time-compliance technical
11 orders; and

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

14 (A) the date on which the waiver was
15 issued; and

16 (B) the name and title of the official who
17 authorized the waiver.

18 **TITLE II—RESEARCH, DEVELOP-**
19 **MENT, TEST, AND EVALUA-**
20 **TION**

21 **Subtitle A—Authorization of**
22 **Appropriations**

23 **SEC. 201. AUTHORIZATION OF APPROPRIATIONS.**

24 Funds are hereby authorized to be appropriated for
25 fiscal year 2022 for the use of the Department of Defense

1 for research, development, test, and evaluation, as speci-
2 fied in the funding table in section 4201.

3 **Subtitle B—Program Require-**
4 **ments, Restrictions, and Limita-**
5 **tions**

6 **SEC. 211. DUTIES AND REGIONAL ACTIVITIES OF THE DE-**
7 **FENSE INNOVATION UNIT.**

8 (a) DUTIES OF DIU JOINT RESERVE DETACH-
9 MENT.—Clause (ii) of section 2358b(c)(2)(B) of title 10,
10 United States Code, is amended to read as follows:

11 “(ii) the technology requirements of
12 the Department of Defense, as identified
13 in the most recent—

14 “(I) National Defense Strategy;

15 “(II) National Defense Science
16 and Technology Strategy as directed
17 under section 218 of the John S.
18 McCain National Defense Authoriza-
19 tion Act for Fiscal Year 2019 (Public
20 Law 115–232; 132 Stat. 1679); and

21 “(III) policy and guidance from
22 the Under Secretary of Defense for
23 Research and Engineering and the
24 Under Secretary of Defense for Acqui-
25 sition and Sustainment; and”.

1 (b) REGIONAL ACTIVITIES.—Subject to the avail-
2 ability of appropriations for such purpose, the Secretary
3 of Defense may expand the efforts of the Defense Innova-
4 tion Unit to engage and collaborate with private-sector in-
5 dustry and communities in various regions of the United
6 States—

7 (1) to accelerate the adoption of commercially
8 developed advanced technology in the areas of manu-
9 facturing, space, energy, materials, autonomy, and
10 such other key technology areas as may be identified
11 by the Secretary; and

12 (2) to expand outreach to communities that do
13 not otherwise have a Defense Innovation Unit pres-
14 ence, including economically disadvantaged commu-
15 nities.

16 **SEC. 212. MODIFICATION OF MECHANISMS FOR EXPEDITED**
17 **ACCESS TO TECHNICAL TALENT AND EXPER-**
18 **TISE AT ACADEMIC INSTITUTIONS TO SUP-**
19 **PORT DEPARTMENT OF DEFENSE MISSIONS.**

20 Section 217 of the National Defense Authorization
21 Act for Fiscal Year 2018 (Public Law 115–91; 10 U.S.C.
22 2358 note) is amended—

23 (1) by amending subsection (c) to read as fol-
24 lows:

1 “(c) CONSULTATION WITH OTHER ORGANIZA-
2 TIONS.—For the purposes of providing technical expertise
3 and reducing costs and duplicative efforts, the Secretary
4 of Defense and the Secretaries of the military departments
5 shall work to ensure and support the sharing of informa-
6 tion on the research and consulting that is being carried
7 out across the Federal Government in Department-wide
8 shared information systems including the Defense Tech-
9 nical Information Center.”;

10 (2) in subsection (e)—

11 (A) by redesignating paragraph (31) as
12 paragraph (33); and

13 (B) by inserting after paragraph (30) the
14 following new paragraphs:

15 “(31) Nuclear science, security, and non-
16 proliferation.

17 “(32) Chemical, biological, radiological, and nu-
18 clear defense.”; and

19 (3) in subsection (g), by striking “2026” and
20 inserting “2028”.

21 **SEC. 213. MODIFICATION OF MECHANISMS FOR EXPEDITED**
22 **ACCESS TO TECHNICAL TALENT AND EXPER-**
23 **TISE AT ACADEMIC INSTITUTIONS.**

24 Section 217(e) of the National Defense Authorization
25 Act for Fiscal Year 2018 (Public Law 115–91; 10 U.S.C.

1 2358 note), as amended by section 212 of this title, is
2 further amended—

3 (1) by redesignating paragraph (33) as para-
4 graph (34); and

5 (2) by inserting after paragraph (32) the fol-
6 lowing new paragraph:

7 “(33) Spectrum activities.”.

8 **SEC. 214. MINORITY INSTITUTE FOR DEFENSE RESEARCH.**

9 (a) **PLAN TO ESTABLISH MINORITY INSTITUTE FOR**
10 **DEFENSE RESEARCH.—**

11 (1) **IN GENERAL.—**Not later than 1 year after
12 the date of the enactment of this section, the Sec-
13 retary shall submit to the congressional defense com-
14 mittees a plan (in this section referred to as the
15 “Plan”) for the establishment of the Minority Insti-
16 tute for Defense Research (in this section referred to
17 as the “Consortium”).

18 (2) **ELEMENTS.—**The Plan shall include the fol-
19 lowing:

20 (A) Information relating to the projected
21 needs of the Department for the next twenty
22 years with respect to essential engineering, re-
23 search, or development capability.

1 (B) An assessment relating to the engi-
2 neering, research, and development capability of
3 each minority institution.

4 (C) Information relating to the advance-
5 ments and investments necessary to elevate a
6 minority institution or a consortium of minority
7 institutions to the research capacity of a Uni-
8 versity Affiliated Research Center.

9 (D) Recommendations relating to actions
10 that may be taken by the Department, Con-
11 gress, and minority institutions to establish the
12 Consortium within 10 years.

13 (3) PUBLICLY AVAILABLE.—The Plan shall be
14 posted on a publicly available website of the Depart-
15 ment.

16 (b) NAMING OF THE CONSORTIUM.—With respect to
17 the naming of the Consortium, the Secretary shall—

18 (1) establish a process to solicit and review pro-
19 posals of names from—

20 (A) minority institutions;

21 (B) nonprofit institutions that advocate on
22 behalf of minority institutions; and

23 (C) members of the public;

24 (2) develop a list of all names received pursuant
25 to paragraph (1);

1 (3) provide opportunity for public comment on
2 the names included on such list; and

3 (4) choose a name from such list to name the
4 Consortium.

5 (c) GRANT PROGRAM FOR MINORITY INSTITU-
6 TIONS.—

7 (1) IN GENERAL.—The Secretary may establish
8 a program to award grants, on a competitive basis,
9 to minority institutions for the purposes described in
10 paragraph (2).

11 (2) PURPOSES.—The purposes described in this
12 paragraph are the following:

13 (A) Establishing a legal entity for the pur-
14 pose of entering into research contracts or
15 agreements with the Federal Government or the
16 Consortium.

17 (B) Developing the capability to bid on
18 Federal Government or Consortium contracts.

19 (C) Requesting technical assistance from
20 the Federal Government or a private entity with
21 respect to contracting with the Federal Govern-
22 ment or the Consortium.

23 (D) Recruiting and retaining research fac-
24 ulty.

1 (E) Advancing research capabilities relat-
2 ing to the national security of the United
3 States.

4 (F) Any other matter determined appro-
5 priate by the Secretary.

6 (3) APPLICATION.—To be eligible to receive a
7 grant under this section, a minority institution shall
8 submit to the Secretary an application in such form,
9 and containing such information, as the Secretary
10 may require.

11 (4) PREFERENCE.—In awarding grants pursu-
12 ant to paragraph (1), the Secretary may give pref-
13 erence to a minority institution with a R1 or R2 sta-
14 tus on the Carnegie Classification of Institutions of
15 Higher Education.

16 (d) SUBCONTRACTING REQUIREMENTS FOR MINOR-
17 ITY INSTITUTIONS.—

18 (1) IN GENERAL.—Section 2304 of title 10,
19 United States Code, is amended by adding at the
20 end the following new subsection:

21 “(m)(1) The head of an agency shall require that a
22 contract awarded to Department of Defense Federally
23 Funded Research and Development Center or University
24 Affiliated Research Center includes a requirement to es-
25 tablish a partnership to develop the capacity of minority

1 institutions to address the research and development
2 needs of the Department. Such partnerships shall be
3 through a subcontract with one or more minority institu-
4 tions for a total amount of not less than 5 percent of the
5 amount awarded in the contract.

6 “(2) For the purposes of this subsection, a minority
7 institution means—

8 “(A) a part B institution (as such term is de-
9 fined in section 322(2) of the Higher Education Act
10 of 1965 (20 U.S.C. 1061(2))); or

11 “(B) any other institution of higher education
12 (as such term is defined in section 101 of such Act
13 (20 U.S.C. 1001)) at which not less than 50 percent
14 of the total student enrollment consists of students
15 from ethnic groups that are underrepresented in the
16 fields of science and engineering.”.

17 (2) EFFECTIVE DATE.—The amendments made
18 by paragraph (1) shall—

19 (A) take effect on October 1, 2026; and

20 (B) apply with respect to funds that are
21 awarded by the Department of Defense on or
22 after such date.

23 (e) DEFINITIONS.—In this section:

24 (1) The term “Department” means the Depart-
25 ment of Defense.

1 (2) The term “institution of higher education”
2 has the meaning given such term in section 101 of
3 the Higher Education Act of 1965 (20 U.S.C.
4 1001).

5 (3) The term “minority institution” means—

6 (A) a part B institution (as such term is
7 defined in section 322(2) of the Higher Edu-
8 cation Act of 1965 (20 U.S.C. 1061(2))); or

9 (B) any institution of higher education at
10 which not less than 50 percent of the total stu-
11 dent enrollment consists of students from ethnic
12 groups that are underrepresented in the fields
13 of science and engineering.

14 (4) The term “Secretary” means the Secretary
15 of Defense.

16 (5) The term “University Affiliated Research
17 Center” means a research organization within an in-
18 stitution of higher education that—

19 (A) provides or maintains Department es-
20 sential engineering, research, or development
21 capabilities; and

22 (B) receives sole source contract funding
23 from the Department pursuant to section
24 2304(c)(3)(B) of title 10, United States Code.

1 **SEC. 215. TEST PROGRAM FOR ENGINEERING PLANT OF**
2 **DDG(X) DESTROYER VESSELS.**

3 (a) TEST PROGRAM REQUIRED.—During the detailed
4 design period and prior to the construction start date of
5 the lead ship in the DDG(X) destroyer class of vessels,
6 the Secretary of the Navy shall commence a land-based
7 test program for the engineering plant of such class of
8 vessels.

9 (b) ADMINISTRATION.—The test program required by
10 subsection (a) shall be administered by the Senior Tech-
11 nical Authority for the DDG(X) destroyer class of vessels.

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

- 15 (1) Main reduction gear.
- 16 (2) Electrical propulsion motors.
- 17 (3) Other propulsion drive train components.
- 18 (4) Main propulsion system.
- 19 (5) Auxiliary propulsion unit.
- 20 (6) Electrical generation and distribution sys-
21 tems.
- 22 (7) Shipboard control systems.
- 23 (8) Power control modules.

24 (d) TEST OBJECTIVES.—The test program required
25 by subsection (a) shall include, at a minimum, the fol-
26 lowing test objectives demonstrated across the full range

1 of engineering plant operations for the DDG(X) destroyer
2 class of vessels:

3 (1) Test of the full propulsion drive train.

4 (2) Test and facilitation of machinery control
5 systems integration.

6 (3) Simulation of the full range of electrical de-
7 mands to enable the investigation of load dynamics
8 between the hull, mechanical and electrical equip-
9 ment, the combat system, and auxiliary equipment.

10 (e) COMPLETION DATE.—The Secretary of the Navy
11 shall complete the test program required by subsection (a)
12 by not later than the delivery date of the lead ship in the
13 DDG(X) destroyer class of vessels.

14 (f) DEFINITIONS.—In this section:

15 (1) DELIVERY DATE.—The term “delivery
16 date” has the meaning given that term in section
17 8671 of title 10, United States Code.

18 (2) SENIOR TECHNICAL AUTHORITY.—The term
19 “Senior Technical Authority” means the official des-
20 ignated as the Senior Technical Authority for the
21 DDG(X) destroyer class of vessels pursuant to sec-
22 tion 8669b of title 10, United States Code.

23 **SEC. 216. CONSORTIUM TO STUDY IRREGULAR WARFARE.**

24 (a) ESTABLISHMENT.—The Secretary of Defense,
25 acting through the Under Secretary of Defense for Re-

1 search and Engineering, shall establish a research consor-
2 tium of institutions of higher education to study irregular
3 warfare and the responses to irregular threats.

4 (b) PURPOSES.—The purposes of the consortium
5 under subsection (a) are as follows:

6 (1) To shape the formulation and application of
7 policy through the conduct of research and analysis
8 regarding irregular warfare.

9 (2) To maintain open-source databases on
10 issues relevant to understanding terrorism, irregular
11 threats, and social and environmental change.

12 (3) To serve as a repository for datasets re-
13 garding research on security, social change, and ir-
14 regular threats developed by institutions of higher
15 education that receive Federal funding.

16 (4) To support basic research in social science
17 on emerging threats and stability dynamics relevant
18 to irregular threat problem sets.

19 (5) To transition promising basic research—

20 (A) to higher stages of research and devel-
21 opment, and

22 (B) into operational capabilities, as appro-
23 priate, by supporting applied research and de-
24 veloping tools to counter irregular threats.

1 (6) To facilitate the collaboration of research
2 centers of excellence relating to irregular threats to
3 better distribute expertise to specific issues and sce-
4 narios regarding such threats.

5 (7) To enhance educational outreach and teach-
6 ing at professional military education schools to im-
7 prove—

8 (A) the understanding of irregular threats;
9 and

10 (B) the integration of data-based responses
11 to such threats.

12 (8) To support classified research when nec-
13 essary in appropriately controlled physical spaces.

14 (c) COORDINATION.—The Under Secretary of De-
15 fense for Research and Engineering shall coordinate ac-
16 tivities conducted under this section with the Commander
17 of the United States Special Operations Command.

18 (d) PARTNERSHIPS.—The Under Secretary of De-
19 fense for Research and Engineering shall encourage part-
20 nerships between the consortium and university-affiliated
21 research centers and other research institutions.

22 (e) INSTITUTION OF HIGHER EDUCATION DE-
23 FINED.—In this section, the term “institution of higher
24 education” has the meaning given that term in section 101
25 of the Higher Education Act of 1965 (20 U.S.C. 1001).

1 **SEC. 217. DEVELOPMENT AND IMPLEMENTATION OF DIG-**
2 **ITAL TECHNOLOGIES FOR SURVIVABILITY**
3 **AND LETHALITY TESTING.**

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

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

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

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

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

16 (A) IN GENERAL.—The Secretary, in co-
17 ordination with covered officials, shall develop—

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

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

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

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

8 (ii) Inform the development and re-
9 finement of digital technology to test and
10 improve covered systems.

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

14 (I) communications;

15 (II) firepower;

16 (III) mobility;

17 (IV) catastrophic survivability;

18 and

19 (V) lethality.

20 (C) DEMONSTRATION ACTIVITIES.—

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

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

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

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

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

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

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

20 (A) IN GENERAL.—The Secretary, in co-
21 ordination with covered officials, shall—

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

1 threats throughout the life cycle of such
2 system as threats evolve; and

3 (ii) establish guidance for such test-
4 ing.

5 (B) ELEMENTS.—In carrying out subpara-
6 graph (A), the Secretary shall determine the
7 following:

8 (i) When to deploy digital technologies
9 to provide timely and up-to-date insights
10 with respect to covered systems without
11 unduly delaying fielding of capabilities.

12 (ii) The situations in which it may be
13 necessary to develop and use digital tech-
14 nologies to assess legacy fleet
15 vulnerabilities.

16 (b) REPORTS AND BRIEFING.—

17 (1) ASSESSMENT AND SELECTION OF PRO-
18 GRAMS.—Not later than 180 days after the date of
19 the enactment of this Act, the Secretary shall submit
20 to the congressional defense committees a report
21 that identifies the programs selected to participate
22 in the demonstration activities under subsection
23 (a)(2)(C).

24 (2) MODERNIZATION AND DIGITIZATION RE-
25 PORT.—

1 (A) IN GENERAL.—Not later than March
2 15, 2023, the Director shall submit to the con-
3 gressional defense committees a report that in-
4 cludes—

5 (i) an assessment of the progress of
6 the Secretary in carrying out subsection
7 (a);

8 (ii) an assessment of each of the dem-
9 onstration activities carried out under sub-
10 section (a)(2)(C), including a comparison
11 of—

12 (I) the risks, benefits, and costs
13 of using digital technologies for live
14 fire testing and evaluation; and

15 (II) the risks, benefits, and costs
16 of traditional physical live fire testing
17 approaches that—

18 (aa) are not supported by
19 digital technologies;

20 (bb) do not include testing
21 against non-kinetic threats; and

22 (cc) do not include full spec-
23 trum survivability.

24 (iii) an explanation of—

1 (I) how real-world operational
2 and digital survivability and lethality
3 testing data will be used to inform
4 and enhance digital technology;

5 (II) the contribution of such data
6 to the digital modernization efforts re-
7 quired under section 836 of the Wil-
8 liam M. (Mac) Thornberry National
9 Defense Authorization Act for Fiscal
10 Year 2021 (Public Law 116–283);
11 and

12 (III) the contribution of such
13 data to the decision-support processes
14 for managing and overseeing acquisi-
15 tion programs of the Department;

16 (iv) an assessment of the ability of the
17 Department to perform full spectrum sur-
18 vivability and lethality testing of each cov-
19 ered system with respect to kinetic and
20 non-kinetic threats;

21 (v) an assessment of the processes im-
22 plemented by the Department to manage
23 digital technologies developed pursuant to
24 subsection (a); and

1 (vi) an assessment of the processes
2 implemented by the Department to develop
3 digital technology that can perform full
4 spectrum survivability and lethality testing
5 with respect to kinetic and non-kinetic
6 threats.

7 (B) BRIEFING.—Not later than April 14,
8 2023, the Director shall provide to the congress-
9 sional defense committees a briefing that identi-
10 fies any changes to existing law that may be
11 necessary to implement subsection (a).

12 (c) DEFINITIONS.—In this section:

13 (1) COVERED OFFICIALS.—The term “covered
14 officials” means—

15 (A) the Under Secretary of Defense for
16 Research and Engineering;

17 (B) the Under Secretary of Defense for
18 Acquisition and Sustainment;

19 (C) the Chief Information Officer;

20 (D) the Director;

21 (E) the Director of Cost Assessment and
22 Program Evaluation;

23 (F) the Service Acquisition Executives;

24 (G) the Service testing commands;

1 (H) the Director of the Defense Digital
2 Service; and

3 (I) representatives from—

4 (i) the Department of Defense Test
5 Resource Management Center;

6 (ii) the High Performance Computing
7 Modernization Program Office; and

8 (iii) the Joint Technical Coordination
9 Group for Munitions Effectiveness.

10 (2) COVERED SYSTEM.—The term “covered sys-
11 tem” means any warfighting capability that can de-
12 grade, disable, deceive, or destroy forces or missions.

13 (3) DEPARTMENT.—The term “Department”
14 means the Department of Defense.

15 (4) DIGITAL TECHNOLOGIES.—The term “dig-
16 ital technologies” includes digital models, digital
17 simulations, and digital twin capabilities that may be
18 used to test the survivability and lethality of a cov-
19 ered system.

20 (5) DIRECTOR.—The term “Director” means
21 the Director of Operational Test and Evaluation.

22 (6) FULL SPECTRUM SURVIVABILITY AND
23 LETHALITY TESTING.—The term “full spectrum sur-
24 vivability and lethality testing” means a series of as-
25 sessments of the effects of kinetic and non-kinetic

1 threats on the communications, firepower, mobility,
2 catastrophic survivability, and lethality of a covered
3 system.

4 (7) NON-KINETIC THREATS.—The term “non-
5 kinetic threats” means unconventional threats, in-
6 cluding—

7 (A) cyber attacks;

8 (B) electromagnetic spectrum operations;

9 (C) chemical, biological, radiological, nu-
10 clear effects and high yield explosives; and

11 (D) directed energy weapons.

12 (8) SECRETARY.—The term “Secretary” means
13 the Secretary of Defense.

14 **SEC. 218. PILOT PROGRAM ON THE USE OF INTER-**
15 **MEDIARIES TO CONNECT THE DEPARTMENT**
16 **OF DEFENSE WITH TECHNOLOGY PRO-**
17 **DUCERS.**

18 (a) IN GENERAL.—The Secretary of Defense shall
19 carry out a pilot program to foster the transition of the
20 science and technology programs, projects, and activities
21 of the Department of Defense from the research, develop-
22 ment, pilot, and prototyping phases to full-scale implemen-
23 tation. Under the pilot program, the Secretary shall seek
24 to enter into agreements with qualified intermediaries pur-
25 suant to which the intermediaries will—

1 (1) match technology producers with programs,
2 projects, and activities of the Department that may
3 have a use for the technology developed by such pro-
4 ducers; and

5 (2) provide technical assistance to such tech-
6 nology producers on participating in the procure-
7 ment programs and acquisition processes of the De-
8 partment.

9 (b) **ACTIVITIES.**—A qualified intermediary that en-
10 ters into an agreement with the Secretary of Defense
11 under subsection (a) shall, pursuant to such agreement—

12 (1) guide and advise technology producers on
13 participating in the procurement programs and ac-
14 quisition processes of the Department, including—

15 (A) planning, programing, budgeting, and
16 execution processes of the Department.

17 (B) requirements processes;

18 (C) the Federal Acquisition Regulation and
19 the Department of Defense Supplement to the
20 Federal Acquisition Regulation;

21 (D) other procurement programs and au-
22 thorities, including—

23 (i) the Small Business Innovation Re-
24 search Program and the Small Business
25 Technology Transfer Program, as defined

1 in section 9(e) of the Small Business Act
2 (15 U.S.C. 638(e));

3 (ii) other transaction authority under
4 sections 2371 and 2371b of title 10,
5 United States Code;

6 (iii) cooperative agreements;

7 (iv) prizes for advanced technology
8 achievements under section 2374a of title
9 10, United States Code; and

10 (v) grant programs; and

11 (E) new entrant barriers and challenges,
12 including—

13 (i) accessing secure computing and in-
14 formation technology infrastructure; and

15 (ii) securing clearances for personnel
16 and facilities; and

17 (2) match technology producers with programs,
18 projects, and activities of the Department that may
19 have a use for the technology developed by such pro-
20 ducers, including programs, projects, and activities
21 carried out by—

22 (A) program executive officers (as defined
23 in section 1737(a)(4)) of title 10, United States
24 Code);

25 (B) program management offices;

1 (C) combatant commands with a command
2 acquisition executive;

3 (D) Defense Agencies and Department of
4 Defense Field Activities (as such terms are de-
5 fined, respectively, in section 101 of title 10,
6 United States Code); and

7 (E) such other elements of the Department
8 as the Secretary considers appropriate.

9 (c) PRIORITY.—In carrying out the activities de-
10 scribed in subsection (b), a qualified intermediary shall
11 give priority to technology producers that are small busi-
12 ness concerns (as defined under section 3 of the Small
13 Business Act (15 U.S.C. 632)), research institutions (as
14 defined in section 9(e) of such Act), or institutions of high-
15 er education (as defined in section 101 of the Higher Edu-
16 cation Act of 1965 (20 U.S.C 1001)).

17 (d) TERMS OF AGREEMENTS.—

18 (1) IN GENERAL.—The terms of an agreement
19 under subsection (a) shall be determined by the Sec-
20 retary of Defense.

21 (2) METHODS OF SERVICE DELIVERY.—In en-
22 tering into agreements under subsection (a), the
23 Secretary may consider, on a case by case basis,
24 whether the needs of the Department of Defense
25 and technology producers would best be served by a

1 qualified intermediary that provides services in a
2 specific geographic region, serves a particular tech-
3 nology sector, or uses another method of service de-
4 livery.

5 (3) INCENTIVES.—The Secretary of Defense
6 may include terms in an agreement under subsection
7 (a) to incentivize a qualified intermediary to success-
8 fully facilitate the transition of science and tech-
9 nology from the research, development, pilot, and
10 prototyping phases to full-scale implementation with-
11 in the Department of Defense.

12 (4) LIMITATION ON USE OF FUNDS.—The Sec-
13 retary of Defense may not use any amounts required
14 to be expended under section 9(f)(1) of the Small
15 Business Act (15 U.S.C. 638(f)(1)) for any adminis-
16 trative costs incurred by a qualified intermediary as-
17 sociated with the pilot program under this section.

18 (e) PROTECTION OF PROPRIETARY INFORMATION.—
19 The Secretary of Defense shall implement policies and
20 procedures to protect the intellectual property and any
21 other proprietary information of technology producers that
22 participate in the pilot program under this section.

23 (f) DATA COLLECTION.—

24 (1) PLAN REQUIRED BEFORE IMPLEMENTA-
25 TION.—The Secretary of Defense may not enter into

1 an agreement under subsection (a) until the date on
2 which the Secretary—

3 (A) completes a plan to for carrying out
4 the data collection required under paragraph
5 (2); and

6 (B) submits the plan to the appropriate
7 congressional committees.

8 (2) DATA COLLECTION REQUIRED.—The Sec-
9 retary of Defense shall collect and analyze data on
10 the pilot program under this section for the purposes
11 of—

12 (A) developing and sharing best practices
13 for facilitating the transition of science and
14 technology from the research, development,
15 pilot, and prototyping phases to full-scale imple-
16 mentation within the Department of Defense;

17 (B) providing information to the leadership
18 of the Department on the implementation of the
19 pilot program and related policy issues; and

20 (C) providing information to the appro-
21 priate congressional committees as required
22 under subsection (g).

23 (g) BRIEFING.—Not later than December 31, 2022,
24 the Secretary of Defense shall provide to the appropriate
25 congressional committees a briefing on the progress of the

1 Secretary in implementing the pilot program under this
2 section and any related policy issues.

3 (h) CONSULTATION.—In carrying out the pilot pro-
4 gram under this section, the Secretary of Defense shall
5 consult with—

6 (1) service acquisition executives (as defined in
7 section 101 of title 10, United States Code);

8 (2) the heads of appropriate Defense Agencies
9 and Department of Defense Field Activities;

10 (3) procurement technical assistance centers (as
11 described in chapter 142 of title 10, United States
12 Code);

13 (4) the Administrator of Federal Procurement
14 Policy; and

15 (5) such other individuals and organizations as
16 the Secretary determines appropriate.

17 (i) TERMINATION.—The pilot program under this
18 section shall terminate on the date that is five years after
19 the date on which Secretary of Defense enters into the
20 first agreement with a qualified intermediary under sub-
21 section (a).

22 (j) COMPTROLLER GENERAL ASSESSMENT AND RE-
23 PORT.—

24 (1) ASSESSMENT.—The Comptroller General of
25 the United States shall conduct an assessment of the

1 pilot program under this section. The assessment
2 shall include an evaluation of the effectiveness of the
3 pilot program with respect to—

4 (A) facilitating the transition of science
5 and technology from the research, development,
6 pilot, and prototyping phases to full-scale imple-
7 mentation within the Department of Defense;
8 and

9 (B) protecting sensitive information shared
10 among the Department of Defense, qualified
11 intermediaries, and technology producers in the
12 course of the pilot program.

13 (2) REPORT.—Not later than the date specified
14 in paragraph (3), the Comptroller General shall sub-
15 mit to the appropriate congressional committees a
16 report on the results of the assessment conducted
17 under paragraph (1).

18 (3) DATE SPECIFIED.—The date specified in
19 this paragraph is the earlier of—

20 (A) four years after the date on which the
21 Secretary of Defense enters into the first agree-
22 ment with a qualified intermediary under sub-
23 section (a): or

24 (B) five years after the date of the enact-
25 ment of this Act.

1 (k) DEFINITIONS.—In this section:

2 (1) The term “appropriate congressional com-
3 mittees” means—

4 (A) the congressional defense committees;

5 (B) the Committee on Homeland Security
6 and Governmental Affairs of the Senate; and

7 (C) the Committee on Oversight and Re-
8 form of the House of Representatives.

9 (2) The term “qualified intermediary” means a
10 nonprofit, for-profit, or State or local government
11 entity that assists, counsels, advises, evaluates, or
12 otherwise cooperates with technology producers that
13 need or can make demonstrably productive use of
14 the services provided by the intermediary pursuant
15 to the pilot program under this section.

16 (3) The term “technology producer” means an
17 individual or entity engaged in the research, develop-
18 ment, production, or distribution of science or tech-
19 nology that the Secretary of Defense determines
20 may be of use to the Department of Defense.

21 **SEC. 219. ASSESSMENT AND CORRECTION OF DEFICI-
22 CIENCIES IN THE F-35 AIRCRAFT PILOT
23 BREATHING SYSTEM.**

24 (a) TESTING AND EVALUATION REQUIRED.—Begin-
25 ning not later than 120 days after the date of the enact-

1 ment of this Act, the Secretary of Defense, in consultation
2 with the Administrator of the National Aeronautics and
3 Space Administration, shall commence operational testing
4 and evaluation of the F-35 aircraft pilot breathing system
5 (in this section referred to as the “breathing system”)
6 to—

7 (1) determine whether the breathing system
8 complies with Military Standard 3050 (MIL-STD-
9 3050), titled “Aircraft Crew Breathing Systems
10 Using On-Board Oxygen Generating System
11 (OBOGS)”; and

12 (2) assess the safety and effectiveness of the
13 breathing system for all pilots of F-35 aircraft.

14 (b) REQUIREMENTS.—The following shall apply to
15 the testing and evaluation conducted under subsection (a):

16 (1) The pilot, aircraft systems, and operational
17 flight environment of the F-35 aircraft shall not be
18 assessed in isolation but shall be tested and evalu-
19 ated as integrated parts of the breathing system.

20 (2) The testing and evaluation shall be con-
21 ducted under a broad range of operating conditions,
22 including variable weather conditions, low-altitude
23 flight, high-altitude flight, during weapons employ-
24 ment, at critical phases of flight such as take-off

1 and landing, and in other challenging environments
2 and operating flight conditions.

3 (3) The testing and evaluation shall assess
4 operational flight environments for the pilot that
5 replicate expected conditions and durations for high
6 gravitational force loading, rapid changes in altitude,
7 rapid changes in airspeed, and varying degrees of
8 moderate gravitational force loading.

9 (4) A diverse group of F-35 pilots shall partici-
10 pate in the testing and evaluation, including—

11 (A) pilots who are test-qualified and pilots
12 who are not test-qualified

13 (B) pilots who vary in gender, physical
14 conditioning, height, weight, and age, and any
15 other attributes that the Secretary determines
16 to be appropriate.

17 (5) The F-35A, F-35B, and F-35C aircraft in-
18 volved in the testing and evaluation shall perform
19 operations with operationally representative and re-
20 alistic aircraft configurations.

21 (6) The testing and evaluation shall include as-
22 sessments of pilot life support gear and relevant
23 equipment, including the pilot breathing mask appa-
24 ratus.

1 (7) The testing and evaluation shall include
2 testing data from pilot reports, measurements of
3 breathing pressures and air delivery response timing
4 and flow, cabin pressure, air-speed, acceleration,
5 measurements of hysteresis during all phases of
6 flight, measurements of differential pressure between
7 mask and cabin altitude, and measurements of
8 spirometry and specific oxygen saturation levels of
9 the pilot immediately before and immediately after
10 each flight.

11 (8) The analysis of the safety and effectiveness
12 of the breathing system shall thoroughly assess any
13 physiological effects reported by pilots, including ef-
14 fects on health, fatigue, cognition, and perception of
15 any breathing difficulty.

16 (9) The testing and evaluation shall include the
17 participation of subject matter experts who have fa-
18 miliarity and technical expertise regarding design
19 and functions of the F-35 aircraft, its propulsion
20 system, pilot breathing system, life support equip-
21 ment, human factors, and any other systems or sub-
22 ject matter the Secretary determines necessary to
23 conduct effective testing and evaluation. At a min-
24 imum, such subject matter experts shall include

1 aerospace physiologists, engineers, flight surgeons,
2 and scientists.

3 (10) In carrying out the testing and evaluation,
4 the Secretary of Defense may seek technical support
5 and subject matter expertise from the Naval Air
6 Systems Command, the Air Force Research Labora-
7 tory, the Office of Naval Research, the National
8 Aeronautics and Space Administration, and any
9 other organization or element of the Department of
10 Defense or the National Aeronautics and Space Ad-
11 ministration that the Secretary, in consultation with
12 the Administrator of the National Aeronautics and
13 Space Administration, determines appropriate to
14 support the testing and evaluation.

15 (c) CORRECTIVE ACTIONS.—Not later than 90 days
16 after the submittal of the final report under subsection
17 (e), the Secretary of Defense shall take such actions as
18 are necessary to correct all deficiencies, shortfalls, and
19 gaps in the breathing system that were discovered or re-
20 ported as a result of the testing and evaluation under sub-
21 section (a).

22 (d) PRELIMINARY REPORT.—Not later than one year
23 after the commencement of the testing and evaluation
24 under subsection (a), the Secretary of Defense shall sub-
25 mit to the congressional defense committees a preliminary

1 report, based on the initial results of such testing and eval-
2 uation, that includes findings, recommendations, and po-
3 tential corrective actions to address deficiencies in the
4 breathing system.

5 (e) FINAL REPORT.—Not later than two years after
6 the commencement of the testing and evaluation under
7 subsection (a), the Secretary of Defense shall submit to
8 the congressional defense committees a final report that
9 includes, based on the final results of such testing and
10 evaluation—

11 (1) findings and recommendations with respect
12 to the breathing system; and

13 (2) a description of the specific actions the Sec-
14 retary will carry out to correct deficiencies in the
15 breathing system, as required under subsection (e).

16 (f) INDEPENDENT REVIEW OF FINAL REPORT.—

17 (1) IN GENERAL.—The Secretary of Defense, in
18 consultation with the Administrator of the National
19 Aeronautics and Space Administration, shall seek to
20 enter into an agreement with a federally funded re-
21 search and development center with relevant exper-
22 tise to conduct an independent sufficiency review of
23 the final report submitted under subsection (e).

24 (2) REPORT TO SECRETARY.—Not later than
25 seven months after the date on which the Secretary

1 of Defense enters into an agreement with a federally
2 funded research and development center under para-
3 graph (1), the center shall submit to the Secretary
4 a report on the results of the review conducted
5 under such paragraph.

6 (3) REPORT TO CONGRESS.—Not later than 30
7 days after the date on which the Secretary of De-
8 fense receives the report under paragraph (2), the
9 Secretary shall submit the report to the congres-
10 sional defense committees.

11 **SEC. 220. IDENTIFICATION OF THE HYPERSONICS FACILI-**
12 **TIES AND CAPABILITIES OF THE MAJOR**
13 **RANGE AND TEST FACILITY BASE.**

14 (a) IDENTIFICATION REQUIRED.—Not later than 180
15 days after the date of the enactment of this Act, the Sec-
16 retary of Defense shall—

17 (1) identify each facility and capability of the
18 Major Range and Test Facility Base that is pri-
19 marily concerned with the ground-based simulation
20 of hypersonic atmospheric flight conditions and the
21 test and evaluation of hypersonic technology in open
22 air flight; and

23 (2) identify such facilities and capabilities that
24 the Secretary would propose to designate, collec-
25 tively, as the “Hypersonics Facility Base”.

1 (b) MAJOR RANGE AND TEST FACILITY BASE.—In
2 this section, the term “Major Range and Test Facility
3 Base” has the meaning given that term in section 196(i)
4 of title 10, United States Code.

5 **SEC. 221. REQUIREMENT TO MAINTAIN ACCESS TO CAT-**
6 **EGORY 3 SUBTERRANEAN TRAINING FACIL-**
7 **ITY.**

8 (a) REQUIREMENT TO MAINTAIN ACCESS.—The Sec-
9 retary of Defense shall ensure that the Department of De-
10 fense maintains access to a covered category 3 subterra-
11 nean training facility on a continuing basis.

12 (b) AUTHORITY TO ENTER INTO LEASE.—The Sec-
13 retary of Defense is authorized to enter into a short-term
14 lease with a provider of a covered category 3 subterranean
15 training facility for purposes of compliance with sub-
16 section (a).

17 (c) COVERED CATEGORY 3 SUBTERRANEAN TRAIN-
18 ING FACILITY DEFINED.—In this section, the term “cov-
19 ered category 3 subterranean training facility” means a
20 category 3 subterranean training facility that is—

- 21 (1) operational as of the date of the enactment
22 of this Act; and
23 (2) deemed safe for use as of such date.

1 **SEC. 222. PROHIBITION ON REDUCTION OF NAVAL AVIA-**
2 **TION TESTING AND EVALUATION CAPACITY.**

3 (a) PROHIBITION.—During the period beginning on
4 the date of the enactment of this Act and ending on Octo-
5 ber 1, 2022, the Secretary of the Navy may not take any
6 action that would reduce, below the levels authorized and
7 in effect on October 1, 2020, any of the following:

8 (1) The aviation-related operational testing and
9 evaluation capacity of the Department of the Navy.

10 (2) The billets assigned to support such capac-
11 ity.

12 (3) The aviation force structure, aviation inven-
13 tory, or quantity of aircraft assigned to support such
14 capacity, including rotorcraft and fixed-wing air-
15 craft.

16 (b) REPORT REQUIRED.—Not later than June 30,
17 2022, the Director of Operational Test and Evaluation
18 shall submit to the congressional defense committees a re-
19 port that assesses each of the following as of the date of
20 the report:

21 (1) The design and effectiveness of the testing
22 and evaluation infrastructure and capacity of the
23 Department of the Navy, including an assessment of
24 whether such infrastructure and capacity is suffi-
25 cient to carry out the acquisition and sustainment
26 testing required for the aviation-related programs of

1 the Department of Defense and the naval aviation-
2 related programs of the Department of the Navy

3 (2) The plans of the Secretary of the Navy to
4 reduce the testing and evaluation capacity and infra-
5 structure of the Navy with respect to naval aviation
6 in fiscal year 2022 and subsequent fiscal years, as
7 specified in the budget of the President submitted to
8 Congress on May 28, 2021.

9 (3) The technical, fiscal, and programmatic
10 issues and risks associated with the plans of the Sec-
11 retary of the Navy to delegate and task operational
12 naval aviation units and organizations to efficiently
13 and effectively execute testing and evaluation master
14 plans for various aviation-related programs and
15 projects of the Department of the Navy.

16 **SEC. 223. LIMITATION ON AVAILABILITY OF FUNDS FOR**
17 **CERTAIN C-130 AIRCRAFT.**

18 None of the funds authorized to be appropriated by
19 this Act or otherwise made available for fiscal year 2022
20 for the Navy may be obligated or expended to procure a
21 C-130 aircraft for testing and evaluation as a potential
22 replacement for the E-6B aircraft until the date on which
23 the Secretary of the Navy submits to the congressional
24 defense committees a report that includes the following in-
25 formation:

1 (1) The unit cost of each such C-130 test air-
2 craft.

3 (2) The life cycle sustainment plan for such C-
4 130 aircraft.

5 (3) A statement indicating whether such C-130
6 aircraft will be procured using multiyear contracting
7 authority under section 2306b of title 10, United
8 States Code.

9 (4) The total amount of funds needed to com-
10 plete the procurement of such C-130 aircraft.

11 **SEC. 224. LIMITATION ON AVAILABILITY OF FUNDS FOR VC-**
12 **25B AIRCRAFT PROGRAM PENDING SUBMIS-**
13 **SION OF DOCUMENTATION.**

14 (a) DOCUMENTATION REQUIRED.—The Secretary of
15 the Air Force shall submit to the congressional defense
16 committees an integrated master schedule for the VC-25B
17 presidential aircraft recapitalization program of the Air
18 Force.

19 (b) LIMITATION.—Of the funds authorized to be ap-
20 propriated by this Act or otherwise made available for fis-
21 cal year 2022 for the Air Force for the VC-25B aircraft,
22 not more than 50 percent may be obligated or expended
23 until the date on which the Secretary of the Air Force
24 submits to the congressional defense committees the docu-
25 mentation required under subsection (a).

1 **Subtitle C—Plans, Reports, and**
2 **Other Matters**

3 **SEC. 231. MODIFICATION TO ANNUAL REPORT OF THE DI-**
4 **RECTOR OF OPERATIONAL TEST AND EVAL-**
5 **UATION.**

6 Section 139(h)(2) of title 10, United States Code, is
7 amended by striking “, through January 31, 2026”.

8 **SEC. 232. ADAPTIVE ENGINE TRANSITION PROGRAM ACQUI-**
9 **SITION STRATEGY FOR THE F-35A AIRCRAFT.**

10 (a) **IN GENERAL.**—Not later than 14 days after the
11 date on which the budget of the President for fiscal year
12 2023 is submitted to Congress pursuant to section 1105
13 of title 31, United States Code, the Under Secretary of
14 Defense for Acquisition and Sustainment shall submit to
15 the congressional defense committees a report on the inte-
16 gration of the Adaptive Engine Transition Program pro-
17 pulsion system into the F-35A aircraft.

18 (b) **ELEMENTS.**—The report required under sub-
19 section (a) shall include the following:

20 (1) A competitive acquisition strategy, informed
21 by fiscal considerations, to—

22 (A) integrate the Adaptive Engine Transi-
23 tion Program propulsion system into the F-35A
24 aircraft; and

1 (B) begin, in fiscal year 2027, activities to
2 retrofit all F-35A aircraft with such propulsion
3 system.

4 (2) An implementation plan to implement such
5 strategy.

6 (3) A schedule annotating pertinent milestones
7 and yearly fiscal resource requirements for the im-
8 plementation of such strategy.

9 **SEC. 233. ADVANCED PROPULSION SYSTEM ACQUISITION**
10 **STRATEGY FOR THE F-35B AND F-35C AIR-**
11 **CRAFT.**

12 (a) IN GENERAL.—Not later than 14 days after the
13 date on which the budget of the President for fiscal year
14 2023 is submitted to Congress pursuant to section 1105
15 of title 31, United States Code, the Secretary of the Navy,
16 in consultation with the Under Secretary of Defense for
17 Acquisition and Sustainment, shall submit to the congres-
18 sional defense committees a report on the integration of
19 the Adaptive Engine Transition Program (referred to in
20 this section as “AETP”) propulsion system or other ad-
21 vanced propulsion system into F-35B and F-35C aircraft.

22 (b) ELEMENTS.—The report required under sub-
23 section (a) shall include the following:

24 (1) An analysis of the impact on combat effec-
25 tiveness and sustainment cost from increased thrust,

1 fuel efficiency, and thermal capacity for each variant
2 of the F-35, to include the improvements on accel-
3 eration, speed, range, and overall mission effective-
4 ness, of each advanced propulsion system.

5 (2) An assessment in the reduction on the de-
6 pendency on support assets, to include air refueling
7 and replenishment tankers, and the overall cost ben-
8 efits to the Department from reduced acquisition
9 and sustainment of such support assets, from the in-
10 tegration of each advanced propulsion system.

11 (3) A competitive acquisition strategy, informed
12 by fiscal considerations, the assessment on combat
13 effectiveness, and technical limitations, to—

14 (A) integrate an advanced propulsion sys-
15 tem into the F-35B aircraft and integrate an
16 advanced propulsion system into the F-35C air-
17 craft; and

18 (B) begin, in a fiscal year as determined
19 by a cost benefit analysis, activities to produce
20 all F-35B aircraft and all F-35C aircraft with
21 such propulsion systems; and

22 (C) begin, in a fiscal year and quantity as
23 determined by a cost benefit analysis, activities
24 to retrofit F-35B aircraft and F-35C aircraft
25 with such propulsion systems.

1 (4) An implementation plan to implement the
2 strategy described in paragraph (3).

3 (5) A schedule annotating pertinent milestones
4 and yearly fiscal resource requirements for the im-
5 plementation of such strategy.

6 (c) DEFINITIONS.—In this section:

7 (1) The term “variant of the F-35” means:

8 (A) the F-35B; and

9 (B) the F-35C.

10 (2) The term “advanced propulsion system”
11 means:

12 (A) the Adaptive Engine Transition Pro-
13 gram propulsion system; or

14 (B) a derivative of a propulsion system de-
15 veloped for the F-35.

16 **SEC. 234. ASSESSMENT AND REPORT ON AIRBORNE ELEC-**
17 **TRONIC ATTACK CAPABILITIES AND CAPAC-**
18 **ITY.**

19 (a) ASSESSMENT.—The Secretary of the Air Force
20 shall conduct an assessment of—

21 (1) the status of the airborne electronic attack
22 capabilities and capacity of the Air Force; and

23 (2) the feasibility and advisability of adapting
24 the ALQ-249 Next Generation Jammer for use on

1 Air Force tactical aircraft, including an analysis
2 of—

3 (A) the suitability of the jammer for use
4 on such aircraft; and

5 (B) the compatibility of the jammer with
6 such aircraft; and

7 (C) identification of any unique hardware,
8 software, or interface modifications that may be
9 required to integrate the jammer with such air-
10 craft.

11 (b) REPORT.—Not later than February 15, 2022, the
12 Secretary of the Air Force shall submit to the Committees
13 on Armed Services of the Senate and the House of Rep-
14 resentatives a report on the results of the assessment con-
15 ducted under subsection (a).

16 **SEC. 235. STRATEGY FOR AUTONOMY INTEGRATION IN**
17 **MAJOR WEAPON SYSTEMS.**

18 (a) STRATEGY REQUIRED.—Not later than one year
19 after the date of the enactment of this Act the Secretary
20 of Defense shall submit to the Committees on Armed Serv-
21 ices of the Senate and House of Representatives a strategy
22 to resource and integrate, to the maximum extent possible,
23 autonomy software that enables full operational capability
24 in high threat, communications and GPS-denied environ-

1 ments into major weapons systems of the Department of
2 Defense by fiscal year 2025.

3 (b) ELEMENTS.—The strategy required under sub-
4 section (a) shall include—

5 (1) a list of weapon systems and programs, to
6 be selected by the Secretary of Defense, which can
7 be integrated with autonomy software as described
8 in subsection (a) by fiscal year 2025;

9 (2) timelines for autonomy software integration
10 into the weapon systems and programs as identified
11 under paragraph (1);

12 (3) funding requirements related to the develop-
13 ment, acquisition, and testing of autonomy software;

14 (4) plans to leverage commercially-available ar-
15 tificial intelligence software, universal common con-
16 trol software, and autonomy software and related
17 self-driving or self-piloting technologies, where ap-
18 propriate; and

19 (5) plans to include autonomy software, artifi-
20 cial intelligence, and universal common control.

21 (c) CONSULTATION.—The Secretary shall develop the
22 strategy required under subsection (a) in consultation
23 with—

24 (1) the Under Secretary of Defense for Re-
25 search and Engineering;

1 (2) the Secretaries of the military departments;
2 and

3 (3) such other organizations and elements of
4 the Department of Defense as the Secretary deter-
5 mines appropriate.

6 (d) REPORT.—

7 (1) IN GENERAL.—Not later than one year
8 after the date on which the strategy required under
9 subsection (a) is submitted to the Committees on
10 Armed Services of the Senate and House of Rep-
11 resentatives, and not later than October 1 of each of
12 the five years thereafter, the Secretary of Defense
13 shall submit to the Committees on Armed Services
14 of the Senate and House of Representatives a report
15 that describes the status of the implementation of
16 the strategy.

17 (2) CONTENTS.—The report required under
18 paragraph (1) shall—

19 (A) identify any substantial changes made
20 in the strategy during the preceding calendar
21 year; and

22 (B) describe the progress made in imple-
23 menting the strategy.

24 (e) FORM.—The strategy required under subsection
25 (a) and the report required under subsection (d) shall be

1 submitted in unclassified form but may contain a classi-
2 fied annex.

3 **TITLE III—OPERATION AND**
4 **MAINTENANCE**
5 **Subtitle A—Authorization of**
6 **Appropriations**

7 **SEC. 301. AUTHORIZATION OF APPROPRIATIONS.**

8 Funds are hereby authorized to be appropriated for
9 fiscal year 2022 for the use of the Armed Forces and other
10 activities and agencies of the Department of Defense for
11 expenses, not otherwise provided for, for operation and
12 maintenance, as specified in the funding table in section
13 4301.

14 **Subtitle B—Energy and**
15 **Environment**

16 **SEC. 311. INCLUSION OF IMPACTS ON MILITARY INSTALLA-**
17 **TION RESILIENCE IN THE NATIONAL DE-**
18 **FENSE STRATEGY AND ASSOCIATED DOCU-**
19 **MENTS.**

20 (a) NATIONAL DEFENSE STRATEGY AND DEFENSE
21 PLANNING GUIDANCE.—Section 113(g) of title 10, United
22 States Code, is amended—

23 (1) in paragraph (1)(B)—

1 (A) in clause (ii), by striking “actors,” and
2 inserting “actors, and the current or projected
3 threats to military installation resilience,” and

4 (B) by inserting after clause (ix), the fol-
5 lowing new clause:

6 “(x) Strategic goals to address or
7 mitigate the current and projected risks to
8 military installation resilience.”.

9 (2) in paragraph (2)(A), in the matter pre-
10 ceding clause (i), by striking “priorities,” and insert-
11 ing “priorities, including priorities relating to the
12 current or projected risks to military installation re-
13 siliance,”.

14 (b) NATIONAL DEFENSE SUSTAINMENT AND LOGIS-
15 TICS REVIEW.—

16 (1) IN GENERAL.—The first section 118a of
17 such title is amended—

18 (A) in subsection (a), by striking “capabili-
19 ties,” and inserting “capabilities, response to
20 risks to military installation resilience,”;

21 (B) by redesignating such section, as
22 amended by subparagraph (A), as section 118b;
23 and

24 (C) by moving such section so as to appear
25 after section 118a.

1 (2) CLERICAL AND CONFORMING AMEND-
2 MENTS.—

3 (A) CLERICAL AMENDMENTS.—The table
4 of sections for chapter 2 of such title is amend-
5 ed—

6 (i) by striking the first item relating
7 to section 118a; and

8 (ii) by inserting after the item relating
9 to section 118a the following new item:

 “118b. National Defense Sustainment and Logistics Review.”.

10 (B) CONFORMING AMENDMENT.—Section
11 314(c) of the William M. (Mac) Thornberry Na-
12 tional Defense Authorization Act for Fiscal
13 Year 2021 (Public Law 116–283) is amended
14 by striking “section 118a” and inserting “sec-
15 tion 118b”.

16 (c) CHAIRMAN’S RISK ASSESSMENT.—Section
17 153(b)(2)(B) of title 10, United States Code, is amended
18 by inserting after clause (vi) the following new clause:

19 “(vii) Identify and assess risk resulting
20 from, or likely to result from, current or pro-
21 jected effects on military installation resil-
22 ience.”.

23 (d) STRATEGIC DECISIONS RELATING TO MILITARY
24 INSTALLATIONS.—The Secretary of each military depart-
25 ment, with respect to any installation under the jurisdic-

1 tion of that Secretary, and the Secretary of Defense, with
2 respect to any installation of the Department of Defense
3 that is not under the jurisdiction of the Secretary of a
4 military department, shall consider the risks associated
5 with military installation resilience when making any stra-
6 tegic decision relating to such installation, including where
7 to locate such installation and where to position equip-
8 ment, infrastructure, and other military assets on such in-
9 stallation.

10 (e) NATIONAL DEFENSE STRATEGY AND NATIONAL
11 MILITARY STRATEGY.—The Secretary of Defense, in co-
12 ordination with the heads of such other Federal agencies
13 as the Secretary determines appropriate, shall incorporate
14 the security implications of military installation resilience
15 into the National Defense Strategy and the National Mili-
16 tary Strategy.

17 (f) NATIONAL SECURITY PLANNING DOCUMENTS.—
18 The Secretary of Defense and the Chairman of the Joint
19 Chiefs of Staff shall consider the security implications as-
20 sociated with military installation resilience in developing
21 the Defense Planning Guidance under section 113(g)(2)
22 of title 10, United States Code, the Risk Assessment of
23 the Chairman of the Joint Chiefs of Staff under section
24 153(b)(2) of such title, and other relevant strategy, plan-
25 ning, and programming documents and processes.

1 (g) CAMPAIGN PLANS OF COMBATANT COMMANDS.—

2 The Secretary of Defense shall ensure that the national
3 security implications associated with military installation
4 resilience are integrated into the campaign plans of the
5 combatant commands.

6 (h) REPORT ON SECURITY IMPLICATIONS ASSOCI-
7 ATED WITH MILITARY INSTALLATION RESILIENCE.—

8 (1) REPORT.—Not later than 90 days after the
9 date of the enactment of this Act, the Secretary of
10 Defense shall submit to the Committees on Armed
11 Services of the Senate and the House of Representa-
12 tives a report describing how the aspects of military
13 installation resilience have been incorporated into
14 modeling, simulation, war-gaming, and other anal-
15 yses by the Department of Defense.

16 (2) FORM.—The report required by paragraph
17 (1) shall be submitted in unclassified form, but may
18 include a classified annex.

19 (i) ANNUAL REPORT ON READINESS IMPACTS OF
20 MILITARY INSTALLATION RESILIENCE ON MILITARY AS-
21 SETS AND CAPABILITIES.—

22 (1) IN GENERAL.—Not later than one year
23 after the date of the enactment of this Act, and an-
24 nually thereafter, the Secretary of Defense shall sub-
25 mit to the congressional defense committees a report

1 containing information (disaggregated by military
2 department) as follows:

3 (A) A description of the effects on military
4 readiness, and an estimate of the financial costs
5 to the Department of Defense, reasonably at-
6 tributed to adverse impacts to military installa-
7 tion resilience during the year preceding the
8 submission of the report, including loss of or
9 damage to military networks, systems, installa-
10 tions, facilities, and other assets and capabili-
11 ties of the Department; and

12 (B) An assessment of vulnerabilities to
13 military installation resilience.

14 (2) USE OF ASSESSMENT TOOL.—The Secretary
15 shall use the Climate Vulnerability and Risk Assess-
16 ment Tool of the Department (or such successor
17 tool) in preparing each report under paragraph (1).

18 (j) DEFINITIONS.—In this section:

19 (1) The term “military installation resilience”
20 has the meaning given that term in section 101(e)
21 of title 10, United States Code.

22 (2) The term “National Defense Strategy”
23 means the national defense strategy under section
24 113(g)(1) of such title.

1 (3) The term “National Military Strategy”
2 means the national military strategy under section
3 153(b) of such title.

4 **SEC. 312. MODIFICATION OF AUTHORITIES GOVERNING**
5 **CULTURAL AND CONSERVATION ACTIVITIES**
6 **OF THE DEPARTMENT OF DEFENSE.**

7 (a) IN GENERAL.—Section 2694 of title 10, United
8 States Code, is amended—

9 (1) in subsection (b)—

10 (A) in paragraph (1)—

11 (i) in subparagraph (A), by inserting
12 “or Sentinel Landscape” after “military
13 department”; and

14 (ii) in subparagraph (B), by inserting
15 “or that would contribute to maintaining
16 or improving military installation resil-
17 ience” after “military operations”;

18 (B) in paragraph (2)—

19 (i) in subparagraph (A), by inserting
20 “or nature-based climate resilience plans”
21 after “land management plans”; and

22 (ii) by amending subparagraph (F) to
23 read as follows:

24 “(F) The implementation of ecosystem-wide
25 land management plans—

1 “(i) for a single ecosystem that—

2 “(I) encompasses at least two non-
3 contiguous military installations, if those
4 military installations are not all under the
5 administrative jurisdiction of the same
6 Secretary of a military department; and

7 “(II) provides synergistic benefits un-
8 available if the installations acted sepa-
9 rately; or

10 “(ii) for one or more ecosystems within a
11 designated Sentinel Landscape.”; and

12 (2) by adding at the end the following new sub-
13 section:

14 “(e) DEFINITION OF SENTINEL LANDSCAPE.—In
15 this section, the term ‘Sentinel Landscape’ means a land-
16 scape-scale area encompassing—

17 “(1) one or more military installations or State-
18 owned National Guard installations and associated
19 airspace; and

20 “(2) the working or natural lands that serve to
21 protect and support the rural economy, the natural
22 environment, outdoor recreation, and the national
23 defense test and training missions of the military or
24 State-owned National Guard installation or installa-
25 tions.”.

1 (b) PRESERVATION OF SENTINEL LANDSCAPES.—
2 Section 317 of the National Defense Authorization Act for
3 Fiscal Year 2018 (10 U.S.C. 2684a note) is amended—

4 (1) in subsection (c)—

5 (A) by inserting “resilience,” after “mu-
6 tual benefit of conservation,”;

7 (B) by inserting “, resilience,” after “vol-
8 untary land management”; and

9 (C) by adding at the end the following new
10 sentence: “The Secretary of Defense shall in-
11 clude information concerning the activities
12 taken pursuant to the Sentinel Landscapes
13 Partnership in the annual report to Congress
14 submitted pursuant to section 2684a(g) of title
15 10, United States Code.”;

16 (2) in subsection (d), in the second sentence, by
17 inserting “by an eligible landowner or agricultural
18 producer” after “Participation”;

19 (3) by redesignating subsection (e) as sub-
20 section (f);

21 (4) by inserting after subsection (d) the fol-
22 lowing new subsection (e):

23 “(e) PARTICIPATION BY OTHER AGENCIES.—To the
24 extent practicable, the Secretary of Defense shall seek the
25 participation of other Federal agencies in the Sentinel

1 Landscape Partnership and encourage such agencies to
2 become full partners in the Partnership.”; and

3 (5) in subsection (f), by adding at the end the
4 following new paragraph:

5 “(4) RESILIENCE.—The term ‘resilience’ means
6 the capability to avoid, prepare for, minimize the ef-
7 fect of, adapt to, and recover from extreme weather
8 events, flooding, wildfires, or other anticipated or
9 unanticipated changes in environmental conditions.”.

10 **SEC. 313. MODIFICATION OF AUTHORITY FOR ENVIRON-**
11 **MENTAL RESTORATION PROJECTS OF NA-**
12 **TIONAL GUARD.**

13 Section 2707(e)(1) of title 10, United States Code,
14 is amended by striking “in response to perfluorooctanoic
15 acid or perfluorooctane sulfonate contamination under this
16 chapter or CERCLA”.

17 **SEC. 314. PROHIBITION ON USE OF OPEN-AIR BURN PITS IN**
18 **CONTINGENCY OPERATIONS OUTSIDE THE**
19 **UNITED STATES.**

20 (a) IN GENERAL.—Chapter 160 of title 10, United
21 States Code, is amended by adding at the end the fol-
22 lowing new section:

23 **“§ 2714. Prohibition on use of open-air burn pits**

24 “(a) IN GENERAL.—Except as provided in subsection
25 (b), beginning on January 1, 2023, the disposal of covered

1 waste by the Department of Defense in an open-air burn
2 pit located outside of the United States during a contin-
3 gency operation is prohibited.

4 “(b) WAIVER.—The President may exempt a location
5 from the prohibition under subsection (a) if the President
6 determines such an exemption is in the paramount interest
7 of the United States.

8 “(c) REPORT.—(1) Not later than 30 days after
9 granting an exemption under subsection (b) with respect
10 to the use of an open-air burn pit at a location, the Presi-
11 dent shall submit to Congress a written report that identi-
12 fies—

13 “(A) the location of the open-air burn pit;

14 “(B) the number of personnel of the United
15 States assigned to the location where the open-air
16 burn pit is being used;

17 “(C) the size and expected duration of use of
18 the open-air burn pit;

19 “(D) the personal protective equipment or other
20 health risk mitigation efforts that will be used by
21 members of the armed forces when airborne hazards
22 are present, including how such equipment will be
23 provided when required; and

24 “(E) the need for the open-air burn pit and ra-
25 tionale for granting the exemption.

1 “(2) A report submitted under paragraph (1) shall
2 be submitted in unclassified form, but may include a clas-
3 sified annex.

4 “(d) DEFINITION OF COVERED WASTE.—In this sec-
5 tion, the term ‘covered waste’ includes—

6 “(1) hazardous waste, as defined by section
7 1004(5) of the Solid Waste Disposal Act (42 U.S.C.
8 6903(5));

9 “(2) medical waste;

10 “(3) tires;

11 “(4) treated wood;

12 “(5) batteries;

13 “(6) plastics, except insignificant amounts of
14 plastic remaining after a good-faith effort to remove
15 or recover plastic materials from the solid waste
16 stream;

17 “(7) munitions and explosives, except when dis-
18 posed of in compliance with guidance on the destruc-
19 tion of munitions and explosives contained in the
20 Department of Defense Ammunition and Explosives
21 Safety Standards, DoD Manual 6055.09-M;

22 “(8) compressed gas cylinders, unless empty
23 with valves removed;

24 “(9) fuel containers, unless completely evacu-
25 ated of its contents;

- 1 “(10) aerosol cans;
- 2 “(11) polychlorinated biphenyls;
- 3 “(12) petroleum, oils, and lubricants products
- 4 (other than waste fuel for initial combustion);
- 5 “(13) asbestos;
- 6 “(14) mercury;
- 7 “(15) foam tent material;
- 8 “(16) any item containing any of the materials
- 9 referred to in a preceding paragraph; and
- 10 “(17) other waste as designated by the Sec-
- 11 retary.”.

12 (b) **CLERICAL AMENDMENT.**—The table of sections

13 at the beginning of such chapter is amended by adding

14 at the end the following new item:

“2714. Prohibition on use of open-air burn pits.”.

15 (c) **CONFORMING REPEAL.**—Effective January 1,

16 2023, section 317 of the National Defense Authorization

17 Act for Fiscal Year 2010 (Public Law 111–84; 10 U.S.C.

18 2701 note) is repealed.

19 **SEC. 315. MAINTENANCE OF CURRENT ANALYTICAL TOOLS**

20 **FOR EVALUATION OF ENERGY RESILIENCE**

21 **MEASURES.**

22 (a) **IN GENERAL.**—Section 2911 of title 10, United

23 States Code, is amended by adding at the end the fol-

24 lowing new subsection:

1 “(i) ANALYTICAL TOOLS FOR EVALUATION OF EN-
2 ERGY RESILIENCE MEASURES.—(1) The Secretary of De-
3 fense shall develop and implement a process to ensure that
4 the Department of Defense, in the evaluation of energy
5 resilience measures on military installations, uses analyt-
6 ical tools that are accurate and effective in projecting the
7 costs and performance of such measures.

8 “(2) Analytical tools specified in paragraph (1) shall
9 be—

10 “(A) designed to—

11 “(i) provide an accurate projection of the
12 costs and performance of the energy resilience
13 measure being analyzed;

14 “(ii) be used without specialized training;
15 and

16 “(iii) produce resulting data that is under-
17 standable and usable by the typical source se-
18 lection official;

19 “(B) consistent with standards and analytical
20 tools commonly applied by the Department of En-
21 ergy and by commercial industry;

22 “(C) adaptable to accommodate a rapidly
23 changing technological environment;

1 “(D) peer-reviewed for quality and precision
2 and measured against the highest level of develop-
3 ment for such tools; and

4 “(E) periodically reviewed and updated, but not
5 less frequently than once every three years.”.

6 (b) REPORT.—Not later than September 30, 2022,
7 the Secretary of Defense shall submit to the Committees
8 on Armed Services of the House of Representatives and
9 the Senate a report on the implementation of the require-
10 ments under section 2911(i) of title 10, United States
11 Code, as added by subsection (a).

12 **SEC. 316. ENERGY EFFICIENCY TARGETS FOR DEPART-**
13 **MENT OF DEFENSE DATA CENTERS.**

14 (a) ENERGY EFFICIENCY TARGETS FOR DATA CEN-
15 TERS.—

16 (1) IN GENERAL.—Subchapter I of chapter 173
17 of title 10, United States Code, is amended by add-
18 ing at the end the following new section:

19 **“§ 2921. Energy efficiency targets for data centers**

20 “(a) COVERED DATA CENTERS.—(1) For each cov-
21 ered data center, the Secretary shall—

22 “(A) develop a power usage effectiveness target
23 for the data center, based on location, resiliency, in-
24 dustry standards, and best practices;

1 “(B) develop a water usage effectiveness target
2 for the data center, based on location, resiliency, in-
3 dustry standards, and best practices;

4 “(C) develop other energy efficiency or water
5 usage targets for the data center based on industry
6 standards and best practices, as applicable to meet
7 energy efficiency and resiliency goals;

8 “(D) identify potential renewable or clean en-
9 ergy resources to enhance resiliency at the data cen-
10 ter, including potential renewable or clean energy
11 purchase targets based on the location of the data
12 center; and

13 “(E) identify any statutory, regulatory, or pol-
14 icy barriers to meeting any target under any of sub-
15 paragraphs (A) through (C).

16 “(2) In this subsection, the term ‘covered data center’
17 means a data center of the Department that—

18 “(A) is one of the 50 data centers of the De-
19 partment with the highest annual power usage rates;
20 and

21 “(B) has been established before the date of the
22 enactment of this section.

23 “(b) NEW DATA CENTERS.—(1) Except as provided
24 in paragraph (2), in the case of any Department data cen-
25 ter established on or after the date of the enactment of

1 this section, the Secretary shall establish energy, water
2 usage, and resiliency-related standards that the data cen-
3 ter shall be required to meet based on location, resiliency,
4 industry standards, and best practices. Such standards
5 shall include—

6 “(A) power usage effectiveness standards;

7 “(B) water usage effectiveness standards; and

8 “(C) any other energy or resiliency standards
9 the Secretary determines are appropriate.

10 “(2) The Secretary may waive the requirement for
11 a Department data center established on or after the date
12 of the enactment of this section to meet the standards es-
13 tablished under paragraph (1) if the Secretary—

14 “(A) determines that such waiver is in the na-
15 tional security interest of the United States; and

16 “(B) submits to the Committee on Armed Serv-
17 ices of the House of Representatives notice of such
18 waiver and the reasons for such waiver.”.

19 (2) CLERICAL AMENDMENT.—The table of sec-
20 tions at the beginning of such subchapter is amend-
21 ed by inserting after the item relating to section
22 2920 the following new item:

“2921. Energy efficiency targets for data centers.”.

23 (b) INVENTORY OF DATA FACILITIES.—

24 (1) INVENTORY REQUIRED.—By not later than
25 180 days after the date of the enactment of this Act,

1 the Secretary of Defense shall conduct an inventory
2 of all data centers owned or operated by the Depart-
3 ment of Defense. Such survey shall include the fol-
4 lowing:

5 (A) A list of data centers owned or oper-
6 ated by the Department of Defense.

7 (B) For each such data center, the earlier
8 of the following dates:

9 (i) The date on which the data center
10 was established.

11 (ii) The date of the most recent cap-
12 ital investment in new power, cooling, or
13 compute infrastructure at the data center.

14 (C) The total average annual power use, in
15 kilowatts, for each such data center.

16 (D) The number of data centers that
17 measure power usage effectiveness (hereinafter
18 in this section referred to as “PUE”) and for
19 each such data center, the PUE for the center.

20 (E) The number of data centers that
21 measure water usage effectiveness (hereinafter
22 in this section “WUE”) and, for each such data
23 center, the WUE for the center.

24 (F) A description of any other existing en-
25 ergy efficiency or efficient water usage metrics

1 used by any data center and the applicable
2 measurements for any such center.

3 (G) An assessment of the facility resiliency
4 of each data center, including redundant power
5 and cooling facility infrastructure.

6 (H) Any other matters the Secretary deter-
7 mines are relevant.

8 (2) DATA CENTER DEFINED.—In this section,
9 the term “data center” has the meaning given such
10 term in the most recent Integrated Data Collection
11 guidance of the Office of Management and Budget.

12 (c) REPORT.—Not later than 180 days after the com-
13 pletion of the inventory required under subsection (b), the
14 Secretary of Defense shall submit to the Committee on
15 Armed Services of the House of Representatives a report
16 on the inventory and the energy assessment targets under
17 section 2921(a) of title 10, United States Code, as added
18 by subsection (a). Such report shall include each of the
19 following:

20 (1) A timeline of necessary actions required to
21 meet the energy assessment targets for covered data
22 centers.

23 (2) The estimated costs associated with meeting
24 such targets.

1 (3) An assessment of the business case for
2 meeting such targets, including any estimated sav-
3 ings in operational energy and water costs and esti-
4 mated reduction in energy and water usage if the
5 targets are met.

6 (4) An analysis of any statutory, regulatory, or
7 policy barriers to meeting such targets identified
8 pursuant to section 2921(a)(E) of title 10, United
9 States Code, as added by subsection (a).

10 **SEC. 317. MODIFICATION OF RESTRICTION ON DEPART-**
11 **MENT OF DEFENSE PROCUREMENT OF CER-**
12 **TAIN ITEMS CONTAINING**
13 **PERFLUOROCTANE SULFONATE OR**
14 **PERFLUOROCTANOIC ACID.**

15 Section 333 of the William M. (Mac) Thornberry Na-
16 tional Defense Authorization Act for Fiscal Year 2021
17 (Public Law 116–283) is amended—

18 (1) in the section heading—

19 (A) by inserting “**OR PURCHASE**” after
20 “**PROCUREMENT**”; and

21 (B) by striking “**PERFLUOROCTANE**
22 **SULFONATE OR PERFLUOROCTANOIC**
23 **ACID**” and inserting “**PERFLUOROALKYL**
24 **SUBSTANCES OR POLYFLUOROALKYL SUB-**
25 **STANCES**”;

1 (2) in subsection (a), by striking
2 “perfluorooctane sulfonate (PFOS) or
3 perfluorooctanoic acid (PFOA)” and inserting “any
4 perfluoroalkyl substance or polyfluoroalkyl sub-
5 stance”; and

6 (3) by striking subsection (b) and inserting the
7 following new subsection (b):

8 “(b) DEFINITIONS.—In this section:

9 “(1) The term ‘covered item’ means—

10 “(A) nonstick cookware or cooking utensils
11 for use in galleys or dining facilities;

12 “(B) upholstered furniture, carpets, and
13 rugs that have been treated with stain-resistant
14 coatings;

15 “(C) food packaging materials;

16 “(D) furniture or floor waxes;

17 “(E) sunscreen;

18 “(F) umbrellas, luggage, or bags;

19 “(G) car wax and car window treatments;

20 “(H) cleaning products; and

21 “(I) shoes and clothing for which treat-
22 ment with a perfluoroalkyl substance or
23 polyfluoroalkyl substance is not necessary for
24 an essential function.

1 “(2) The term ‘perfluoroalkyl substance’ means
2 a man-made chemical of which all of the carbon
3 atoms are fully fluorinated carbon atoms.

4 “(3) The term ‘polyfluoroalkyl substance’
5 means a man-made chemical containing at least one
6 fully fluorinated carbon atom and at least one
7 nonfluorinated carbon atom.”.

8 **SEC. 318. TEMPORARY MORATORIUM ON INCINERATION BY**
9 **DEPARTMENT OF DEFENSE OF**
10 **PERFLUOROALKYL SUBSTANCES,**
11 **POLYFLUOROALKYL SUBSTANCES, AND**
12 **AQUEOUS FILM FORMING FOAM.**

13 (a) TEMPORARY MORATORIUM.—Beginning not later
14 than 90 days after the date of the enactment of this Act,
15 the Secretary of Defense shall prohibit the incineration of
16 covered materials until the earlier of the following:

17 (1) The date on which the Secretary submits to
18 Committees on Armed Services of the House of Rep-
19 resentatives and the Senate a certification that the
20 Secretary is implementing the interim guidance on
21 the destruction and disposal of PFAS and materials
22 containing PFAS published by the Administrator of
23 the Environmental Protection Agency under section
24 7361 of the National Defense Authorization Act for
25 Fiscal Year 2020 (15 U.S.C. 8961).

1 (2) The date on which the Administrator of the
2 Environmental Protection Agency publishes in the
3 Federal Register a final rule regarding the destruc-
4 tion and disposal of such materials pursuant to such
5 section.

6 (b) REQUIRED ADOPTION OF FINAL RULE.—Upon
7 publication of the final rule specified in subsection (a)(2),
8 the Secretary shall adopt such final rule, regardless of
9 whether the Secretary previously implemented the interim
10 guidance specified in subsection (a)(1).

11 (c) REPORT.—Not later than one year after the date
12 on which the Administrator of the Environmental Protec-
13 tion Agency publishes the final rule specified in subsection
14 (a)(2), and annually thereafter for three years, the Sec-
15 retary shall submit to the Administrator a report on all
16 incineration by the Department of Defense of covered ma-
17 terials during the year covered by the report, including—

18 (1) the total amount of covered materials incin-
19 erated;

20 (2) the temperature range at which the covered
21 materials were incinerated; and

22 (3) the locations and facilities where the cov-
23 ered materials were incinerated.

24 (d) DEFINITIONS.—In this section:

1 (1) The term “AFFF” means aqueous film
2 forming foam.

3 (2) The term “covered material” means any
4 legacy AFFF formulation containing PFAS, mate-
5 rial contaminated by AFFF release, or spent filter
6 or other PFAS-contaminated material resulting from
7 site remediation or water filtration that—

8 (A) has been used by the Department of
9 Defense or a military department;

10 (B) is being discarded for disposal by the
11 Department of Defense or a military depart-
12 ment; or

13 (C) is being removed from sites or facilities
14 owned or operated by the Department of De-
15 fense.

16 (3) The term “PFAS” means per- or
17 polyfluoroalkyl substances.

18 **SEC. 319. PUBLIC DISCLOSURE OF RESULTS OF DEPART-**
19 **MENT OF DEFENSE TESTING OF WATER FOR**
20 **PERFLUOROALKYL OR POLYFLUOROALKYL**
21 **SUBSTANCES.**

22 (a) PUBLIC DISCLOSURE OF PFAS TESTING OF
23 WATER.—

24 (1) IN GENERAL.—Except as provided in para-
25 graph (2), not later than 10 days after the receipt

1 of a validated result of testing water for
2 perfluoroalkyl or polyfluoroalkyl substances (com-
3 monly referred to as “PFAS”) in a covered area, the
4 Secretary of Defense shall publicly disclose such vali-
5 dated result, including—

6 (A) the results of all such testing con-
7 ducted in the covered area by the Department
8 of Defense; and

9 (B) the results of all such testing con-
10 ducted in the covered area by a non-Depart-
11 ment entity (including any Federal agency and
12 any public or private entity) under a contract,
13 or pursuant to an agreement, with the Depart-
14 ment of Defense.

15 (2) CONSENT BY PRIVATE PROPERTY OWN-
16 ERS.—The Secretary of Defense may not publicly
17 disclose the results of testing for perfluoroalkyl or
18 polyfluoroalkyl substances conducted on private
19 property without the consent of the property owner.

20 (b) PUBLIC DISCLOSURE OF PLANNED PFAS TEST-
21 ING OF WATER.—Not later than 180 days after the date
22 of the enactment of the Act, and every 90 days thereafter,
23 the Secretary of Defense shall publicly disclose the antici-
24 pated timeline for, and general location of, any planned

1 testing for perfluoroalkyl or polyfluoroalkyl substances
2 proposed to be conducted in a covered area, including—

3 (1) all such testing to be conducted by the De-
4 partment of Defense; and

5 (2) all such testing to be conducted by a non-
6 Department entity (including any Federal agency
7 and any public or private entity) under a contract,
8 or pursuant to an agreement, with the Department.

9 (c) NATURE OF DISCLOSURE.—The Secretary of De-
10 fense may satisfy the disclosure requirements under sub-
11 sections (a) and (b) by publishing the results and informa-
12 tion referred to in such subsections—

13 (1) on the publicly available website established
14 under section 331(b) of the National Defense Au-
15 thorization Act for Fiscal Year 2020 (Public Law
16 116–92; 10 U.S.C 2701 note);

17 (2) on another publicly available website of the
18 Department of Defense; or

19 (3) in the Federal Register.

20 (d) LOCAL NOTIFICATION.—Prior to conducting any
21 testing of water for perfluoroalkyl or polyfluoroalkyl sub-
22 stances, including any testing which has not been planned
23 or publicly disclosed pursuant to subsection (b), the Sec-
24 retary of Defense shall provide notice of the testing to—

1 (1) the managers of the public water system
2 serving the covered area where such testing is to
3 occur;

4 (2) the heads of the municipal government serv-
5 ing the covered area where such testing is to occur;
6 and

7 (3) as applicable, the members of the restora-
8 tion advisory board for the military installation
9 where such testing is to occur.

10 (e) METHODS FOR TESTING.—In testing water for
11 perfluoroalkyl or polyfluoroalkyl substances, the Secretary
12 of Defense shall adhere to methods for measuring the
13 amount of such substances in drinking water that have
14 been validated by the Administrator of the Environmental
15 Protection Agency.

16 (f) DEFINITIONS.—In this section:

17 (1) The term “covered area” means an area in
18 the United States that is located immediately adja-
19 cent to and down gradient from a military installa-
20 tion, a formerly used defense site, or a facility where
21 military activities are conducted by the National
22 Guard of a State pursuant to section 2707(e) of title
23 10, United States Code.

24 (2) The term “formerly used defense site”
25 means any site formerly used by the Department of

1 Defense or National Guard eligible for environ-
2 mental restoration by the Secretary of Defense fund-
3 ed under the “Environmental Restoration Account,
4 Formerly Used Defense Sites” account established
5 under section 2703(a)(5) of title 10, United States
6 Code.

7 (3) The term “military installation” has the
8 meaning given such term in section 2801(c)(4) of
9 title 10, United States Code.

10 (4) The term “perfluoroalkyl or polyfluoroalkyl
11 substance” means any man-made chemical with at
12 least one fully fluorinated carbon atom.

13 (5) The term “public water system” has the
14 meaning given such term under section 1401(4) of
15 the Safe Drinking Water Act (42 U.S.C. 300f(4)).

16 (6) The term “restoration advisory board”
17 means a restoration advisory board established pur-
18 suant to section 2705(d) of title 10, United States
19 Code.

20 **SEC. 320. PFAS TESTING REQUIREMENTS.**

21 Not later than two years after the date of the enact-
22 ment of this Act, the Secretary of Defense shall complete
23 a preliminary assessment and site inspection for PFAS,
24 including testing for PFAS, at all military installations,
25 formerly used defense sites, and State-owned facilities of

1 the National Guard in the United States that have been
2 identified by the Secretary as of the date of the enactment
3 of the Act.

4 **SEC. 321. STANDARDS FOR RESPONSE ACTIONS WITH RE-**
5 **SPECT TO PFAS CONTAMINATION.**

6 (a) IN GENERAL.—In conducting a response action
7 to address perfluoroalkyl or polyfluoroalkyl substance con-
8 tamination from Department of Defense or National
9 Guard activities, the Secretary of Defense shall conduct
10 such actions to achieve a level of such substances in the
11 environmental media that meets or exceeds the most strin-
12 gent of the following standards for each applicable covered
13 PFAS substance in any environmental media:

14 (1) A State standard, in effect in the State in
15 which the response action is being conducted, as de-
16 scribed in section 121(d)(2)(A)(ii) of the Com-
17 prehensive Environmental Response, Compensation,
18 and Liability Act of 1980 (42 U.S.C.
19 9621(d)(2)(A)(ii)).

20 (2) A Federal standard, as described in section
21 121(d)(2)(A)(i) of the Comprehensive Environmental
22 Response, Compensation, and Liability Act of 1980
23 (42 U.S.C. 9621(d)(2)(A)(i)).

1 (3) A health advisory under section
2 1412(b)(1)(F) of the Safe Drinking Water Act (42
3 U.S.C. 300g-1(b)(1)(F)).

4 (b) DEFINITIONS.—In this section:

5 (1) The term “covered PFAS substance” means
6 any of the following:

7 (A) Perfluorononanoic acid (PFNA).

8 (B) Perfluorooctanoic acid (PFOA).

9 (C) Perfluorohexanoic acid (PFHxA).

10 (D) Perfluorooctane sulfonic acid (PFOS).

11 (E) Perfluorohexane sulfonate (PFHxS).

12 (F) Perfluorobutane sulfonic acid (PFBS).

13 (G) GenX.

14 (2) The term “response action” means an ac-
15 tion taken pursuant to section 104 of the Com-
16 prehensive Environmental Response, Compensation,
17 and Liability Act of 1980 (42 U.S.C. 9601).

18 (c) SAVINGS CLAUSE.—Except with respect to the
19 specific level required to be met under subsection (a),
20 nothing in this section affects the application of the Com-
21 prehensive Environmental Response, Compensation, and
22 Liability Act of 1980 (42 U.S.C. 9607).

1 **SEC. 322. REVIEW AND GUIDANCE RELATING TO PREVEN-**
2 **TION AND MITIGATION OF SPILLS OF AQUE-**
3 **OUS FILM-FORMING FOAM.**

4 (a) REVIEW REQUIRED.—Not later than 180 days of
5 after the date of the enactment of this Act, the Secretary
6 of Defense shall complete a review of the efforts of the
7 Department of Defense to prevent or mitigate spills of
8 aqueous film-forming foam (in this section referred to as
9 “AFFF”). Such review shall assess the following:

10 (1) The preventative maintenance guidelines for
11 fire trucks of the Department and fire suppression
12 systems in buildings of the Department, to mitigate
13 the risk of equipment failure that may result in a
14 spill of AFFF.

15 (2) Any requirements for the use of personal
16 protective equipment by personnel when conducting
17 a material transfer or maintenance activity of the
18 Department that may result in a spill of AFFF, or
19 when conducting remediation activities for such a
20 spill, including requirements for side-shield safety
21 glasses, latex gloves, and respiratory protection
22 equipment.

23 (3) The methods by which the Secretary en-
24 sures compliance with guidance specified in material
25 safety data sheets with respect to the use of such
26 personal protective equipment.

1 (b) GUIDANCE.—Not later than 90 days after the
2 date on which the Secretary completes the review under
3 subsection (a), the Secretary shall issue guidance on the
4 prevention and mitigation of spills of AFFF based on the
5 results of such review that includes, at a minimum, best
6 practices and recommended requirements to ensure the
7 following:

8 (1) The supervision by personnel trained in re-
9 sponding to spills of AFFF of each material transfer
10 or maintenance activity of the Department of De-
11 fense that may result in such a spill.

12 (2) The use of containment berms and the cov-
13 ering of storm drains and catch basins by personnel
14 performing maintenance activities for the Depart-
15 ment in the vicinity of such drains or basins.

16 (3) The storage of materials for the cleanup
17 and containment of AFFF in close proximity to fire
18 suppression systems in buildings of the Department
19 and the presence of such materials during any trans-
20 fer or activity specified in paragraph (1).

21 (c) BRIEFING.—Not later than 30 days after the date
22 on which the Secretary issues the guidance under sub-
23 section (b), the Secretary shall provide to the congres-
24 sional defense committees a briefing that summarizes the

1 results of the review conducted under subsection (a) and
2 the guidance issued under subsection (b).

3 **SEC. 323. BUDGET INFORMATION FOR ALTERNATIVES TO**
4 **BURN PITS.**

5 The Secretary of Defense shall include in the budget
6 submission of the President under section 1105(a) of title
7 31, United States Code, for fiscal year 2022 a dedicated
8 budget line item for incinerators and waste-to-energy
9 waste disposal alternatives to burn pits.

10 **SEC. 324. ESTABLISHMENT OF EMISSIONS CONTROL**
11 **STANDARD OPERATING PROCEDURES.**

12 (a) REVIEW.—Not later than 180 days after the date
13 of the enactment of this Act, the Secretary of Defense
14 shall conduct a review of current electromagnetic spectrum
15 emissions control standard operating procedures across
16 the joint force.

17 (b) STANDARDS REQUIRED.—Not later than 60 days
18 after completing the review under subsection (a), the Sec-
19 retary of Defense shall direct the Secretary of each of the
20 military departments to establish standard operating pro-
21 cedures, down to the battalion or equivalent level, per-
22 taining to emissions control discipline during all manner
23 of operations.

24 (c) REPORT.—Not later than one year after the date
25 of the enactment of this Act, the Secretary of Defense

1 shall submit to the Committees on Armed Services of the
2 Senate and House of Representatives a report on the im-
3 plementation status of the standards required under sub-
4 section (b) by each of the military departments, includ-
5 ing—

6 (1) incorporation into doctrine of the military
7 departments;

8 (2) integration into training of the military de-
9 partments; and

10 (3) efforts to coordinate with the militaries of
11 partner countries and allies to develop similar stand-
12 ards and associated protocols, including through the
13 use of working groups.

14 **SEC. 325. LONG-DURATION DEMONSTRATION INITIATIVE**
15 **AND JOINT PROGRAM.**

16 (a) ESTABLISHMENT OF INITIATIVE.—Not later than
17 March 1, 2022, the Secretary of Defense shall establish
18 a demonstration initiative composed of demonstration
19 projects focused on the development of long-duration en-
20 ergy storage technologies.

21 (b) SELECTION OF PROJECTS.—To the maximum ex-
22 tent practicable, in selecting demonstration projects to
23 participate in the demonstration initiative under sub-
24 section (a), the Secretary of Defense shall—

25 (1) ensure a range of technology types;

1 (2) ensure regional diversity among projects;
2 and

3 (3) consider bulk power level, distribution power
4 level, behind-the-meter, microgrid (grid-connected or
5 islanded mode), and off-grid applications.

6 (c) JOINT PROGRAM.—

7 (1) ESTABLISHMENT.—As part of the dem-
8 onstration initiative under subsection (a), the Sec-
9 retary of Defense, in consultation with the Secretary
10 of Energy, shall establish within the Department of
11 Defense a joint program to carry out projects—

12 (A) to demonstrate promising long-dura-
13 tion energy storage technologies at different
14 scales to promote energy resiliency; and

15 (B) to help new, innovative long-duration
16 energy storage technologies become commer-
17 cially viable.

18 (2) MEMORANDUM OF UNDERSTANDING.—Not
19 later than 180 days after the date of the enactment
20 of this Act, the Secretary of Defense shall enter into
21 a memorandum of understanding with the Secretary
22 of Energy to administer the joint program.

23 (3) INFRASTRUCTURE.—In carrying out the
24 joint program, the Secretary of Defense and the Sec-
25 retary of Energy shall—

1 (A) use existing test-bed infrastructure
2 at—

3 (i) installations of the Department of
4 Defense; and

5 (ii) facilities of the Department of En-
6 ergy; and

7 (B) develop new infrastructure for identi-
8 fied projects, if appropriate.

9 (4) GOALS AND METRICS.—The Secretary of
10 Defense and the Secretary of Energy shall develop
11 goals and metrics for technological progress under
12 the joint program consistent with energy resilience
13 and energy security policies.

14 (5) SELECTION OF PROJECTS.—

15 (A) IN GENERAL.—To the maximum ex-
16 tent practicable, in selecting projects to partici-
17 pate in the joint program, the Secretary of De-
18 fense and the Secretary of Energy may—

19 (i) ensure that projects are carried
20 out under conditions that represent a vari-
21 ety of environments with different physical
22 conditions and market constraints; and

23 (ii) ensure an appropriate balance
24 of—

1 (I) larger, operationally-scaled
2 projects, adapting commercially-prov-
3 en technology that meets military
4 service defined requirements; and

5 (II) smaller, lower-cost projects.

6 (B) PRIORITY.—In carrying out the joint
7 program, the Secretary of Defense and the Sec-
8 retary of Energy shall give priority to dem-
9 onstration projects that—

10 (i) make available to the public
11 project information that will accelerate de-
12 ployment of long-duration energy storage
13 technologies that promote energy resil-
14 iency; and

15 (ii) will be carried out as field dem-
16 onstrations fully integrated into the instal-
17 lation grid at an operational scale.

18 **SEC. 326. PILOT PROGRAM ON USE OF SUSTAINABLE AVIA-**
19 **TION FUEL.**

20 (a) IN GENERAL.—The Secretary of Defense shall
21 conduct a pilot program at two or more geographically di-
22 verse Department of Defense facilities for the use of sus-
23 tainable aviation fuel. Such program shall be designed
24 to—

1 (1) identify any logistical challenges with re-
2 spect to the use of sustainable aviation fuel by the
3 Department of Defense;

4 (2) promote understanding of the technical and
5 performance characteristics of sustainable aviation
6 fuel when used in a military setting; and

7 (3) engage nearby commercial airports to ex-
8 plore opportunities and challenges to partner on in-
9 creased use of sustainable aviation fuel.

10 (b) SELECTION OF FACILITIES.—

11 (1) SELECTION.—Not later than one year after
12 the date of the enactment of this Act, the Secretary
13 of Defense shall select at least two geographically di-
14 verse Department facilities at which to carry out the
15 pilot program. At least one such facility shall be a
16 facility with an onsite refinery that is located in
17 proximity to at least one major commercial airport
18 that is also actively seeking to increase the use of
19 sustainable aviation fuel.

20 (2) NOTICE TO CONGRESS.—Upon the selection
21 of each facility under paragraph (1), the Secretary
22 shall submit to the Committee on Armed Services
23 and the Committee on Transportation and Infra-
24 structure of the House of Representatives notice of

1 the selection, including an identification of the facil-
2 ity selected.

3 (c) USE OF SUSTAINABLE AVIATION FUEL.—

4 (1) PLANS.—For each facility selected under
5 subsection (b), not later than one year after the se-
6 lection of the facility, the Secretary shall—

7 (A) develop a plan on how to implement,
8 by September 30, 2028, a target of exclusively
9 using at the facility aviation fuel that is blended
10 to contain at least 10 percent sustainable avia-
11 tion fuel;

12 (B) submit the plan to the Committee on
13 Armed Services and the Committee on Trans-
14 portation and Infrastructure of the House of
15 Representatives; and

16 (C) provide to such Committees a briefing
17 on the plan that includes, at a minimum—

18 (i) a description of any operational,
19 infrastructure, or logistical requirements
20 and recommendations for the blending and
21 use of sustainable aviation fuel; and

22 (ii) a description of any stakeholder
23 engagement in the development of the
24 plan, including any consultations with

1 nearby commercial airport owners or oper-
2 ators.

3 (2) IMPLEMENTATION OF PLANS.—For each fa-
4 cility selected under subsection (b), during the pe-
5 riod beginning on a date that is not later than Sep-
6 tember 30, 2028, and for five years thereafter, the
7 Secretary shall require, in accordance with the re-
8 spective plan developed under paragraph (1), the ex-
9 clusive use at the facility of aviation fuel that is
10 blended to contain at least 10 percent sustainable
11 aviation fuel.

12 (d) CRITERIA FOR SUSTAINABLE AVIATION FUEL.—
13 Sustainable aviation fuel used under the pilot program
14 shall meet the following criteria:

15 (1) Such fuel shall be produced in the United
16 States from non-agricultural and non-food-based do-
17 mestic feedstock sources.

18 (2) Such fuel shall constitute drop-in fuel that
19 meets all specifications and performance require-
20 ments of the Department of Defense and the Armed
21 Forces.

22 (e) WAIVER.—The Secretary may waive the use of
23 sustainable aviation fuel at a facility under the pilot pro-
24 gram if the Secretary—

1 (1) determines such use is not feasible due to
2 a lack of domestic availability of sustainable aviation
3 fuel or a national security contingency; and

4 (2) submits to the congressional defense com-
5 mittees notice of such waiver and the reasons for
6 such waiver.

7 (f) FINAL REPORT.—At the conclusion of the pilot
8 program, the Assistant Secretary of Defense for Energy,
9 Installations, and Environment shall submit to the Com-
10 mittee on Armed Services and the Committee on Trans-
11 portation and Infrastructure of the House of Representa-
12 tives a final report on the pilot program. Such report shall
13 include each of the following:

14 (1) An assessment of the effect of using sus-
15 tainable aviation fuel on the overall fuel costs of
16 blended fuel.

17 (2) A description of any operational, infrastruc-
18 ture, or logistical requirements and recommenda-
19 tions for the blending and use of sustainable aviation
20 fuel, with a focus on scaling up military-wide adop-
21 tion of such fuel.

22 (3) Recommendations with respect to how mili-
23 tary installations can leverage proximity to commer-
24 cial airports and other jet fuel consumers to increase
25 the rate of use of sustainable aviation fuel, for both

1 military and non-military use, including potential
2 collaboration on innovative financing or purchasing
3 and shared supply chain infrastructure.

4 (4) A description of the effects on performance
5 and operation aircraft using sustainable aviation fuel
6 including—

7 (A) if used, considerations of various
8 blending ratios and their associated benefits;

9 (B) efficiency and distance improvements
10 of flights fuels using sustainable aviation fuel;

11 (C) weight savings on large transportation
12 aircraft and other types of aircraft with using
13 blended fuel with higher concentrations of sus-
14 tainable aviation fuel;

15 (D) maintenance benefits of using sustain-
16 able aviation fuel, including engine longevity;

17 (E) the effect of the use of sustainable
18 aviation fuel on emissions and air quality;

19 (F) the effect of the use of sustainable
20 aviation fuel on the environment and on sur-
21 rounding communities, including environmental
22 justice factors that are created by the demand
23 for and use of sustainable aviation fuel by the
24 Department of Defense; and

1 (G) benefits with respect to job creation in
2 the sustainable aviation fuel production and
3 supply chain.

4 (g) SUSTAINABLE AVIATION FUEL DEFINED.—In
5 this section, the term “sustainable aviation fuel” means
6 liquid fuel that—

7 (1) consists of synthesized hydrocarbon;

8 (2) meets the requirements of—

9 (A) ASTM International Standard D7566
10 (or such successor standard); or

11 (B) the co-processing provisions of ASTM
12 International Standard D1655, Annex A1 (or
13 such successor standard);

14 (3) is derived from biomass (as such term is de-
15 fined in section 45K(c)(3) of the Internal Revenue
16 Code of 1986), waste streams, renewable energy
17 sources, or gaseous carbon oxides;

18 (4) is not derived from palm fatty acid dis-
19 tillates; and

20 (5) conforms to the standards, recommended
21 practices, requirements and criteria, supporting doc-
22 uments, implementation elements, and any other
23 technical guidance, for sustainable aviation fuels
24 that are adopted by the International Civil Aviation

1 Organization with the agreement of the United
2 States.

3 **SEC. 327. JOINT DEPARTMENT OF DEFENSE AND DEPART-**
4 **MENT OF AGRICULTURE STUDY ON BIO-**
5 **REMEDIATION OF PFAS USING MYCOLOGICAL**
6 **ORGANIC MATTER.**

7 (a) STUDY.—The Secretary of Defense, acting
8 through the Assistant Secretary of Defense for Energy,
9 Installations, and Environment, Strategic Environmental
10 Research and Development Program, and the Secretary
11 of Agriculture, acting through the Administrator of the
12 Agricultural Research Service, shall jointly carry out a
13 study on the bioremediation of PFAS using mycological
14 organic matter. Such study shall commence not later than
15 one year after the date of the enactment of this Act.

16 (b) REPORT.—Not later than one year after the date
17 of the enactment of this Act, the Secretary of Defense and
18 the Secretary of Agriculture shall jointly submit to the
19 Committee on Agriculture and the Committee on Armed
20 Services of the House or Representatives and the Com-
21 mittee on Agriculture, Forestry, and Nutrition and the
22 Committee on Armed Services of the Senate a report on
23 the study conducted pursuant to subsection (a).

24 (c) PFAS.—In this section, the term “PFAS” means
25 per- and polyfluoroalkyl substances.

1 **Subtitle C—Logistics and**
2 **Sustainment**

3 **SEC. 341. MITIGATION OF CONTESTED LOGISTICS CHAL-**
4 **LENGES OF THE DEPARTMENT OF DEFENSE**
5 **THROUGH REDUCTION OF OPERATIONAL EN-**
6 **ERGY DEMAND.**

7 (a) CLARIFICATION OF OPERATIONAL ENERGY RE-
8 SPONSIBILITIES.—Section 2926 of title 10, United States
9 Code, is amended—

10 (1) in subsection (a), by inserting “in contested
11 logistics environments” after “missions”; and

12 (2) in subsection (b)—

13 (A) in the heading, by striking “AUTHORI-
14 TIES” and inserting “RESPONSIBILITIES”;

15 (B) in the matter preceding paragraph (1),
16 by striking “may” and inserting “shall”;

17 (C) by amending paragraph (1) to read as
18 follows:

19 “(1) require the Secretaries concerned and the
20 commanders of the combatant commands to assess
21 the energy supportability in contested logistics envi-
22 ronments of systems, capabilities, and plans;”;

23 (D) in paragraph (2), by inserting “
24 supportability in contested logistics environ-
25 ments,” after “power,”; and

1 (E) in paragraph (3), by inserting “in con-
2 tested logistics environments” after
3 “vulnerabilities”.

4 (b) ESTABLISHMENT OF WORKING GROUP.—Such
5 section is further amended—

6 (1) in subsection (c)—

7 (A) in the matter preceding paragraph (1),
8 by inserting “ and in coordination with the
9 working group under subsection (d)” after
10 “components”;

11 (B) in paragraph (1), by striking “Defense
12 and oversee” and inserting “Defense, including
13 the activities of the working group established
14 under subsection (d), and oversee”;

15 (C) in paragraph (2), by inserting “, tak-
16 ing into account the findings of the working
17 group under subsection (d)” after “Defense”;
18 and

19 (D) paragraph (3), by inserting “, taking
20 into account the findings of the working group
21 under subsection (d)” after “resilience”;

22 (2) by redesignating subsections (d) through (f)
23 as subsections (e) through (g), respectively;

24 (3) by inserting after subsection (c), as amend-
25 ed by paragraph (1), the following new subsection:

1 “(d) WORKING GROUP.—(1) The Secretary of De-
2 fense shall establish a working group to integrate efforts
3 to mitigate contested logistics challenges through the re-
4 duction of operational energy demand that are carried out
5 within each armed force, across the armed forces, and with
6 the Office of the Secretary of Defense and to conduct
7 other coordinated functions relating to such efforts.

8 “(2) The head of the working group under paragraph
9 (1) shall be the Assistant Secretary of Defense for Energy,
10 Installations, and Environment. The Assistant Secretary
11 shall supervise the members of the working group and pro-
12 vide guidance to such members with respect to specific
13 operational energy plans and programs to be carried out
14 pursuant to the strategy under subsection (e).

15 “(3) The members of the working group under para-
16 graph (1) shall be appointed as follows:

17 “(A) A senior official of each armed force, who
18 shall be nominated by the Secretary concerned and
19 confirmed by the Senate to represent such armed
20 force.

21 “(B) A senior official from each geographic and
22 functional combatant command, who shall be ap-
23 pointed by the commander of the respective combat-
24 ant command to represent such combatant com-
25 mand.

1 “(C) A senior official under the jurisdiction of
2 the Chairman of the Joint Chiefs of Staff, who shall
3 be appointed by the Chairman to represent the Joint
4 Chiefs of Staff and the Joint Staff.

5 “(4) Each member of the working group shall be re-
6 sponsible for carrying out operational energy plans and
7 programs and implementing coordinated initiatives pursu-
8 ant to the strategy under subsection (e) for the respective
9 component of the Department that the member rep-
10 resents.

11 “(5) The duties of the working group under para-
12 graph (1) shall be as follows:

13 “(A) Planning for the integration of efforts to
14 mitigate contested logistics challenges through the
15 reduction of operational energy demand carried out
16 within each armed force, across the armed forces,
17 and with the Office of the Secretary of Defense.

18 “(B) Developing recommendations regarding
19 the strategy for operational energy under subsection
20 (e).

21 “(C) Developing recommendations relating to
22 the development of, and modernization efforts for,
23 platforms and weapons systems of the armed forces.

24 “(D) Developing recommendations to ensure
25 that such development and modernization efforts

1 lead to increased lethality, extended range, and ex-
2 tended on-station time for tactical assets.

3 “(E) Developing recommendations to mitigate
4 the effects of hostile action by a near-peer adversary
5 targeting operational energy storage and operations
6 of the armed forces, including through the use of in-
7 novative delivery systems, distributed storage, flexi-
8 ble contracting, and improved automation.”; and

9 (4) in subsection (g), as redesignated by para-
10 graph (2)—

11 (A) in paragraph (1)—

12 (i) by striking “The Secretary of a
13 military department” and inserting “Each
14 member of the working group under sub-
15 section (d)”;

16 (ii) by striking “conducted by the
17 military department” and inserting “con-
18 ducted by the respective component of the
19 Department that the member represents
20 for purposes of the working group”;

21 (B) in paragraph (2), by striking “military
22 department” and inserting “armed force”.

23 (c) MODIFICATIONS TO OPERATIONAL ENERGY
24 STRATEGY.—Subsection (e) of such section, as redesign-
25 nated by subsection (b)(2), is amended to read as follows:

1 “(1) The Assistant Secretary of Defense for Energy,
2 Installations, and Environment, in coordination with the
3 working group under subsection (d), shall be responsible
4 for the establishment and maintenance of a department-
5 wide transformational strategy for operational energy. The
6 strategy shall be updated every five years and shall estab-
7 lish near-term, mid-term, and long-term goals, perform-
8 ance metrics to measure progress in meeting the goals,
9 and a plan for implementation of the strategy within each
10 armed force, across the armed forces, and with the Office
11 of the Secretary of Defense.

12 “(2) The strategy required under paragraph (1) shall
13 include the following:

14 “(A) A plan to integrate efforts to mitigate con-
15 tested logistics challenges through the reduction of
16 operational energy demand within each armed force.

17 “(B) An assessment of how industry trends
18 transitioning from the production of internal com-
19 bustion engines to the development and production
20 of alternative propulsion systems may affect the
21 long-term availability of parts for military equip-
22 ment, the fuel costs for such equipment, and the
23 sustainability of such equipment.

24 “(C) An assessment of any fossil fuel reduction
25 technologies, including electric, hydrogen, or other

1 sustainable fuel technologies, that may reduce oper-
2 ational energy demand in the near-term or long-
3 term.

4 “(D) An assessment of any risks or opportuni-
5 ties related to the development of tactical vehicles or
6 other military equipment that use alternative propul-
7 sion systems, including any such risks or opportuni-
8 ties with respect the supply chain or resupply capa-
9 bilities of the armed forces or the congruence of
10 such systems with the systems used by allies of the
11 United States.

12 “(E) An assessment of how the Secretaries con-
13 cerned and the commanders of the combatant com-
14 mands can better plan for challenges presented by
15 near-peer adversaries in a contested logistics envi-
16 ronment, including through innovative delivery sys-
17 tems, distributed storage, flexible contracting, and
18 improved automation.

19 “(F) An assessment of any infrastructure in-
20 vestments of allied and partner countries that may
21 affect operational energy availability in the event of
22 a conflict with a near-peer adversary.

23 “(3) By authority of the Secretary of Defense, and
24 taking into consideration the findings of the working
25 group, the Assistant Secretary shall prescribe policies and

1 procedures for the implementation of the strategy and
2 make recommendations to the Secretary of Defense and
3 Deputy Secretary of Defense with respect to specific oper-
4 ational energy plans and programs to be carried out pur-
5 suant to the strategy.

6 “(4) Not later than 30 days after the date on which
7 the budget for fiscal year 2024 is submitted to Congress
8 pursuant to section 1105 of title 31, and every five years
9 thereafter, the Assistant Secretary shall submit to the con-
10 gressional defense committees the strategy required under
11 paragraph (1).”.

12 (d) DEFINITIONS.—Such section is further amended
13 by adding at the end the following new subsection:

14 “(h) DEFINITIONS.—In this section:

15 “(1) The term ‘contested logistics environment’
16 means an environment in which the armed forces en-
17 gage in conflict with an adversary that presents
18 challenges in all domains and directly targets logis-
19 tics operations, facilities, and activities in the United
20 States, abroad, or in transit from one location to the
21 other.

22 “(2) The term ‘tactical vehicle’ means a vehicle
23 owned by the Department of Defense or the armed
24 forces and used in combat, combat support, combat

1 service support, tactical, or relief operations, or in
2 training for such operations.”.

3 (e) CONFORMING AMENDMENT.—Section 2926(c)(5)
4 of title 10, United States Code, is amended by striking
5 “subsection (e)(4)” and inserting “subsection (f)(4)”.

6 (f) INTERIM REPORT.—Not later than 180 days after
7 the date of the enactment of this Act, the Assistant Sec-
8 retary of Defense for Energy, Installations, and Environ-
9 ment shall submit to the congressional defense committees
10 an interim report on any actions taken pursuant to the
11 amendments made by this section. Such report shall in-
12 clude an update regarding the establishment of the work-
13 ing group under section 2926(d) of title 10, United States
14 Code, as amended by subsection (b).

15 **SEC. 342. GLOBAL BULK FUEL MANAGEMENT AND DELIV-**
16 **ERY.**

17 (a) DESIGNATION OF RESPONSIBLE COMBATANT
18 COMMAND.—

19 (1) DESIGNATION REQUIRED.—Subchapter III
20 of chapter 173 of title 10, United States Code, is
21 amended by adding at the end the following new sec-
22 tion:

1 **“§ 2927. Global bulk fuel management and delivery**

2 “The Secretary of Defense shall designate a combat-
3 ant command to be responsible for bulk fuel management
4 and delivery of the Department on a global basis.”.

5 (2) CLERICAL AMENDMENT.—The table of con-
6 tents for such subchapter is amended by adding at
7 the end the following new item:

“2927. Global bulk fuel management and delivery.”.

8 (3) DEADLINE FOR DESIGNATION; NOTICE.—
9 Not later than 30 days after the date of the enact-
10 ment of this Act, the Secretary of Defense shall—

11 (A) make the designation required under
12 section 2927 of title 10, United States Code (as
13 added by paragraph (1)); and

14 (B) provide to the Committees on Armed
15 Services of the Senate and the House of Rep-
16 resentatives notice of the combatant command
17 so designated.

18 (b) GLOBAL BULK FUEL MANAGEMENT STRAT-
19 EGY.—

20 (1) STRATEGY REQUIRED.—The commander of
21 the combatant command designated under section
22 2927 of title 10, United States Code (as added by
23 subsection (a)), shall prepare and submit to the con-
24 gressional defense committees a strategy to develop
25 the infrastructure and programs necessary to opti-

1 mally support global bulk fuel management of the
2 Department of Defense.

3 (2) ADDITIONAL ELEMENTS.—The strategy
4 under paragraph (1) shall include the following addi-
5 tional elements:

6 (A) A description of the current organiza-
7 tional responsibility for bulk fuel management
8 of the Department, organized by geographic
9 combatant command, including with respect to
10 ordering, storage, and strategic and tactical
11 transportation.

12 (B) A description of any legacy bulk fuel
13 management assets of each of the geographic
14 combatant commands.

15 (C) A description of the operational plan to
16 exercise such assets to ensure full functionality
17 and to repair, upgrade, or replace such assets
18 as necessary.

19 (D) An identification of the resources re-
20 quired for any such repairs, upgrades, or re-
21 placements.

22 (E) A description of the current programs
23 relating to platforms, weapon systems, or re-
24 search and development, that are aimed at

1 managing fuel constraints by decreasing de-
2 mand for fuel.

3 (F) An assessment of current and pro-
4 jected threats to forward-based bulk fuel deliv-
5 ery, storage, and distribution systems, and an
6 assessment, based on such current and pro-
7 jected threats, of attrition to bulk fuel infra-
8 structure, including storage and distribution
9 systems, in a conflict involving near-peer for-
10 eign countries.

11 (G) An assessment of current days of sup-
12 ply guidance, petroleum war reserve require-
13 ments, and prepositioned war reserve stocks,
14 based on operational tempo associated with dis-
15 tributed operations in a contested environment.

16 (H) An identification of the resources re-
17 quired to address any changes to such guid-
18 ance, requirements, or stocks recommended as
19 the result of such assessment.

20 (I) An identification of any global shortfall
21 with respect to bulk fuel management, orga-
22 nized by geographic combatant command, and a
23 prioritized list of investment recommendations
24 to address each shortfall identified.

1 (3) COORDINATION.—In preparing the strategy
2 under paragraph (1), the commander of the combat-
3 ant command specified in such paragraph shall co-
4 ordinate with subject matter experts of the Joint
5 Staff, the geographic combatant commands, the
6 United States Transportation Command, the De-
7 fense Logistics Agency, and the military depart-
8 ments.

9 (c) LIMITATION ON AVAILABILITY OF FUNDS FOR
10 DEFENSE LOGISTICS AGENCY (ENERGY).—Of the funds
11 authorized to be appropriated by this Act or otherwise
12 made available for fiscal year 2022 for the Defense Logis-
13 tics Agency (Energy), not more than 50 percent may be
14 obligated or expended before the date on which the notice
15 under subsection (a)(3)(B) is provided.

16 (d) CONFORMING AMENDMENTS.—Section 2854 of
17 the Military Construction Authorization Act for Fiscal
18 Year 2021 (Public Law 116–283) is amended—

19 (1) in subsection (b), by striking “The organi-
20 zational element designated pursuant to subsection
21 (a)” and inserting “The Secretary of Defense”;

22 (2) in subsection (c), by striking “subsection
23 (b)” and inserting “subsection (a)”;

24 (3) by striking subsections (a) and (d); and

1 (4) by redesignating subsections (b) and (c), as
2 amended by paragraphs (1) and (2), as subsections
3 (a) and (b), respectively.

4 **SEC. 343. COMPTROLLER GENERAL ANNUAL REVIEWS OF**
5 **F-35 SUSTAINMENT EFFORTS.**

6 (a) ANNUAL REVIEWS AND BRIEFINGS.—Not later
7 than March 1 of each year of 2022, 2023, 2024, and
8 2025, the Comptroller General of the United States
9 shall—

10 (1) conduct an annual review of the
11 sustainment efforts of the Department of Defense
12 with respect to the F-35 aircraft program (including
13 the air vehicle and propulsion elements of such pro-
14 gram); and

15 (2) provide to the Committee on Armed Serv-
16 ices of the House of Representatives a briefing on
17 such review, including any findings of the Comp-
18 troller General as a result of such review.

19 (b) ELEMENTS.—Each review under subsection
20 (a)(1) shall include an assessment of the following:

21 (1) The status of the sustainment strategy of
22 the Department for the F-35 Lightning II aircraft
23 program.

1 (b) SELECTION.—In carrying out the pilot program
2 under subsection (a), the Secretary shall select for test
3 and evaluation under the pilot program at least one exist-
4 ing covered biobased solution.

5 (c) TEST AND EVALUATION.—Following the test and
6 evaluation of a covered biobased solution under the pilot
7 program, the Secretary shall determine, based on such test
8 and evaluation, whether the solution meets the following
9 requirements:

10 (1) The solution is capable of being produced
11 domestically.

12 (2) The solution is at least as effective at the
13 control and mitigation of corrosion as current alter-
14 native solutions.

15 (3) The solution reduces environmental expo-
16 sures.

17 (d) RECOMMENDATIONS.—Upon termination of the
18 pilot program under subsection (a), the Secretary shall de-
19 velop recommendations for the Department of Defense-
20 wide deployment of covered biobased solutions that the
21 Secretary has determined meet the requirements under
22 subsection (c).

23 (e) COVERED BIOBASED SOLUTION DEFINED.—In
24 this section, the term “covered biobased solution” means

1 a solution for the control and mitigation of corrosion that
2 is domestically produced, commercial, and biobased.

3 **SEC. 345. PILOT PROGRAM ON DIGITAL OPTIMIZATION OF**
4 **ORGANIC INDUSTRIAL BASE MAINTENANCE**
5 **AND REPAIR OPERATIONS.**

6 (a) IN GENERAL.—Beginning not later than 180
7 days after the date of the enactment of this Act, The Sec-
8 retary of the Defense shall initiate a pilot program under
9 which the Secretary shall provide for the digitization of
10 the facilities and operations of at least one covered depot.

11 (b) ELEMENTS OF PILOT PROGRAM.—In carrying
12 out the pilot program under this section, the Secretary
13 shall provide for each of the following at the covered depot
14 or depots at which the Secretary carries out the program:

15 (1) The delivery of a digital twin model of the
16 maintenance, repair, and remanufacturing infra-
17 structure and activities.

18 (2) The modeling and simulation of optimized
19 facility configuration, logistics systems, and proc-
20 esses.

21 (3) The analysis of material flow and resource
22 use to achieve key performance metrics for all levels
23 of maintenance and repair.

24 (4) An assessment of automated, advanced, and
25 additive manufacturing technologies that could im-

1 prove maintenance, repair, and remanufacturing op-
2 erations.

3 (5) The identification of investments necessary
4 to achieve the efficiencies identified by the digital
5 twin model required under paragraph (1).

6 (c) REPORT.—Not later than 60 days after the com-
7 pletion of the digital twin model and associated analysis,
8 the Secretary of Defense shall submit to the Committees
9 on Armed Services of the Senate and the House of Rep-
10 resentatives a report on the pilot program. Such report
11 shall include—

12 (1) a description of the efficiencies identified
13 under the pilot program;

14 (2) a description of the infrastructure, work-
15 force, and capital equipment investments necessary
16 to achieve such efficiencies;

17 (3) the plan of the Secretary to undertake such
18 investments; and

19 (4) the assessment of the Secretary of the po-
20 tential applicability of the findings of the pilot pro-
21 gram to other covered depots.

22 (d) COVERED DEPOT DEFINED.—In this section, the
23 term “covered depot” includes any depot covered under
24 section 2476(e) of title 10, United States Code, except for
25 the following:

- 1 (1) Portsmouth Naval Shipyard, Maine.
- 2 (2) Pearl Harbor Naval Shipyard, Hawaii.
- 3 (3) Puget Sound Naval Shipyard, Washington.
- 4 (4) Norfolk Naval Shipyard, Virginia.

5 **SEC. 346. PILOT PROGRAM ON IMPLEMENTATION OF MITI-**
6 **GATING ACTIONS TO ADDRESS**
7 **VULNERABILITIES TO CRITICAL DEFENSE FA-**
8 **CILITIES AND ASSOCIATED DEFENSE CRIT-**
9 **ICAL ELECTRIC INFRASTRUCTURE.**

10 (a) TWO-YEAR PILOT AUTHORIZED.—

11 (1) IN GENERAL.—The Secretary of Defense, in
12 coordination with the Secretary of Energy, the Sec-
13 retaries of each of the military departments, and the
14 Secretary of the department in which the Coast
15 Guard is operating, shall carry out a two-year pilot
16 program under which the Secretary shall implement
17 mitigating actions to address vulnerabilities assessed
18 under section 215A of the Federal Power Act (16
19 U.S.C. 824o–1) at critical defense facilities and their
20 associated defense critical electric infrastructure,
21 after consultation with, and with the consent of, the
22 owners of such facilities and infrastructure.

23 (2) USE OF GRANT AUTHORITY.—In carrying
24 out the pilot program, the Secretary of Defense may
25 make grants, enter into cooperative agreements, and

1 supplement funds available under Federal programs
2 administered by agencies other than the Department
3 of Defense to support mitigating actions under this
4 section.

5 (b) SELECTION OF INSTALLATIONS.—The Secretary
6 of Defense shall select at least three military installations
7 designated as critical defense facilities at which to carry
8 out the pilot program under this section. In selecting such
9 installations, the Secretary shall—

10 (1) ensure that at least one of the military in-
11 stallations selected is an installation of each of
12 Armed Forces;

13 (2) select installations that represent different
14 challenges or severities with respect to electric infra-
15 structure vulnerability;

16 (3) select at least one critical defense facility
17 within the service territory of a Power Marketing
18 Administration;

19 (4) provide particular consideration for critical
20 defense facilities and the associated defense critical
21 electric infrastructure that use rural cooperatives or
22 municipal entities for their electricity needs; and

23 (5) provide particular consideration for critical
24 defense facilities and defense critical electric infra-
25 structure that have completed an assessment of

1 vulnerabilities and resilience requirements in coordi-
2 nation with the Secretary of Defense and the Sec-
3 retary of Energy.

4 (c) COMPTROLLER GENERAL REVIEW.—

5 (1) IN GENERAL.—Not later than two years
6 after the date of the enactment of this Act, the
7 Comptroller General of the United States shall—

8 (A) conduct a review of the pilot program
9 under this section; and

10 (B) submit to the appropriate congres-
11 sional committees a report on the results of the
12 review.

13 (2) CONTENTS.—The review required under
14 this subsection shall include an assessment of the ef-
15 fectiveness of the mitigating actions taken under the
16 pilot program and the feasibility of expanding the
17 implementation of such mitigating actions at other
18 installations identified under section 215A(a)(4) of
19 the Federal Power Act (16 U.S.C. 824o–1(a)(4)).

20 (d) DEFINITIONS.—In this section:

21 (1) The term “appropriate congressional com-
22 mittees” means—

23 (A) the Committee on Armed Services and
24 the Committee on Energy and Commerce of the
25 House of Representatives; and

1 (B) the Committee on Armed Services and
2 the Committee on Energy and Natural Re-
3 sources of the Senate.

4 (2) The term “defense critical electric infra-
5 structure” has the meaning given such term under
6 section 215A(a)(4) of the Federal Power Act (16
7 U.S.C. 824o–1(a)(4)).

8 (3) The term “critical defense facility” means a
9 facility designated as a critical defense facility under
10 section 215A(c) of the Federal Power Act (16
11 U.S.C. 824o–1(c)).

12 (4) The term “mitigating action” means any
13 energy resiliency solution applied that is consistent
14 with an assessed strategy to reduce vulnerabilities at
15 critical defense facilities and associated defense crit-
16 ical electric infrastructure.

17 **SEC. 347. REPORT AND CERTIFICATION REQUIREMENTS**
18 **REGARDING SUSTAINMENT COSTS FOR F-35**
19 **AIRCRAFT PROGRAM.**

20 (a) REPORT.—Not later than March 1, 2022, the
21 Secretary of Defense shall submit to the congressional de-
22 fense committees a report on sustainment costs for the
23 F–35 aircraft program. Such report shall include the fol-
24 lowing:

1 (1) A detailed description and explanation of,
2 and the actual cost data related to, sustainment
3 costs for the F-35 aircraft program, including an
4 identification and assessment of cost elements attrib-
5 utable to the Federal Government or to contractors
6 (disaggregated by the entity responsible for each
7 portion of the cost element, including at the prime
8 contractor and major subcontractor levels) with re-
9 spect to such sustainment costs.

10 (2) An identification of the affordability targets
11 of the Air Force, Navy, and Marine Corps, respec-
12 tively, for sustainment costs for the F-35 aircraft
13 program (expressed in cost per tail per year format
14 and disaggregated by aircraft variant) for the fol-
15 lowing years:

16 (A) With respect to the affordability target
17 of the Air Force, for the year in which the Sec-
18 retary of the Air Force completes the procure-
19 ment of the program of record number of F-35
20 aircraft for the Air Force.

21 (B) With respect to the affordability target
22 of the Navy, for the year in which the Secretary
23 of the Navy completes the procurement of the
24 program of record number of F-35 aircraft for
25 the Navy; and

1 (C) With respect to the affordability target
2 of the Marine Corps, for the year in which the
3 Secretary of the Navy completes the procure-
4 ment of the program of record number of F-35
5 aircraft for the Marine Corps.

6 (3) A detailed plan for the reduction of
7 sustainment costs for the F-35 aircraft program to
8 achieve the affordability targets specified in para-
9 graph (2), including a plan for contractors to reduce
10 their portion of such sustainment costs.

11 (4) An identification of sustainment cost
12 metrics for the F-35 aircraft program for each of
13 fiscal years 2022 through 2026, expressed in cost
14 per tail per year format.

15 (b) ANNUAL CERTIFICATION.—

16 (1) CERTIFICATIONS.—Not later than Decem-
17 ber 31 of each of the years 2022 through 2026, the
18 Secretary of Defense shall submit to the congres-
19 sional defense committees a certification indicating
20 whether the F-35 aircraft program met the
21 sustainment cost metrics identified pursuant to sub-
22 section (a)(4) with respect to the fiscal year for
23 which the report is submitted.

24 (2) JUSTIFICATION.—If a certification under
25 paragraph (1) indicates that the sustainment cost

1 metrics for the respective year were not met, the
2 Secretary shall submit to the congressional defense
3 committees a detailed justification for the outcome.

4 (c) LIMITATION ON CERTAIN CONTRACTS.—The Sec-
5 retary of Defense may not enter into a performance-based
6 logistics contract for the sustainment of the F-35 aircraft
7 program until the Secretary submits to the congressional
8 defense committees a certification that—

9 (1) the F-35 aircraft program has met the
10 sustainment cost metrics identified pursuant to sub-
11 section (a)(4) for two consecutive fiscal years, as in-
12 dicated by two consecutive certifications submitted
13 under subsection (b)(1); and

14 (2) the Secretary has determined that such a
15 performance-based logistics contract will further re-
16 duce sustainment costs for the F-35 aircraft pro-
17 gram.

18 (d) COST PER TAIL PER YEAR DEFINED.—In this
19 section, the term “cost per tail per year” means the aver-
20 age annual operating and support cost (as estimated pur-
21 suant to a formula determined by the Secretary) per air-
22 craft.

1 **Subtitle D—Risk Mitigation and**
2 **Safety Improvement**

3 **SEC. 351. TREATMENT OF NOTICE OF PRESUMED RISK**
4 **ISSUED BY MILITARY AVIATION AND INSTAL-**
5 **LATION ASSURANCE CLEARINGHOUSE FOR**
6 **REVIEW OF MISSION OBSTRUCTIONS.**

7 Subparagraph (B) of paragraph (2) of subsection (C)
8 of section 183a of title 10, United States Code, is amend-
9 ed to read as follows:

10 “(B) A notice of presumed risk issued pursuant to
11 subparagraph (A) is a preliminary assessment only and
12 is not a finding of unacceptable risk under subsection (e).
13 A discussion of mitigation actions could resolve the con-
14 cerns identified by the Department in the preliminary as-
15 sessment in favor of the applicant.”.

16 **SEC. 352. ESTABLISHMENT OF JOINT SAFETY COUNCIL.**

17 (a) IN GENERAL.—Chapter 7 of title 10, United
18 States Code, is amended by inserting after section 183a
19 the following new section:

20 **“§ 184. Joint Safety Council**

21 “(a) IN GENERAL.—There is established, within the
22 Office of the Deputy Secretary of Defense, a Joint Safety
23 Council (in this section referred to as the ‘Council’).

1 “(b) COMPOSITION; APPOINTMENT; COMPENSA-
2 TION.—(1) The Council shall include the following voting
3 members:

4 “(A) The Vice Chief of Staff of the Army.

5 “(B) The Vice Chief of Staff of the Air Force.

6 “(C) The Vice Chief of Naval Operations.

7 “(D) The Assistant Commandant of the Marine
8 Corps.

9 “(E) The Vice Chief of Space Operations.

10 “(F) A member of the Senior Executive Service
11 from the Office of the Under Secretary of Defense
12 for Personnel and Readiness, appointed by the Dep-
13 uty Secretary of Defense.

14 “(G) A member of the Senior Executive Service
15 from the Office of the Under Secretary for Research
16 and Engineering, appointed by the Deputy Secretary
17 of Defense.

18 “(H) A member of the Senior Executive Service
19 from the Office of the Under Secretary for Acquisi-
20 tion and Sustainment, appointed by the Deputy Sec-
21 retary of Defense.

22 “(2) The Council shall include the following non-vot-
23 ing members:

1 “(A) The Director of Safety for the Depart-
2 ment of the Army, who shall be appointed by the
3 Secretary of the Army.

4 “(B) The Director of Safety for the Depart-
5 ment of the Air Force, who shall be appointed by the
6 Secretary of the Air Force.

7 “(C) The Director of Safety for the Department
8 of the Navy, who shall be appointed by the Secretary
9 of the Navy.

10 “(D) The Deputy Assistant Secretary of De-
11 fense for Force Safety and Occupational Health, ap-
12 pointed by the Deputy Secretary of Defense as the
13 Executive Secretary.

14 “(3)(A) Members of the Council serve at the will of
15 the official who appointed them.

16 “(B) Vacancies on the Council shall be filled in the
17 same manner as the original appointment.

18 “(4) Members of the Council may not receive addi-
19 tional pay, allowances, or benefits by reason of their serv-
20 ice on the Council.

21 “(c) CHAIR AND VICE CHAIR.—(1) The Secretary of
22 Defense, or the Secretary’s designee, shall select one of
23 the members of the Council who is a member of the armed
24 forces to serve as Chair of the Council. Unless earlier re-
25 moved, the Chair shall serve for a term of two years. The

1 Chair shall serve as the Director of Operational and
2 Training Safety for the Department of Defense.

3 “(2) The Vice Chair shall be a person appointed
4 under subsection (b) who is a member of the Senior Exec-
5 utive Service. The Vice Chair shall report to the Chair
6 and shall serve as Chair in his or her absence.

7 “(d) STAFF.—(1) The Council may appoint staff in
8 accordance with section 3101 of title 5.

9 “(2) The Council may accept persons on detail from
10 within the Department of Defense and from other Federal
11 departments or agencies on a reimbursable or non-reim-
12 bursable basis.

13 “(e) CONTRACT AUTHORITY.—The Council may
14 enter into contracts for the acquisition of administrative
15 supplies, equipment, and personnel services for use by the
16 Council, to the extent that funds are available for such
17 purposes.

18 “(f) PROCUREMENT OF TEMPORARY AND INTERMIT-
19 TENT SERVICES.—The Chair may procure temporary and
20 intermittent services under section 3109(b) of title 5 at
21 rates for individuals which do not exceed the daily equiva-
22 lent of the annual rate of basic pay prescribed for level
23 V of the Executive Schedule under section 5316 of such
24 title.

1 “(g) DATA COLLECTION.—(1) Under regulations
2 issued by the Secretary of Defense, the Council shall have
3 access to Department of Defense databases necessary to
4 carry out its responsibilities, including causal factors to
5 be used for mishap reduction purposes.

6 “(2) Under regulations issued by the Secretary of De-
7 fense, the Council may enter into agreements with the
8 Federal Aviation Administration, the National Transpor-
9 tation Safety Board, and any other Federal agency re-
10 garding the sharing of safety data.

11 “(h) MEETINGS.—The Council shall meet quarterly
12 and at the call of the Chair.

13 “(i) DUTIES.—The Council shall carry out the fol-
14 lowing responsibilities:

15 “(1) Subject to subsection (j), issuing, pub-
16 lishing, and updating regulations related to joint
17 safety, including regulations on the reporting and in-
18 vestigation of mishaps.

19 “(2) Establishing uniform data collection stand-
20 ards, a centralized collection system for mishaps in
21 the Department of Defense, and a process for safe-
22 guarding sensitive data and information where ap-
23 propriate.

24 “(3) Reviewing the compliance of each military
25 department in adopting and using the uniform data

1 collection standards established under paragraph
2 (2).

3 “(4) Reviewing mishap data to assess, identify,
4 and prioritize risk mitigation efforts and safety im-
5 provement efforts across the Department.

6 “(5) Establishing standards and requirements
7 for the collection of equipment, simulator, training,
8 pilot, and operator data.

9 “(6) Establishing requirements for each mili-
10 tary department to collect and analyze any waivers
11 issued relating to pilot or operator qualifications or
12 standards.

13 “(7) Establishing, in consultation with the
14 heads of other Federal departments and agencies, as
15 appropriate, a requirement for each military depart-
16 ment to implement a safety management system.

17 “(8) Reviewing the safety management system
18 of each military department and the implementation
19 of such systems.

20 “(9) Reviewing and assessing civilian and com-
21 mercial safety programs and practices to determine
22 the suitability of such programs for implementation
23 in the Department.

24 “(10) Establishing a requirement for each mili-
25 tary department to implement a system to monitor

1 recommendations made in safety and legal investiga-
2 tion reports to ensure implementation of corrective
3 actions.

4 “(11) Reviewing and providing feedback on the
5 investments of the military departments in techno-
6 logical solutions for safety and mishap prevention.

7 “(j) REVIEW.—The decisions and recommendations
8 of the Council are subject to review and approval by the
9 Deputy Secretary of Defense.

10 “(k) REPORT.—The Chair of the Council shall sub-
11 mit to the congressional defense committees semi-annual
12 reports on the activities of the Council.”.

13 (b) CLERICAL AMENDMENT.—The table of sections
14 at the beginning of such chapter is amended by inserting
15 after the item relating to section 183a the following new
16 item:

“184. Joint Safety Council.”.

17 **SEC. 353. MISHAP INVESTIGATION REVIEW BOARD.**

18 (a) PROPOSAL FOR ESTABLISHMENT OF BOARD.—
19 The Deputy Secretary of Defense shall develop a proposal
20 for the establishment of a Mishap Investigation Review
21 Board (in this section referred to as the “Board”) to pro-
22 vide independent oversight and review of safety and legal
23 investigations into the facts and circumstances sur-
24 rounding operational and training mishaps. The proposal
25 shall include recommendations relating to—

- 1 (1) the size and composition of the Board;
- 2 (2) the process by which the Board would
3 screen mishap investigations to identify unsatisfac-
4 tory, biased, incomplete, or insufficient investiga-
5 tions requiring subsequent review by the Board, in-
6 cluding whether the Board should review investiga-
7 tions meeting a predetermined threshold (such as all
8 fatal mishaps or all Class A mishaps);
- 9 (3) the process by which the military depart-
10 ments, the Joint Safety Council established under
11 section 352, and other components of the Depart-
12 ment of Defense could refer pending or completed
13 safety and legal investigations to the Board for re-
14 view;
- 15 (4) the process by which the Board would
16 evaluate a particular safety or legal investigation for
17 accuracy, thoroughness, and objectivity;
- 18 (5) the requirements for and process by which
19 the convening component of an investigation re-
20 viewed by the Board should address the findings of
21 the Board's review of that particular investigation;
- 22 (6) proposed procedures for safeguarding sen-
23 sitive information collected during the investigation
24 review process; and

1 (7) how and when the Board would be required
2 to report to the Deputy Secretary of Defense and
3 the Joint Safety Council established under section
4 352 on the activities of the Board, the outcomes of
5 individual investigation reviews performed by the
6 Board, and the assessment of the Board regarding
7 cross-cutting themes and trends identified by those
8 reviews; and

9 (b) REPORT.—Not later than 180 days after the date
10 of the enactment of this Act, the Deputy Secretary of De-
11 fense shall submit to the congressional defense committee
12 the proposal required by subsection (a) and a timeline for
13 establishing the Board.

14 **SEC. 354. IMPLEMENTATION OF COMPTROLLER GENERAL**
15 **RECOMMENDATIONS ON PREVENTING TAC-**
16 **TICAL VEHICLE TRAINING ACCIDENTS.**

17 (a) PLAN REQUIRED.—Not later than 180 days after
18 the date of the enactment of this Act, each Secretary con-
19 cerned shall submit to the congressional defense commit-
20 tees and to the Comptroller General of the United States
21 a plan to address the recommendations in the report of
22 the Government Accountability Office entitled “Army and
23 Marine Corps Should Take Additional Actions to Mitigate
24 and Prevent Training Accidents” (GAO–21–361). Each
25 such plan shall include, with respect to each recommenda-

1 tion in such report that the Secretary concerned has im-
2 plemented or intends to implement—

3 (1) a summary of actions that have been or will
4 be taken to implement the recommendation; and

5 (2) a schedule, with specific milestones, for
6 completing implementation of the recommendation.

7 (b) DEADLINE FOR IMPLEMENTATION.—

8 (1) IN GENERAL.—Except as provided in para-
9 graph (2), not later than 18 months after the date
10 of the enactment of this Act, each Secretary con-
11 cerned shall carry out activities to implement the
12 plan of the Secretary developed under subsection

13 (a).

14 (2) EXCEPTION FOR IMPLEMENTATION OF CER-
15 TAIN RECOMMENDATIONS.—

16 (A) DELAYED IMPLEMENTATION.—A Sec-
17 retary concerned may initiate implementation of
18 a recommendation in the report referred to in
19 subsection (a) after the date specified in para-
20 graph (1) if, on or before such date, the Sec-
21 retary provides to the congressional defense
22 committees a specific justification for the delay
23 in implementation of such recommendation.

24 (B) NONIMPLEMENTATION.—A Secretary
25 concerned may decide not to implement a rec-

1 (b) PURPOSES.—The purposes of the pilot program
2 are—

3 (1) to allow for the automated identification of
4 hazards and potential hazards on and off military
5 installations;

6 (2) to mitigate and increase awareness of haz-
7 ards and potential hazards on and off military in-
8 stallations;

9 (3) to identify near-miss accidents;

10 (4) to create a standardized record source for
11 accident investigations;

12 (5) to assess individual driver proficiency, risk,
13 and readiness;

14 (6) to increase consistency in the implementa-
15 tion of military installation and unit-level range safe-
16 ty programs across military installations and units;

17 (7) to evaluate the feasibility of incorporating
18 metrics generated from data recorders into the safe-
19 ty reporting systems and to the Defense Readiness
20 Reporting System as a measure of assessing safety
21 risks, mitigations, and readiness;

22 (8) to determine the costs and benefits of retro-
23 fitting data recorders on legacy platforms and in-
24 cluding data recorders as a requirement in acquisi-
25 tion of military tactical vehicles; and

1 (9) any other matters as determined by the
2 Secretary concerned.

3 (c) REQUIREMENTS.—In carrying out the pilot pro-
4 gram, the Secretaries shall—

5 (1) assess the feasibility of using commercial
6 technology, such as smartphones or technologies
7 used by insurance companies, as a data recorder;

8 (2) test and evaluate a minimum of two data
9 recorders that meet the pilot program requirements;

10 (3) select a data recorder capable of collecting
11 and exporting the telemetry data, event data, and
12 driver identification during operation and accidents;

13 (4) install and maintain a data recorder on a
14 sufficient number of each of the covered military
15 tactical vehicles under subsection (f) at selected in-
16 stallations for statistically significant results;

17 (5) establish and maintain a database that con-
18 tains telemetry data, driver data, and event data
19 captured by the data recorder;

20 (6) regularly generate for each installation
21 under the pilot program a dataset that is viewable
22 in widely available mapping software of hazards and
23 potential hazards based on telemetry data and event
24 data captured by the data recorders;

1 (7) generate actionable data sets and statistics
2 on individual, vehicle, and military installation;

3 (8) require commanders at the covered military
4 installations to incorporate the actionable data sets
5 and statistics into the installation range safety pro-
6 gram;

7 (9) require unit commanders at the covered
8 military installations to incorporate the actionable
9 data sets and statistics into unit driver safety pro-
10 gram;

11 (10) evaluate the feasibility of integrating data
12 sets and statistics to improve driver certification and
13 licensing based on data recorded and generated by
14 the data recorders;

15 (11) use open architecture to the maximum ex-
16 tent practicable; and

17 (12) any other activities determined by the Sec-
18 retary as necessary to meet the purposes under sub-
19 section (b).

20 (d) IMPLEMENTATION PLAN.—Not later than 180
21 days after the date of the enactment of this Act, the Secre-
22 taries shall develop a plan for implementing the pilot pro-
23 gram required under this section.

24 (e) LOCATIONS.—Each Secretary concerned shall
25 carry out the pilot program at not fewer than one military

1 installation in the United States that meets the following
2 conditions:

3 (1) Contains the necessary force structure,
4 equipment, and maneuver training ranges to collect
5 driver and military tactical vehicle data during train-
6 ing and routine operation.

7 (2) Represents at a minimum one of the five
8 training ranges identified in the study by the Comp-
9 troller General of the United States titled “Army
10 and Marine Corps Should Take Additional Actions
11 to Mitigate and Prevent Training Accidents” that
12 did not track unit location during the training
13 events.

14 (f) COVERED MILITARY TACTICAL VEHICLES.—The
15 pilot program shall cover the following military tactical ve-
16 hicles:

17 (1) Army Strykers.

18 (2) Marine Corps Light Armored Vehicles.

19 (3) Army Medium Tactical Vehicles.

20 (4) Marine Corps Medium Tactical Vehicle Re-
21 placements.

22 (g) METRICS.—The Secretaries shall develop metrics
23 to evaluate the pilot program’s effectiveness in monitoring,
24 assessing, and improving vehicle safety, driver readiness,
25 and mitigation of risk.

1 (h) REPORTS.—

2 (1) INITIAL.—Not later than 180 days after the
3 date of the enactment of this Act under this section,
4 the Secretaries shall jointly submit to the congress-
5 sional defense committees a report on the pilot pro-
6 gram, addressing the plan for implementing the re-
7 quirements in subsection (c), including the estab-
8 lished metrics under subsection (g).

9 (2) INTERIM.—Not later than three years after
10 the commencement of the pilot program, the Secre-
11 taries shall jointly submit to the congressional de-
12 fense committees a report on the status of the pilot
13 program, including the preliminary results in car-
14 rying out the pilot program, the metrics generated
15 during the pilot program, disaggregated by military
16 tactical vehicle, location, and service, and the imple-
17 mentation plan under subsection (d).

18 (3) FINAL.—Not later than 90 days after the
19 termination of the pilot program, the Secretaries
20 shall jointly submit to the congressional defense
21 committees a report on the results of the program.

22 The report shall—

23 (A) assess the pilot program's effectiveness
24 in meeting the purposes under subsection (b);

1 (B) include the metrics generated during
2 the pilot program, disaggregated by military
3 tactical vehicle, location, and service;

4 (C) include the views of range personnel,
5 unit commanders, and members of the Armed
6 Forces involved in the pilot program on the
7 level of effectiveness of the technology selected;

8 (D) provide a cost estimate for equipping
9 legacy military tactical vehicles with data re-
10 corders;

11 (E) determine the instances in which data
12 recorders should be a requirement in the acqui-
13 sition of military tactical vehicles;

14 (F) recommend whether the pilot program
15 should be expanded or made into a program of
16 record; and

17 (G) recommend any statutory, regulatory,
18 or policy changes required to support the pur-
19 poses under subsection (b).

20 (i) TERMINATION.—The authority to carry out the
21 pilot program under subsection (a) shall terminate five
22 years after the date of the enactment of this Act.

23 (j) DEFINITIONS.—In this section:

24 (1) The term “accident” means a collision, roll-
25 over, or other mishap involving a motor vehicle.

1 (2) The term “data recorder” means tech-
2 nologies installed in a motor vehicle to record driver
3 identification, telemetry data, and event data related
4 to the operation of such motor vehicle.

5 (3) The term “driver identification” means data
6 enabling the unique identification of the driver oper-
7 ating the motor vehicle.

8 (4) The term “event data” includes data related
9 to—

10 (A) the start and conclusion of each vehicle
11 operation;

12 (B) a vehicle accident;

13 (C) a vehicle acceleration, velocity, or loca-
14 tion with an increased potential for an accident;
15 or

16 (D) a vehicle orientation with an increased
17 potential for an accident.

18 (5) The term “Secretary concerned” means—

19 (A) the Secretary of the Army with respect
20 to matters concerning the Army; and

21 (B) the Secretary of the Navy with respect
22 to matters concerning the Navy and Marine
23 Corps.

24 (6) The term “telemetry data” includes—

25 (A) time;

- 1 (B) vehicle distance traveled;
- 2 (C) vehicle acceleration and velocity;
- 3 (D) vehicle orientation, including roll,
- 4 pitch, and yaw; and
- 5 (E) vehicle location in a geographic coordi-
- 6 nate system, including elevation.

7 **Subtitle E—Reports**

8 **SEC. 361. INCLUSION OF INFORMATION REGARDING BOR-**

9 **ROWED MILITARY MANPOWER IN READINESS**

10 **REPORTS.**

11 (a) IN GENERAL.—Section 482(b) of title 10, United

12 States Code, is amended—

13 (1) by redesignating paragraph (10) as para-

14 graph (11); and

15 (2) by inserting after paragraph (9) the fol-

16 lowing new paragraph (10):

17 “(11) Information regarding—

18 “(A) the extent to which any member of

19 the armed forces is diverted, temporarily as-

20 signed, or detailed outside the member’s as-

21 signed unit or away from training in order to

22 perform any function that had been performed

23 by civilian employees of the Federal Govern-

24 ment or by contractors prior to such diversion,

25 temporary assignment, or detail; and

1 “(B) whether such function is within the
2 scope of the skills required for the military oc-
3 cupational specialty of such member of the
4 armed forces.”.

5 **SEC. 362. ANNUAL REPORT ON MISSING, LOST, AND STOLEN**
6 **WEAPONS, LARGE AMOUNTS OF AMMUNI-**
7 **TION, DESTRUCTIVE DEVICES, AND EXPLO-**
8 **SIVE MATERIAL.**

9 (a) IN GENERAL.—Section 2722 of title 10, United
10 States Code, is amended—

11 (1) in the section heading, by striking “**report**
12 **to Secretary of the Treasury**” and inserting
13 “**reporting requirements**”;

14 (2) in subsection (a), by inserting “and the Di-
15 rector of the Bureau of Alcohol, Tobacco, and Fire-
16 arms” after “Secretary of the Treasury”;

17 (3) by redesignating subsection (c) as sub-
18 section (d); and

19 (4) by inserting after subsection (b) the fol-
20 lowing new subsection (c):

21 “(c) ANNUAL REPORT.—Not later than December 31
22 each year, the Secretary shall submit to the congressional
23 defense committees a report that includes, for the pre-
24 ceding year—

1 (C) by striking “setting forth” and insert-
2 ing “regarding”;

3 (2) in paragraph (2)—

4 (A) by striking “in an unclassified form
5 that is releasable to the public without further
6 redaction.” and inserting “in—”; and

7 (B) by adding at the end the following new
8 subparagraphs:

9 “(A) a classified form that shall be available
10 only to the congressional defense committees; and

11 “(B) an unclassified form that is releasable to
12 the public without further redaction”; and

13 (3) by striking paragraph (3).

14 **SEC. 364. STRATEGY AND ANNUAL REPORT ON CRITICAL**
15 **LANGUAGE PROFICIENCY OF SPECIAL OPER-**
16 **ATIONS FORCES.**

17 (a) FIVE-YEAR STRATEGY.—

18 (1) STRATEGY REQUIRED.—Not later than 180
19 days after the date of the enactment of this Act, the
20 Assistant Secretary of Defense for Special Oper-
21 ations and Low-Intensity Conflict shall submit to the
22 congressional defense committees a five-year strat-
23 egy to support the efforts of the Secretaries con-
24 cerned to identify individuals who have proficiency in
25 a critical language and to recruit and retain such in-

1 individuals in the special operations forces of Armed
2 Forces.

3 (2) ELEMENTS.—The strategy under paragraph
4 (1) shall include the following:

5 (A) A baseline of foreign language pro-
6 ficiency requirements to be implemented within
7 the special operations forces, disaggregated by
8 Armed Force and by critical language.

9 (B) Annual recruitment targets for the
10 number of candidates with demonstrated pro-
11 ficiency in a critical language to be selected for
12 participation in the initial assessment and qual-
13 ification programs of the special operations
14 forces.

15 (C) A description of current and planned
16 efforts of the Secretaries concerned and the As-
17 sistant Secretary to meet such annual recruit-
18 ment targets.

19 (D) A description of any training programs
20 used to enhance or maintain foreign language
21 proficiency within the special operations forces,
22 including any non-governmental programs used.

23 (E) An annual plan (for each of the five
24 years covered by the strategy) to enhance and
25 maintain foreign language proficiency within

1 the special operations forces of each Armed
2 Force.

3 (F) An annual plan (for each of the five
4 years covered by the strategy) to retain mem-
5 bers of the special operation forces of each
6 Armed Force who have proficiency in a foreign
7 language.

8 (G) A description of current and projected
9 capabilities and activities that the Assistant
10 Secretary determines are necessary to maintain
11 proficiency in critical languages within the spe-
12 cial operations forces.

13 (H) A plan to implement a training pro-
14 gram for members of the special operations
15 forces who serve in positions that the Assistant
16 Secretary determines require proficiency in a
17 critical language to support the Department of
18 Defense in strategic competition.

19 (b) ANNUAL REPORT.—

20 (1) REPORTS REQUIRED.—Not later than De-
21 cember 31, 2022, and annually thereafter until De-
22 cember 31, 2027, the Assistant Secretary of Defense
23 for Special Operations and Low-Intensity Conflict
24 shall submit to the congressional defense committees
25 a report on the recruitment, training, and retention

1 of members of the special operations forces who have
2 proficiency in a critical language.

3 (2) ELEMENTS.—Each report under paragraph
4 (1) shall include, with respect to the year for which
5 the report is submitted, the following information:

6 (A) The number of candidates with dem-
7 onstrated proficiency in a critical language who
8 have been selected for participation in the ini-
9 tial assessment and qualification programs of
10 the special operations forces, disaggregated by
11 Armed Force of which the special operations
12 force is a component.

13 (B) A description of any variance between
14 the number specified in subparagraph (A) and
15 the recruitment target specified in the strategy
16 under subsection (a)(2)(B) for the cor-
17 responding year, including a justification for
18 any such variance.

19 (C) As compared to the total number of
20 members of the special operations forces—

21 (i) the percentage of such members
22 who have maintained proficiency in a crit-
23 ical language, disaggregated by Armed
24 Force;

1 (ii) the percentage of such members
2 who are enrolled in a critical language
3 training program, disaggregated by Armed
4 Force and by critical language; and

5 (iii) the average proficiency rating re-
6 ceived by such members with respect to
7 each critical language, disaggregated by
8 Armed Force.

9 (D) As compared to the total number of
10 members of the special operations force of each
11 Armed Force who are assigned to a unit with
12 the primary mission of advising foreign mili-
13 taries—

14 (i) the percentage of such members
15 who maintain proficiency in a foreign lan-
16 guage relevant to such mission; and

17 (ii) the percentage of such members
18 who are enrolled in a foreign language
19 training program relevant to such mission.

20 (E) As compared to the required baseline
21 specified in the strategy under subsection
22 (a)(2)(A), the percentage of members of the
23 special operations force who have proficiency in
24 a critical language, disaggregated by Armed
25 Force and by critical language.

1 (F) A description of any gaps in foreign
2 language training identified by the Assistant
3 Secretary with respect to the special operations
4 forces.

5 (c) DEFINITIONS.—In this section:

6 (1) The term “critical language” means a lan-
7 guage identified by the Director of the National Se-
8 curity Education Program as critical to national se-
9 curity.

10 (2) The term “proficiency” means proficiency
11 in a language, as assessed by the Defense Language
12 Proficiency Test.

13 (3) The term “Secretary concerned” has the
14 meaning given such term in section 101 of title 10,
15 United States Code.

16 (4) The term “special operations forces” means
17 forces described under section 167(j) of title 10,
18 United States Code.

19 **SEC. 365. REPORT AND BRIEFING ON APPROACH FOR CER-**
20 **TAIN PROPERTIES AFFECTED BY NOISE**
21 **FROM MILITARY FLIGHT OPERATIONS.**

22 (a) BRIEFING.—Not later than 180 days after the
23 date of enactment of this Act, the Secretary of Defense
24 shall provide to the congressional defense committees a
25 briefing on the use and applicability of the Air Installa-

1 tions Compatible Use Zones program to support noise
2 mitigation and insulation efforts for fixed wing aircraft,
3 including any such efforts funded under grants from the
4 Office of Local Defense Community Cooperation.

5 (b) MATTERS.—The briefing under subsection (a)
6 shall include a discussion of the following:

7 (1) Changes to current practices regarding Air
8 Installations Compatible Use Zones that are nec-
9 essary to support noise mitigation and insulation ef-
10 forts relating to existing covered facilities.

11 (2) The number of fixed wing aircraft facilities
12 covered by existing Air Installations Compatible Use
13 Zones studies.

14 (3) The proportion of existing Air Installations
15 Compatible Use Zones studies that accurately reflect
16 current and reasonably foreseeable fixed wing avia-
17 tion activity.

18 (4) Expected timelines for each military depart-
19 ment to develop and update all Air Installations
20 Compatible Use Zones studies to reflect current and
21 reasonably foreseeable fixed wing activity.

22 (5) An approximate number of covered facilities
23 anticipated to be within the 65 dB day–night aver-
24 age sound level for installations with existing Air In-
25 stallations Compatible Use Zones studies, including

1 such facilities specifically located in crash zones or
2 accident potential zones.

3 (6) An assessment of the viability of making eli-
4 gibility to receive funding for noise mitigation and
5 insulation efforts contingent on the completion of
6 certain measures to ensure compatibility of civilian
7 land use activity with Air Installations Compatible
8 Use Zones conclusions.

9 (7) Any barriers to the timely review and gen-
10 eration of Air Installations Compatible Use Zones
11 studies, including with respect to staffing and gaps
12 in authorities.

13 (8) The estimated cost to develop and update
14 required Air Installations Compatible Use Zones
15 practices and studies.

16 (9) Future opportunities to consult with local
17 communities affected by noise from military flight
18 operations.

19 (c) REPORT.—Not later than one year after the date
20 of enactment of this Act, the Secretary shall submit to
21 the congressional defense committees a report on the final
22 outcome of the update process with respect to Air Installa-
23 tions Compatible Use Zones program. Such report shall
24 include further details and analysis with respect to each
25 matter specified in subsection (b).

1 (d) DEFINITIONS.—In this section:

2 (1) The term “Air Installations Compatible Use
3 Zones program” has the meaning given such term in
4 Department of Defense Instruction 4165.57.

5 (2) The term “covered facility” means any—

6 (A) private residence;

7 (B) hospital;

8 (C) daycare facility;

9 (D) school; or

10 (E) facility the primary purpose of which
11 is to serve senior citizens.

12 **SEC. 366. STUDY ON USE OF MILITARY RESOURCES TO**
13 **TRANSPORT CERTAIN INDIVIDUALS AND EF-**
14 **FECT ON MILITARY READINESS.**

15 (a) STUDY.—The Secretary of Defense shall—

16 (1) conduct a study examining the effect on
17 military readiness of using Department of Defense
18 resources to transport covered individuals; and

19 (2) submit to Congress a report containing the
20 findings of such study.

21 (b) COVERED INDIVIDUAL DEFINED.—In this sec-
22 tion, the term “covered individual” means an individual
23 who has crossed the southern border of the United States
24 without authorization.

1 **Subtitle F—Other Matters**

2 **SEC. 371. BUDGET JUSTIFICATION FOR OPERATION AND**
3 **MAINTENANCE.**

4 (a) SUBACTIVITY GROUP BY FUTURE YEARS.—Sec-
5 tion 233 of title 10, United States Code, is amended—

6 (1) by redesignating subsection (c) as sub-
7 section (e); and

8 (2) by inserting after subsection (b) the fol-
9 lowing new subsection (c):

10 “(c) SUBACTIVITY GROUPS.—The Secretary of De-
11 fense, in consultation with the Secretary of each of the
12 military departments, shall include in the materials sub-
13 mitted to Congress by the Secretary of Defense in support
14 of the President’s budget, in an unclassified format, the
15 total amount projected for each individual subactivity
16 group, as detailed in the future years defense program
17 pursuant to section 221 of this title.”.

18 (b) BUDGET SUBMISSION DISPLAY.—Section 233 of
19 title 10, United States Code, is further amended by insert-
20 ing after subsection (c), as added by subsection (a), the
21 following new subsection:

22 “(d) BUDGET DISPLAY.—The Secretary of Defense,
23 in consultation with the Secretary of each of the military
24 departments, shall include in the O&M justification docu-
25 ments a budget display to provide for discussion and eval-

1 uation of the resources required to meet material readi-
2 ness objectives, as identified in the metrics required by
3 section 118 of this title, together with any associated risks
4 to the supply chain. For each major weapon system, by
5 designated mission design series, variant, or class, the
6 budget display required under this subsection for the
7 budget year shall include each of the following:

8 “(1) The material availability objective estab-
9 lished in accordance with the requirements of section
10 118 of this title.

11 “(2) The funds obligated by subactivity group
12 within the operation and maintenance accounts for
13 the second fiscal year preceding the budget year for
14 the purpose of achieving the material readiness ob-
15 jectives identified in accordance with section 118 of
16 this title.

17 “(3) The funds estimated to be obligated by
18 subactivity group within the operation and mainte-
19 nance accounts for the fiscal year preceding the
20 budget year for the purpose of achieving the mate-
21 rial readiness objectives identified in accordance with
22 section 118 of this title.

23 “(4) The funds budgeted and programmed
24 across the future years defense program within the
25 operation and maintenance accounts by subactivity

1 group for the purpose of achieving the material
2 readiness objectives identified in accordance with
3 section 118 of this title.

4 “(5) A narrative discussing the performance of
5 the Department against established material readi-
6 ness objectives for each major weapon system by
7 mission design series, variant, or class.”.

8 (c) IMPLEMENTATION DEADLINE.—The Secretary of
9 Defense shall ensure that the budget display requirements
10 required under the amendments made by this section are
11 included in the budget request for fiscal year 2023 and
12 all fiscal years thereafter.

13 (d) CONFORMING REPEAL.—Section 357 of the John
14 S. McCain National Defense Authorization Act for Fiscal
15 Year 2019 (Public Law 115–232; 10 U.S.C. 221 note) is
16 repealed.

17 **SEC. 372. IMPROVEMENTS AND CLARIFICATIONS RELATED**
18 **TO MILITARY WORKING DOGS.**

19 (a) PROHIBITION ON CHARGE FOR TRANSFER OF
20 MILITARY ANIMALS.—Subsection (d) of section 2583 of
21 title 10, United States Code, is amended by striking
22 “may” and inserting “shall”.

23 (b) INCLUSION OF MILITARY WORKING DOGS IN
24 CERTAIN RESEARCH AND PLANS.—

1 (1) RESEARCH UNDER JOINT TRAUMA EDU-
2 CATION AND TRAINING DIRECTORATE.—Subsection
3 (b) of section 708 of the National Defense Author-
4 ization Act for Fiscal Year 2017 (Public Law 114–
5 328; 10 U.S.C. 1071 note) is amended—

6 (A) in paragraph (7), by striking “of mem-
7 bers of the Armed Forces” and inserting “with
8 respect to both members of the Armed Forces
9 and military working dogs”; and

10 (B) by striking paragraph (9) and insert-
11 ing the following new paragraph:

12 “(9) To inform and advise the conduct of re-
13 search on the leading causes of morbidity and mor-
14 tality of members of the Armed Forces and military
15 working dogs in combat.”.

16 (2) VETERINARIANS IN PERSONNEL MANAGE-
17 MENT PLAN.—Subsection (d)(1) of such section is
18 amended—

19 (A) by redesignating subparagraph (F) as
20 subparagraph (G); and

21 (B) by inserting after subparagraph (E)
22 the following new subparagraph:

23 “(F) Veterinary services.”.

1 **SEC. 373. MANAGEMENT OF FATIGUE AMONG CREW OF**
2 **NAVAL SURFACE SHIPS AND RELATED IM-**
3 **PROVEMENTS.**

4 (a) REQUIREMENT.—The Secretary of the Navy shall
5 implement each recommendation for executive action set
6 forth in the report of the Government Accountability Of-
7 fice titled “Navy Readiness: Additional Efforts Are Need-
8 ed to Manage Fatigue, Reduce Crewing Shortfalls, and
9 Implement Training” (GAO-21-366).

10 (b) REPORT.—Not later than one year after the date
11 of the enactment of this Act, the Secretary of the Navy
12 shall submit to the congressional defense committees and
13 the Comptroller General a report on the status of actions
14 taken by the Secretary to monitor crew fatigue and ensure
15 equitable fatigue management throughout the naval sur-
16 face ship fleet in accordance with subparagraph (a). Such
17 report shall include the following:

18 (1) An assessment of the extent of crew fatigue
19 throughout the naval surface ship fleet.

20 (2) A description of the metrics used to assess
21 the extent of fatigue pursuant to paragraph (1).

22 (3) An identification of results-oriented goals
23 for effective fatigue management.

24 (4) An identification of timeframes for achiev-
25 ing the goals identified pursuant to paragraph (3).

1 (c) COMPTROLLER GENERAL ASSESSMENT.—Not
2 later than 90 days after the date on which the Comptroller
3 General receives the report under subsection (b), the
4 Comptroller General shall brief the congressional defense
5 committees on the extent to which the actions and goals
6 described in the report meet the requirements of sub-
7 section (a).

8 **SEC. 374. AUTHORITY TO ESTABLISH CENTER OF EXCEL-**
9 **LLENCE FOR RADAR SYSTEMS AND COM-**
10 **PLEMENTARY WORKFORCE AND EDUCATION**
11 **PROGRAMS.**

12 (a) AUTHORITY.—The Secretary of Defense may es-
13 tablish a Center of Excellence for radar systems and com-
14 plementary workforce and education programs.

15 (b) FUNCTIONS.—If the Secretary establishes the
16 Center authorized under subsection (a), such Center shall
17 be designed to further the expertise of the Department
18 of Defense in the repair, sustainment, and support of
19 radar systems, as identified by the Joint Radar Industrial
20 Base Working Group and the Radar Supplier Resiliency
21 Plan, by conducting the following activities, as appro-
22 priate:

23 (1) Facilitating collaboration among academia,
24 the Department, and the commercial radar industry,

1 including radar system repair and sustainment fa-
2 cilities.

3 (2) Establishing goals for research in areas of
4 study relevant to advancing technology and facili-
5 tating better understanding of the necessity of radar
6 systems in the growing development and reliance on
7 automated and complex defense systems, including
8 continuing education and training.

9 (3) Establishing at any institution of higher
10 education with which the Secretary enters into an
11 agreement under subsection (c) such activities as are
12 necessary to develop and meet the requirements of
13 the Department.

14 (4) Increasing communications with radar sys-
15 tems subject-matter experts in industry to learn and
16 support state-of-the-art operational practices, espe-
17 cially studied future needs of the Department re-
18 lated to autonomous systems.

19 (c) ELIGIBLE PARTICIPANTS.—If the Secretary es-
20 tablishes the Center authorized under subsection (a)—

21 (1) the Secretary may enter into an agreement
22 with one or more institutions of higher education to
23 provide for joint operation of the Center; and

1 (2) the Center may partner with nonprofit insti-
2 tutions and private industry with expertise in radar
3 systems to further the mission of the Center.

4 (d) LOCATION.—If the Secretary establishes the Cen-
5 ter authorized under subsection (a), in determining the lo-
6 cation of the Center, the Secretary shall take into account
7 the proximity to existing radar system facilities capable
8 of efficiently facilitating partnership between the Depart-
9 ment, industry, and an academic institution.

10 (e) COORDINATION.—Nothing in this section shall
11 preclude the coordination or collaboration between any
12 Center established under this section and any other estab-
13 lished center of excellence.

14 (f) INSTITUTION OF HIGHER EDUCATION DE-
15 FINED.—The term “institution of higher education” has
16 the meaning given that term in section 101 of the Higher
17 Education Act of 1965 (20 U.S.C. 1001).

18 **SEC. 375. PILOT PROGRAM ON MILITARY WORKING DOG**
19 **AND EXPLOSIVES DETECTION CANINE**
20 **HEALTH AND EXCELLENCE.**

21 (a) PILOT PROGRAM.—Not later than September 31,
22 2022, the Secretary of Defense shall carry out a pilot pro-
23 gram to ensure the health and excellence of explosives de-
24 tection military working dogs. Under such pilot program,
25 the Secretary shall consult with domestic breeders of

1 working dog lines, covered institutions of higher education,
2 and covered national domestic canine associations, to—

3 (1) facilitate the presentation of domestically-
4 bred explosives detection military working dogs for
5 assessment for procurement by the Department of
6 Defense, at a rate of at least 100 canines presented
7 per fiscal year;

8 (2) facilitate the delivery and communication to
9 domestic breeders, covered institutions of higher
10 education, and covered national domestic canine as-
11 sociations, of information regarding—

12 (A) any specific needs or requirements for
13 the future acquisition by the Department of ex-
14 plosives detection military working dogs; and

15 (B) any factors identified as relevant to
16 the success or failure of explosives detection
17 military working dogs presented for assessment
18 pursuant to this section;

19 (3) collect information on the biological and
20 health factors of explosives detection military work-
21 ing dogs procured by the Department, and make
22 such information available for academic research
23 and to domestic breeders; and

24 (4) collect and make available genetic and
25 phenotypic information, including canine rearing and

1 training data for study by domestic breeders and
2 covered institutions of higher education, for the fur-
3 ther development of working canines that are bred,
4 raised, and trained domestically.

5 (b) CONSULTATIONS.—In carrying out the pilot pro-
6 gram under subsection (a), the Secretary may consult with
7 the working group established pursuant to section 1927
8 of the FAA Reauthorization Act of 2018 (Public Law
9 115–254; 6 U.S.C. 1116 note).

10 (c) TERMINATION.—The authority to carry out the
11 pilot program under subsection (a) shall terminate on Oc-
12 tober 1, 2024.

13 (d) DEFINITIONS.—In this section:

14 (1) The term “covered institution of higher
15 education” means an institution of higher education,
16 as such term is defined in section 101 of the Higher
17 Education Act of 1965 (20 U.S.C. 1001), with dem-
18 onstrated expertise in veterinary medicine for work-
19 ing canines.

20 (2) The term “covered national domestic canine
21 association” means a national domestic canine asso-
22 ciation with demonstrated expertise in the breeding
23 and pedigree of working canine lines.

24 (3) The term “explosives detection military
25 working dog” means a canine that, in connection

1 with the work duties of the canine performed for the
2 Department of Defense, is certified and trained to
3 detect odors indicating the presence of explosives in
4 a given object or area, in addition to the perform-
5 ance of such other duties for the Department as
6 may be assigned.

7 (e) AUTHORIZATION OF APPROPRIATIONS.—There is
8 authorized to be appropriated \$10,000,000 to carry out
9 this section.

10 **TITLE IV—MILITARY**
11 **PERSONNEL AUTHORIZATIONS**
12 **Subtitle A—Active Forces**

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

14 The Armed Forces are authorized strengths for active
15 duty personnel as of September 30, 2022, as follows:

- 16 (1) The Army, 485,000.
17 (2) The Navy, 346,200.
18 (3) The Marine Corps, 178,500.
19 (4) The Air Force, 328,300.
20 (5) The Space Force, 8,400.

21 **SEC. 402. REVISIONS IN PERMANENT ACTIVE DUTY END**
22 **STRENGTH MINIMUM LEVELS.**

23 Section 691(b) of title 10, United States Code, is
24 amended by striking paragraphs (1) through (5) and in-
25 serting the following new paragraphs:

1 “(1) For the Army, 485,000.

2 “(2) For the Navy, 346,200.

3 “(3) For the Marine Corps, 178,500.

4 “(4) For the Air Force, 328,300.

5 “(5) For the Space Force, 8,400.”.

6 **Subtitle B—Reserve Forces**

7 **SEC. 411. END STRENGTHS FOR SELECTED RESERVE.**

8 (a) IN GENERAL.—The Armed Forces are authorized
9 strengths for Selected Reserve personnel of the reserve
10 components as of September 30, 2022, as follows:

11 (1) The Army National Guard of the United
12 States, 336,000.

13 (2) The Army Reserve, 189,500.

14 (3) The Navy Reserve, 58,600.

15 (4) The Marine Corps Reserve, 36,800.

16 (5) The Air National Guard of the United
17 States, 108,300.

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

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

20 (b) END STRENGTH REDUCTIONS.—The end
21 strengths prescribed by subsection (a) for the Selected Re-
22 serve of any reserve component shall be proportionately
23 reduced by—

24 (1) the total authorized strength of units orga-
25 nized to serve as units of the Selected Reserve of

1 such component which are on active duty (other
2 than for training) at the end of the fiscal year; and

3 (2) the total number of individual members not
4 in units organized to serve as units of the Selected
5 Reserve of such component who are on active duty
6 (other than for training or for unsatisfactory partici-
7 pation in training) without their consent at the end
8 of the fiscal year.

9 (c) **END STRENGTH INCREASES.**—Whenever units or
10 individual members of the Selected Reserve of any reserve
11 component are released from active duty during any fiscal
12 year, the end strength prescribed for such fiscal year for
13 the Selected Reserve of such reserve component shall be
14 increased proportionately by the total authorized strengths
15 of such units and by the total number of such individual
16 members.

17 **SEC. 412. END STRENGTHS FOR RESERVES ON ACTIVE**
18 **DUTY IN SUPPORT OF THE RESERVES.**

19 Within the end strengths prescribed in section
20 411(a), the reserve components of the Armed Forces are
21 authorized, as of September 30, 2022, the following num-
22 ber of Reserves to be serving on full-time active duty or
23 full-time duty, in the case of members of the National
24 Guard, for the purpose of organizing, administering, re-
25 cruiting, instructing, or training the reserve components:

1 (1) The Army National Guard of the United
2 States, 30,845.

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

4 (3) The Navy Reserve, 10,293.

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

6 (5) The Air National Guard of the United
7 States, 26,661.

8 (6) The Air Force Reserve, 6,003.

9 **SEC. 413. END STRENGTHS FOR MILITARY TECHNICIANS**

10 **(DUAL STATUS).**

11 The minimum number of military technicians (dual
12 status) as of the last day of fiscal year 2022 for the re-
13 serve components of the Army and the Air Force (notwith-
14 standing section 129 of title 10, United States Code) shall
15 be the following:

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

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

19 (3) For the Air National Guard of the United
20 States, 9,885.

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

1 **SEC. 414. MAXIMUM NUMBER OF RESERVE PERSONNEL AU-**
2 **THORIZED TO BE ON ACTIVE DUTY FOR**
3 **OPERATIONAL SUPPORT.**

4 During fiscal year 2022, the maximum number of
5 members of the reserve components of the Armed Forces
6 who may be serving at any time on full-time operational
7 support duty under section 115(b) of title 10, United
8 States Code, is the following:

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

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

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

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

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

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

17 **SEC. 415. ACCOUNTING OF RESERVE COMPONENT MEM-**
18 **BERS PERFORMING ACTIVE DUTY OR FULL-**
19 **TIME NATIONAL GUARD DUTY TOWARDS AU-**
20 **THORIZED END STRENGTHS.**

21 Section 115(b)(2)(B) of title 10, United States Code,
22 is amended by striking “1095 days in the previous 1460
23 days” and inserting “1825 days in the previous 2190
24 days”.

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

3 **SEC. 421. MILITARY PERSONNEL.**

4 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds
5 are hereby authorized to be appropriated for fiscal year
6 2022 for the use of the Armed Forces and other activities
7 and agencies of the Department of Defense for expenses,
8 not otherwise provided for, for military personnel, as spec-
9 ified in the funding table in section 4401.

10 (b) CONSTRUCTION OF AUTHORIZATION.—The au-
11 thorization of appropriations in the subsection (a) super-
12 sedes any other authorization of appropriations (definite
13 or indefinite) for such purpose for fiscal year 2022.

14 **TITLE V—MILITARY PERSONNEL**
15 **POLICY**

16 **Subtitle A—Reserve Component**
17 **Management**

18 **SEC. 501. GRADE OF CERTAIN CHIEFS OF RESERVE COMPO-**
19 **NENTS.**

20 (a) IN GENERAL.—

21 (1) CHIEF OF ARMY RESERVE.—Section
22 7038(b)(1) of title 10, United States Code, is
23 amended by striking “general officers of the Army
24 Reserve” and inserting “officers of the Army Re-
25 serve in the grade of lieutenant general and”.

1 (2) CHIEF OF NAVY RESERVE.—Section
2 8083(b)(1) of such title is amended by striking “flag
3 officers of the Navy (as defined in section 8001(1))”
4 and inserting “officers of the Navy Reserve in the
5 grade of vice admiral and”.

6 (3) COMMANDER, MARINE FORCES RESERVE.—
7 Section 8084(b)(1) of such title is amended by strik-
8 ing “general officers of the Marine Corps (as defined
9 in section 8001(2))” and inserting “officers of the
10 Marine Corps Reserve in the grade of lieutenant
11 general and”.

12 (4) CHIEF OF AIR FORCE RESERVE.—Section
13 9038(b)(1) of such title is amended by striking
14 “general officers of the Air Force Reserve” and in-
15 serting “officers of the Air Force Reserve in the
16 grade of lieutenant general and”.

17 (b) EFFECTIVE DATE.—The amendments made
18 under subsection (a) shall take effect on the date that is
19 one year after the date of the enactment of this Act and
20 shall apply to appointments made after such date.

21 **SEC. 502. GRADE OF VICE CHIEF OF THE NATIONAL GUARD**

22 **BUREAU.**

23 Section 10505 of title 10, United States Code, is
24 amended by adding at the end the following new sub-
25 section:

1 “(c) GRADE.—(1) The Vice Chief of the National
2 Guard Bureau shall be appointed to serve in the grade
3 of general.

4 “(2) The Secretary of Defense shall designate, pursu-
5 ant to subsection (b) of section 526 of this title, the posi-
6 tion of Vice Chief of the National Guard Bureau as one
7 of the general officer and flag officer positions to be ex-
8 cluded from the limitations in subsection (a) of such sec-
9 tion.”.

10 **SEC. 503. PROHIBITION ON PRIVATE FUNDING FOR INTER-**
11 **STATE DEPLOYMENT OF NATIONAL GUARD.**

12 (a) PROHIBITION.—Chapter 3 of title 32, United
13 States Code, is amended by adding at the end the fol-
14 lowing new section:

15 **“§ 329. Prohibition on private funding for interstate**
16 **deployment**

17 “A member of the National Guard may not be or-
18 dered to cross a border of a State to perform duty (under
19 this title, title 10, or State active duty) if such duty is
20 paid for with private funds, unless such duty is in response
21 to a major disaster or emergency under section 401 of the
22 Robert T. Stafford Disaster Relief and Emergency Assist-
23 ance Act (42 U.S.C. 5170).”.

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

“329. Prohibition on private funding for interstate deployment.”.

4 **SEC. 504. REQUIREMENT OF CONSENT OF THE CHIEF EXEC-**
5 **UTIVE OFFICER FOR CERTAIN FULL-TIME NA-**
6 **TIONAL GUARD DUTY PERFORMED IN A**
7 **STATE, TERRITORY, OR THE DISTRICT OF CO-**
8 **LUMBIA.**

9 Section 502(f)(2)(A) of title 32, United States Code,
10 is amended to read as follows:

11 “(A) Support of operations or missions under-
12 taken by the member’s unit at the request of the
13 President or Secretary of Defense, with the consent
14 of—

15 “(i) the chief executive officer of each
16 State (as that term is defined in section 901 of
17 this title) in which such operations or missions
18 shall take place; and

19 “(ii) if such operations or missions shall
20 take place in the District of Columbia, the
21 Mayor of the District of Columbia.”.

22 **SEC. 505. CONTINUED NATIONAL GUARD SUPPORT FOR**
23 **FIREGUARD PROGRAM.**

24 The Secretary of Defense shall continue to support
25 the FireGuard program with National Guard personnel to

1 aggregate, analyze, and assess multi-source remote sens-
2 ing information for interagency partnerships in the initial
3 detection and monitoring of wildfires until September 30,
4 2026. After such date, the Secretary may not reduce such
5 support, or transfer responsibility for such support to an
6 interagency partner, until 30 days after the date on which
7 the Secretary submits to the Committees on Armed Serv-
8 ices of the Senate and House of Representatives written
9 notice of such proposed change, and reasons for such
10 change.

11 **SEC. 506. STUDY ON REAPPORTIONMENT OF NATIONAL**
12 **GUARD FORCE STRUCTURE BASED ON DO-**
13 **MESTIC RESPONSES.**

14 (a) STUDY.—The Secretary of Defense, in consulta-
15 tion with the Chief of the National Guard Bureau and the
16 Adjutants General, shall conduct a study to determine
17 whether to reapportion the force structure of the National
18 Guard based on wartime and domestic response require-
19 ments. The study under shall include the following ele-
20 ments:

21 (1) An assessment how domestic response mis-
22 sions affect recruitment and retention of qualified
23 personnel, especially in States—

24 (A) with the lowest ratios of National
25 Guard members to the general population; and

1 (B) that are most prone to natural disas-
2 ters.

3 (2) An assessment how domestic response mis-
4 sions affect the ability of the National Guard of a
5 State to ability to staff, equip, and ready a unit for
6 its Federal missions.

7 (3) An comparison of the costs of a response to
8 a domestic incident in a State with—

9 (A) units of the National Guard of such
10 State; and

11 (B) units of the National Guards of other
12 States pursuant to an emergency management
13 assistance compact.

14 (4) Based on the recommendations in the 2021
15 report of the National Guard Bureau titled “Impact
16 of U.S. Population Trends on National Guard Force
17 Structure”, an assessment of—

18 (A) challenges to recruiting members of
19 the National Guard and allocating mission sets
20 to other geographic regions; and

21 (B) the ability to track and respond to do-
22 mestic migration trends in order to establish a
23 baseline for force structure requirements.

24 (5) In light of the limited authority of the
25 President under section 104(c) of title 32, United

1 States Code, an assessment of whether the number
2 of members of the National Guard is sufficient to re-
3 apportion force structure to meet the requirements
4 of domestic responses and shifting populations.

5 (b) REPORT.—Not later than 180 days after the date
6 of the enactment of this Act, the Secretary of Defense
7 shall submit to the Committees on Armed Services of the
8 Senate and House of Representatives a report on the re-
9 sults of the study under subsection (a).

10 (c) STATE DEFINED.—In this section, the term
11 “State” includes the various States and Territories, the
12 Commonwealth of Puerto Rico, and the District of Colum-
13 bia.

14 **SEC. 507. REPORT ON FEASIBILITY AND ADVISABILITY OF**
15 **INCLUDING CYBERSECURITY OPERATIONS**
16 **AND MISSIONS TO PROTECT CRITICAL INFRA-**
17 **STRUCTURE BY MEMBERS OF THE NATIONAL**
18 **GUARD IN CONNECTION WITH TRAINING OR**
19 **OTHER DUTY.**

20 Not later than one year after the date of the enact-
21 ment of this Act, the Secretary of Defense shall submit
22 to the Committees on Armed Services of the Senate and
23 House of Representatives a report on the feasibility and
24 advisability of including in the duty described in section
25 502(f)(1) of title 32, United States Code, training or other

1 duty relating to cybersecurity operations or missions un-
2 dertaken by the member's unit at the request of the Gov-
3 ernor of the State concerned to protect critical infrastruc-
4 ture (as that term is defined in the Critical Infrastructures
5 Protection Act of 2001 (42 U.S.C. 5195c)).

6 **SEC. 508. ACCESS TO TOUR OF DUTY SYSTEM.**

7 (a) ACCESS.—

8 (1) IN GENERAL.—Not later than one year
9 after the date of the enactment of this Act, the Sec-
10 retary of the Army shall ensure, subject to para-
11 graph (2), that a member of the reserve components
12 of the Army may access the Tour of Duty system
13 using a personal internet-enabled device.

14 (2) EXCEPTION.—The Secretary of the Army
15 may restrict access to the Tour of Duty system on
16 personal internet-enabled devices if the Secretary de-
17 termines such restriction is necessary to ensure the
18 security and integrity of information systems and
19 data of the United States.

20 (b) TOUR OF DUTY SYSTEM DEFINED.—In this Act,
21 the term “Tour of Duty system” means the online system
22 of listings for opportunities to serve on active duty for
23 members of the reserve components of the Army and
24 through which such a member may apply for such an op-

1 portunity, known as “Tour of Duty”, or any successor to
2 such system.

3 **Subtitle B—General Service**
4 **Authorities and Military Records**

5 **SEC. 511. PROHIBITION ON COMMISSIONING OR ENLIST-**
6 **MENT IN THE ARMED FORCES OF AN INDI-**
7 **VIDUAL CONVICTED OF A FELONY HATE**
8 **CRIME.**

9 (a) PROHIBITION.—Section 657 of title 10, United
10 States Code, is amended—

11 (1) in the heading, by striking “**sexual**”; and

12 (2) in subsection (b), by adding at the end the
13 following new paragraphs:

14 “(5) An offense under section 249 of title 18.

15 “(6) An offense under State or local law—

16 “(A) described in section 245(a)(1) of title
17 18; or

18 “(B) the elements of which are substan-
19 tially similar to those of an offense under sec-
20 tion 247 or 249 of title 18.”.

21 (b) CONFORMING AMENDMENT.—The table of sec-
22 tions at the beginning of chapter 37 of such title is amend-
23 ed by striking the item relating to section 657 and insert-
24 ing the following:

“657. Prohibition on service in the armed forces by individuals convicted of cer-
tain offenses.”.

1 **SEC. 512. REDUCTION IN SERVICE COMMITMENT RE-**
2 **QUIRED FOR PARTICIPATION IN CAREER**
3 **INTERMISSION PROGRAM OF A MILITARY DE-**
4 **PARTMENT.**

5 Section 710(c)(3) of title 10, United States Code, is
6 amended by striking “two months” and inserting “one
7 month”.

8 **SEC. 513. MODERNIZATION OF THE SELECTIVE SERVICE**
9 **SYSTEM.**

10 (a) REFERENCE.—Except as expressly provided oth-
11 erwise, any reference in this section to a section or other
12 provision shall be deemed to be a reference to that section
13 or other provision of the Military Selective Service Act (50
14 U.S.C. 3801 et seq.).

15 (b) PURPOSE OF SELECTIVE SERVICE.—Section 1(b)
16 (50 U.S.C. 3801(b)) is amended—

17 (1) by striking “armed strength” and inserting
18 “military strength”;

19 (2) by striking “insure” and inserting “ensure”;
20 and

21 (3) by inserting before the period at the end the
22 following: “by ensuring adequate personnel with the
23 requisite capabilities to meet the mobilization needs
24 of the Department of Defense during a national
25 emergency and not solely to provide combat replace-
26 ments”.

1 (c) SOLEMNITY OF MILITARY SERVICE.—Section 3
2 (50 U.S.C. 3802) is amended by adding at the end the
3 following:

4 “(c) Regulations prescribed pursuant to subsection
5 (a) shall include methods to convey to every person re-
6 quired to register the solemn obligation for military service
7 in the event of a military draft.”.

8 (d) EXPANDED REGISTRATION TO ALL AMERI-
9 CANS.—

10 (1) Section 3(a) (50 U.S.C. 3802(a)) is amend-
11 ed—

12 (A) by striking “male citizen” and insert-
13 ing “citizen”;

14 (B) by striking “male person” and insert-
15 ing “person”;

16 (C) by striking “present himself” and in-
17 serting “appear”; and

18 (D) by striking “so long as he” and insert-
19 ing “so long as such alien”.

20 (2) Section 4(e) (50 U.S.C. 3803(e)) is amend-
21 ed by striking “enlisted men” and inserting “en-
22 listed persons”.

23 (3) Section 5 (50 U.S.C. 3805) is amended—
24 (A) in subsection (a)(1)—

1 (i) by striking “race or color” and in-
2 serting “race, color, sex, or gender”; and

3 (ii) by striking “call for men” and in-
4 serting “call for persons”; and

5 (B) in subsection (b), by striking “men”
6 each place it appears and inserting “persons”.

7 (4) Section 6 (50 U.S.C. 3806) is amended—

8 (A) in subsection (a)(1)—

9 (i) by striking “enlisted men” and in-
10 serting “enlisted persons”; and

11 (ii) by striking “accrue to him” and
12 inserting “accrue to such alien”; and

13 (B) in subsection (h)—

14 (i) by striking “(other than wives
15 alone, except in cases of extreme hard-
16 ship)”; and

17 (ii) by striking “wives and children”
18 and inserting “spouses and children”.

19 (5) Section 10(b)(3) (50 U.S.C. 3809(b)(3)) is
20 amended—

21 (A) by striking “the President is re-
22 quested” and all that follows through “within
23 its jurisdiction” and inserting “the President is
24 requested to appoint the membership of each
25 local board so that each board has both male

1 and female members and, to the maximum ex-
2 tent practicable, it is proportionately represent-
3 ative of the race, national origin, and sex of
4 those registrants within its jurisdiction”; and

5 (B) by striking “race or national origin”
6 and inserting “race, sex, or national origin”.

7 (6) Section 16(a) (50 U.S.C. 3814(a)) is
8 amended by striking “men” and inserting “persons”.

9 (e) MAINTAINING THE HEALTH OF THE SELECTIVE
10 SERVICE SYSTEM.—Section 10(a) (50 U.S.C. 3809(a)) is
11 amended by adding at the end the following new para-
12 graph:

13 “(5) The Selective Service System shall conduct
14 exercises periodically of all mobilization plans, sys-
15 tems, and processes to evaluate and test the effec-
16 tiveness of such plans, systems, and processes. Once
17 every 4 years, the exercise shall include the full
18 range of internal and interagency procedures to en-
19 sure functionality and interoperability and may take
20 place as part of the Department of Defense mobili-
21 zation exercise under section 10208 of title 10,
22 United States Code. The Selective Service System
23 shall conduct a public awareness campaign in con-
24 junction with each exercise to communicate the pur-
25 pose of the exercise to the public.”.

1 (f) DUE PROCESS FOR FAILURE TO REGISTER.—

2 (1) Section 12 (50 U.S.C. 3811) is amended—

3 (A) in subsection (f)—

4 (i) in paragraph (2), by inserting be-
5 fore the period at the end “or proof of reg-
6 istration in accordance with subsection
7 (g)”;

8 (ii) in paragraph (3)—

9 (I) in the first sentence, by strik-
10 ing “compliance” and inserting “com-
11 pliance or proof of registration”; and

12 (II) in the second sentence, by
13 inserting before the period at the end
14 “or proof of registration”; and

15 (iii) in paragraph (4), in the second
16 sentence—

17 (I) by striking “thereunder” and
18 inserting “thereunder, or failure to
19 provide proof of registration in ac-
20 cordance with subsection (g),”; and

21 (II) by inserting before the pe-
22 riod at the end “or has registered in
23 accordance with subsection (g)”;

24 (B) in subsection (g)—

1 (i) in paragraph (1), by striking “;
2 and” and inserting “and the person shows
3 by a preponderance of the evidence that
4 the failure of the person to register was
5 not a knowing and willful failure to reg-
6 ister; or”; and

7 (ii) by amending paragraph (2) to
8 read as follows:

9 “(2) the person was provided notice of the per-
10 son’s failure to register and the person registered
11 within 30 days with the Selective Service System, re-
12 gardless of the person’s age at the time of registra-
13 tion.”.

14 (g) TECHNICAL AND CONFORMING AMENDMENTS.—

15 The Military Selective Service Act is amended—

16 (1) in section 4 (50 U.S.C. 3803)—

17 (A) in subsection (a) in the third undesig-
18 nated paragraph—

19 (i) by striking “his acceptability in all
20 respects, including his” and inserting
21 “such person’s acceptability in all respects,
22 including such person’s”; and

23 (ii) by striking “he may prescribe”
24 and inserting “the President may pre-
25 scribe”;

1 (B) in subsection (c)—

2 (i) in paragraph (2), by striking “any
3 enlisted member” and inserting “any per-
4 son who is an enlisted member”; and

5 (ii) in paragraphs (3), (4), and (5), by
6 striking “in which he resides” and insert-
7 ing “in which such person resides”;

8 (C) in subsection (g), by striking “coordi-
9 nate with him” and inserting “coordinate with
10 the Director”; and

11 (D) in subsection (k)(1), by striking “find-
12 ing by him” and inserting “finding by the
13 President”;

14 (2) in section 5(d) (50 U.S.C. 3805(d)), by
15 striking “he may prescribe” and inserting “the
16 President may prescribe”;

17 (3) in section 6 (50 U.S.C. 3806)—

18 (A) in subsection (c)(2)(D), by striking
19 “he may prescribe” and inserting “the Presi-
20 dent may prescribe”;

21 (B) in subsection (d)(3), by striking “he
22 may deem appropriate” and inserting “the
23 President considers appropriate”; and

1 (C) in subsection (h), by striking “he may
2 prescribe” each place it appears and inserting
3 “the President may prescribe”;

4 (4) in section 10 (50 U.S.C. 3809)—

5 (A) in subsection (b)—

6 (i) in paragraph (3)—

7 (I) by striking “He shall create”
8 and inserting “The President shall
9 create”; and

10 (II) by striking “upon his own
11 motion” and inserting “upon the
12 President’s own motion”;

13 (ii) in paragraph (4), by striking “his
14 status” and inserting “such individual’s
15 status”; and

16 (iii) in paragraphs (4), (6), (8), and
17 (9), by striking “he may deem” each place
18 it appears and inserting “the President
19 considers”; and

20 (B) in subsection (e), by striking “vested
21 in him” and inserting “vested in the Presi-
22 dent”;

23 (5) in section 13(b) (50 U.S.C. 3812(b)), by
24 striking “regulation if he” and inserting “regulation
25 if the President”;

1 (6) in section 15 (50 U.S.C. 3813)—

2 (A) in subsection (b), by striking “his”
3 each place it appears and inserting “the reg-
4 istrant’s”; and

5 (B) in subsection (d), by striking “he may
6 deem” and inserting “the President considers”;

7 (7) in section (16)(g) (50 U.S.C. 3814(g))—

8 (A) in paragraph (1), by striking “who as
9 his regular and customary vocation” and insert-
10 ing “who, as such person’s regular and cus-
11 tomary vocation,”; and

12 (B) in paragraph (2)—

13 (i) by striking “one who as his cus-
14 tomary vocation” and inserting “a person
15 who, as such person’s customary voca-
16 tion,”; and

17 (ii) by striking “he is a member” and
18 inserting “such person is a member”;

19 (8) in section (18)(a) (50 U.S.C. 3816(a)), by
20 striking “he is authorized” and inserting “the Presi-
21 dent is authorized”;

22 (9) in section 21 (50 U.S.C. 3819)—

23 (A) by striking “he is sooner” and insert-
24 ing “sooner”;

1 (B) by striking “he” each subsequent place
2 it appears and inserting “such member”; and

3 (C) by striking “his consent” and inserting
4 “such member’s consent”;

5 (10) in section 22(b) (50 U.S.C. 38290(b)), in
6 paragraphs (1) and (2), by striking “his” each place
7 it appears and inserting “the registrant’s”; and

8 (11) except as otherwise provided in this sec-
9 tion—

10 (A) by striking “he” each place it appears
11 and inserting “such person”;

12 (B) by striking “his” each place it appears
13 and inserting “such person’s”;

14 (C) by striking “him” each place it ap-
15 pears and inserting “such person”; and

16 (D) by striking “present himself” each
17 place it appears in section 12 (50 U.S.C. 3811)
18 and inserting “appear”.

19 (h) CONFORMING AMENDMENTS TO OTHER LAWS.—

20 (1) Section 3328 of title 5, United States Code,
21 is amended by striking subsection (a) and inserting
22 the following:

23 “(a) An individual who was required to register under
24 section 3 of the Military Selective Service Act (50 U.S.C.
25 3803) but failed to meet the registration requirements of

1 section 3 of that Act shall be ineligible for appointment
2 to a position in an Executive agency, unless—

3 “(1) the requirement for the person to so reg-
4 ister has terminated or become inapplicable to the
5 person and the person shows by a preponderance of
6 the evidence that the failure of the person to register
7 was not a knowing and willful failure to register; or

8 “(2) the person was provided notice of the per-
9 son’s failure to register and the person registered
10 within 30 days with the Selective Service System, re-
11 gardless of the person’s age at the time of registra-
12 tion.”.

13 (2) Section 484(n) of the Higher Education Act
14 of 1965 (20 U.S.C. 1091(n)) is amended by striking
15 “(50 U.S.C. App. 462(f))” and inserting “(50
16 U.S.C. 3811(f))”.

17 (i) EFFECTIVE DATE.—The amendments made by
18 this section shall take effect on the date of the enactment
19 of this Act, except that the amendments made by sub-
20 sections (d) and (h)(1) shall take effect one year after
21 such date of enactment.

1 **SEC. 514. IMPROVEMENTS TO MILITARY ACCESSIONS IN**
2 **ARMED FORCES UNDER THE JURISDICTION**
3 **OF THE SECRETARIES OF THE MILITARY DE-**
4 **PARTMENTS.**

5 (a) **IN GENERAL.**—Not later than one year after the
6 date of the enactment of this Act, each Secretary of a mili-
7 tary department shall take the following steps regarding
8 military accessions in each Armed Force under the juris-
9 diction of such Secretary:

10 (1) Assess the prescribed medical standards for
11 appointment as an officer, or enlistment as a mem-
12 ber, in such Armed Force.

13 (2) Determine how to update the medical
14 screening processes for appointment or enlistment.

15 (3) Determine how to standardize operations
16 across the military entrance processing stations.

17 (4) Determine how to improve aptitude testing
18 methods and standardized testing requirements.

19 (5) Implement improvements determined or
20 identified under paragraphs (1) through (4).

21 (b) **REPORT.**—Not later than one year after the date
22 of the enactment of this Act, each Secretary shall submit
23 to the appropriate congressional committees a report con-
24 taining the results of carrying out this section and rec-
25 ommendations regarding legislation the Secretary deter-
26 mines necessary to improve such military accessions.

1 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
2 FINED.—In this section, the term “appropriate congres-
3 sional committees” means—

4 (1) The Committee on Armed Services of the
5 House of Representatives.

6 (2) The Committee on Armed Services of the
7 Senate.

8 (3) The Committee on Transportation and In-
9 frastructure of the House of Representatives.

10 (4) The Committee on Commerce, Science, and
11 Transportation of the Senate.

12 **SEC. 515. AUTHORIZATION OF PERMISSIVE TEMPORARY**
13 **DUTY FOR WELLNESS.**

14 In order to reduce the rate of suicides in the Armed
15 Forces, the Secretary of each military department shall
16 prescribe regulations that authorize a member of an
17 Armed Force under the jurisdiction of such Secretary to
18 take not more than two weeks of permissive temporary
19 duty each year to attend a seminar, retreat, workshop, or
20 outdoor recreational therapy event—

21 (a) hosted by a non-profit organization; and

22 (b) that focuses on psychological, physical, spiritual,
23 or social wellness.

1 **SEC. 516. REQUIRED STAFFING OF ADMINISTRATIVE SEPA-**
2 **RATION BOARDS.**

3 (a) IN GENERAL.—The Secretary of the military de-
4 partment concerned shall ensure that any administrative
5 separation board under the jurisdiction of such Secretary
6 has assigned to it the following:

7 (1) A nonvoting legal advisor who shall be re-
8 sponsible for providing legal advice to the President
9 of the board on—

10 (A) the operations and procedures of the
11 board; and

12 (B) matters under consideration by the
13 board.

14 (2) A nonvoting recorder who shall be respon-
15 sible for representing the separation authority in the
16 in the proceedings before the board.

17 (b) SELECTION AND SUPERVISION.—

18 (1) IN GENERAL.—The nonvoting legal advisor
19 referred to in subsection (a)(1) and the recorder re-
20 ferred to in subsection (a)(2) shall each be selected
21 by the staff judge advocate and each shall serve
22 under the supervision of such staff judge advocate.

23 (2) CERTIFICATION.—The staff judge advocate
24 who selects the recorder under paragraph (1) shall
25 include in the record of the proceedings of the board
26 a written certification affirming that the recorder

1 has the legal skills necessary to competently fulfill
2 the duties of that position.

3 **SEC. 517. ADMINISTRATIVE SEPARATION: MISCELLANEOUS**
4 **AUTHORITIES AND REQUIREMENTS.**

5 Not later than one year after the date of the enact-
6 ment of this Act, the Secretary of Defense and each Sec-
7 retary of a military department shall prescribe regulations
8 and guidance for administrative separations of enlisted
9 members under the jurisdiction of such Secretary that—

10 (1) authorize the Secretary of the military de-
11 partment concerned to characterize an administra-
12 tive discharge, considered by an administrative sepa-
13 ration board under regulations prescribed by such
14 Secretary—

15 (A) under any conditions (including other
16 than honorable); and

17 (B) notwithstanding the recommendation
18 of such administrative separation board; and

19 (2) in the case of an administrative separation
20 on the basis of an offense by the member against an
21 individual, allow such individual to request that at
22 least one voting member of the administrative sepa-
23 ration board be of the same gender, race, or eth-
24 nicity of such individual.

1 **SEC. 518. PROHIBITION ON ALGORITHMIC CAREER TERMI-**
2 **NATION.**

3 No funds authorized to be appropriated by this Act
4 may be used to subject a member of the Armed Forces
5 under the jurisdiction of a Secretary of a military depart-
6 ment to discipline of any kind solely based on the output
7 of an automated algorithmic, mathematical, or other ana-
8 lytic tool used in the evaluation of publicly available social
9 media posts or other publicly available online activity at-
10 tributable to such member, unless the Secretary concerned
11 determines an imminent threat of physical violence exists.

12 **SEC. 519. PROHIBITION ON DISCIPLINE AGAINST A MEM-**
13 **BER BASED ON CERTAIN SOCIAL MEDIA.**

14 No funds authorized to be appropriated by this Act
15 may be used to subject a member of the Armed Forces
16 under the jurisdiction of a Secretary of a military depart-
17 ment to discipline of any kind solely based on a comment,
18 post, or other activity originating from a third party re-
19 garding a political matter on an online account, forum,
20 or other electronic means owned, controlled, or operated
21 by the member.

22 **SEC. 519A. COMMAND OVERSIGHT OF MILITARY**
23 **PRIVATIZED HOUSING AS ELEMENT OF PER-**
24 **FORMANCE EVALUATIONS.**

25 (a) **EVALUATIONS IN GENERAL.**—Each Secretary of
26 a military department shall ensure that the performance

1 evaluations of any individual described in subsection (b)
2 under the jurisdiction of such Secretary indicates the ex-
3 tent to which such individual has or has not exercised ef-
4 fective oversight and leadership in the following:

5 (1) Improving conditions of privatized housing
6 under subchapter IV of chapter 169 of title 10,
7 United States Code.

8 (2) Addressing concerns with respect to such
9 housing of members of the Armed Forces and their
10 families who reside in such housing on an installa-
11 tion of the military department concerned.

12 (b) COVERED INDIVIDUALS.—The individuals de-
13 scribed in this subsection are as follows:

14 (1) The commander of an installation of a mili-
15 tary department at which on-installation housing is
16 managed by a landlord of privatized housing under
17 subchapter IV of chapter 169 of title 10, United
18 States Code.

19 (2) Each officer or senior enlisted member of
20 the Armed Forces at an installation described in
21 paragraph (1) whose duties include facilities or
22 housing management at such installation.

23 (3) Any other officer or enlisted member of the
24 Armed Forces (whether or not at an installation de-
25 scribed in paragraph (1)) as specified by the Sec-

1 retary of the military department concerned for pur-
2 poses of this section.

3 **SEC. 519B. FEASIBILITY STUDY ON ESTABLISHMENT OF**
4 **HOUSING HISTORY FOR MEMBERS OF THE**
5 **ARMED FORCES WHO RESIDE IN HOUSING**
6 **PROVIDED BY THE UNITED STATES.**

7 (a) STUDY; REPORT.—Not later than September 30,
8 2022, the Secretary of Defense shall—

9 (1) conduct a feasibility study regarding the es-
10 tablishment of a standard record of housing history
11 for members of the Armed Forces who reside in cov-
12 ered housing; and

13 (2) submit to the appropriate congressional
14 committees a report on the results of such study.

15 (b) CONTENTS.—A record described in subsection (a)
16 includes, with regards to each period during which the
17 member concerned resided in covered housing, the fol-
18 lowing:

19 (1) The assessment of the commander of the
20 military installation in which such housing is lo-
21 cated, of the condition of such covered housing—

22 (A) prior to the beginning of such period;

23 and

1 (B) in which the member concerned left
2 such covered housing upon vacating such cov-
3 ered housing.

4 (2) Contact information a housing provider may
5 use to inquire about such a record.

6 (c) ONLINE ACCESS.—A record described in sub-
7 section (a) would be accessible through a website, main-
8 tained by the Secretary of the military department con-
9 cerned, through which a member of the Armed Forces
10 under the jurisdiction of such Secretary may access such
11 record of such member.

12 (d) ISSUANCE.—The Secretary concerned would issue
13 a copy of a described in subsection (a) to the member con-
14 cerned upon the separation, retirement, discharge, or dis-
15 missal of such member from the Armed Forces, with the
16 DD Form 214 for such member.

17 (e) DEFINITIONS.—In this section:

18 (1) The term “appropriate congressional com-
19 mittees” means the following:

20 (A) The Committee on Armed Services of
21 the House of Representatives.

22 (B) The Committee on Armed Services of
23 the Senate.

24 (C) The Committee on Transportation and
25 Infrastructure of the House of Representatives.

1 (D) The Committee on Commerce, Science,
2 and Transportation of the Senate.

3 (2) The term “covered housing” means housing
4 provided by the United States to a member of the
5 Armed Forces.

6 **SEC. 519C. SEAMAN TO ADMIRAL-21 PROGRAM: CREDIT TO-**
7 **WARDS RETIREMENT.**

8 (a) CREDIT.—For each participant in the Seaman to
9 Admiral-21 program during fiscal years 2010 through
10 2014 for whom the Secretary of the Navy cannot find evi-
11 dence of an acknowledgment that, before entering a bacca-
12 laureate degree program, service during the baccalaureate
13 degree program would not be included when computing
14 years of service for retirement, the Secretary shall include
15 service during the baccalaureate degree program when
16 computing—

17 (1) years of service; and

18 (2) retired or retainer pay.

19 (b) REPORT REQUIRED.—The Secretary shall submit
20 a report to the Committees on Armed Services of the Sen-
21 ate and House of Representatives regarding the number
22 of participants credited with service under subsection (a).

23 (c) DEADLINE.—The Secretary shall carry out this
24 section not later than 180 days after the date of the enact-
25 ment of this Act.

1 **SEC. 519D. PROGRESS REPORT ON IMPLEMENTATION OF**
2 **GAO RECOMMENDATIONS REGARDING CA-**
3 **REER PATHS FOR SURFACE WARFARE OFFI-**
4 **CERS OF THE NAVY.**

5 (a) PROGRESS REPORT.—Not later than one year
6 after the date of the enactment of this Act, the Secretary
7 of the Navy shall submit to the congressional defense com-
8 mittees a progress report on implementation of the rec-
9 ommendations for executive action in the report of the
10 Government Accountability Office titled “Navy Readiness:
11 Actions Needed to Evaluate and Improve Surface Warfare
12 Officer Career Path” (GAO–21–168). The report shall in-
13 clude the following:

14 (1) Actions taken to develop plans to improve
15 retention of SWOs, with a focus on retention of fe-
16 male SWOs, including specific goals, performance
17 measures, and timelines.

18 (2) Actions taken to analyze relevant logbook
19 data for trends between the number of SWOs
20 aboard ships and competition for limited training op-
21 portunities.

22 (3) Actions taken to analyze the extent to which
23 commissioning practices affect training opportunities
24 for SWOs.

25 (4) Actions taken to reevaluate the need for nu-
26 clear-trained SWOs, assess the effects of the current

1 training approach, and make any related adjust-
2 ments to the respective career path.

3 (5) Actions taken to establish and implement
4 regular evaluations of the effectiveness of the cur-
5 rent career path, training, and policies for SWOs, in
6 successfully developing and retaining proficient
7 SWOs. The initial evaluation shall include—

8 (A) a comparison of such effectiveness
9 against that of other positions in the Navy, and
10 against comparable positions in other navies
11 and maritime communities; and

12 (B) input from SWOs at all grades.

13 (6) Actions taken to implement—

14 (A) workforce strategies;

15 (B) changes to the career path for SWOs,
16 training, and policies; and

17 (C) the implementation of pilot programs
18 to evaluate potential changes that address the
19 results of such initial evaluation.

20 (b) SWO DEFINED.—In this section, the term
21 “SWO” means “surface warfare officer”.

22 **SEC. 519E. INDEPENDENT ASSESSMENT OF RETENTION OF**
23 **FEMALE SURFACE WARFARE OFFICERS.**

24 (a) IN GENERAL.—The Secretary of Defense shall
25 seek to enter into an agreement with a nonprofit entity

1 or a federally funded research and development center
2 independent of the Department of Defense to conduct re-
3 search and analysis on the gender gap in retention of sur-
4 face warfare officers in the Navy.

5 (b) ELEMENTS.—The research and analysis con-
6 ducted under subsection (a) shall include consideration of
7 the following:

8 (1) Demographics of surface warfare officers,
9 disaggregated by gender, including—

10 (A) race;

11 (B) ethnicity;

12 (C) socioeconomic status;

13 (D) marital status (including whether the
14 spouse is a member of the Armed Forces and,
15 if so, the length of service of such spouse);

16 (E) whether the officer has children (in-
17 cluding number and age or ages of children);

18 (F) whether an immediate family member
19 serves or has served as a member of the Armed
20 Forces; and

21 (G) the percentage of such officers who—

22 (i) indicate an intent to complete only
23 an initial service agreement; and

24 (ii) complete only an initial service
25 agreement.

1 (2) Whether there is a correlation between the
2 number of female surface warfare officers serving on
3 a vessel and responses of such officers to command
4 climate surveys.

5 (3) An anonymous but traceable study of com-
6 mand climate results to—

7 (A) correlate responses from particular fe-
8 male surface warfare officers with resignation;
9 and

10 (B) compare attitudes of first-tour and
11 second-tour female surface warfare officers.

12 (4) Recommendations based on the findings
13 under paragraphs (1), (2), and (3).

14 (c) REPORTS.—

15 (1) IN GENERAL.—Not later than 270 days
16 after the date on which a nonprofit entity or feder-
17 ally funded research and development center enters
18 into an agreement under subsection (a) with the
19 Secretary of Defense, such entity or center shall
20 submit to the Secretary of Defense a report on the
21 results of the research and analysis under subsection
22 (a).

23 (2) SUBMISSION TO CONGRESS.—Not later than
24 one year after the date of the enactment of this Act,

1 the Secretary of Defense shall submit to the con-
2 gressional defense committees each of the following:

3 (A) A copy of the report submitted under
4 paragraph (1) without change.

5 (B) Any comments, changes, recommenda-
6 tions, or other information provided by the Sec-
7 retary of Defense relating to the research and
8 analysis under subsection (a) and contained in
9 such report.

10 **Subtitle C—Military Justice and** 11 **Other Legal Matters**

12 **SEC. 521. RIGHTS OF THE VICTIM OF AN OFFENSE UNDER** 13 **THE UNIFORM CODE OF MILITARY JUSTICE.**

14 (a) IN GENERAL.—Section 806b(a) of title 10,
15 United States Code (article 6b(a) of the Uniform Code
16 of Military Justice) is amended—

17 (1) by redesignating paragraph (8) as para-
18 graph (9); and

19 (2) by inserting after paragraph (7) the fol-
20 lowing new paragraph:

21 “(8) The right to be informed in a timely man-
22 ner of any pre-trial agreement, separation-in-lieu-of-
23 trial agreement, or non-prosecution agreement relat-
24 ing to the offense, unless providing such information
25 would jeopardize another law enforcement pro-

1 ceeding or would violate the privacy concerns of an
2 individual other than the accused.”.

3 (b) POLICY ON INFORMATION PROVIDED TO VIC-
4 TIMS.—

5 (1) UNIFORM POLICY REQUIRED.—Not later
6 than one year after the date of the enactment of this
7 Act, the Secretary of Defense, in consultation with
8 the Secretary of the Department in which the Coast
9 Guard is operating, shall establish a uniform policy
10 for the sharing of the following information relating
11 to the victim of an offense under chapter 47 of title
12 10, United States Code (the Uniform Code of Mili-
13 tary Justice), with a Special Victims’ Counsel or
14 Victims’ Legal Counsel representing such victim:

15 (A) Any recorded statements of the victim
16 to investigators.

17 (B) The record of any forensic examination
18 of the person or property of the victim, includ-
19 ing the record of any sexual assault forensic
20 exam of the victim that is in possession of in-
21 vestigators or the Government.

22 (C) Any other personal or medical record
23 of the victim that is in the possession of inves-
24 tigators or the Government.

1 (2) EXCEPTION FOR WITHHOLDING OF INFOR-
2 MATION IN CERTAIN CIRCUMSTANCES.—The policy
3 under paragraph (1) may set forth circumstances in
4 which the information specified in such paragraph
5 may be withheld for the purpose of protecting the
6 integrity of an investigation or criminal proceeding.

7 **SEC. 522. COMMANDING OFFICER’S NON-JUDICIAL PUNISH-**
8 **MENT.**

9 (a) IN GENERAL.—Section 815 of title 10, United
10 States Code (article 15 of the Uniform Code of Military
11 Justice), is amended—

12 (1) by redesignating subsections (e) through (g)
13 as subsections (d) through (h), respectively;

14 (2) by inserting after subsection (b), the fol-
15 lowing new subsection:

16 “(c)(1) Except as provided in paragraphs (2) and (3),
17 a commanding officer may not impose a punishment au-
18 thorized in subsection (b) unless, before the imposition of
19 such punishment, the commanding officer—

20 “(A) requests and receives legal guidance re-
21 garding the imposition of such punishment from a
22 judge advocate or other legal officer of the armed
23 force of which the commanding officer is a member;
24 and

1 “(B) provides the member who may be subject
2 to such punishment with an opportunity to consult
3 appropriate legal counsel.

4 “(2) Paragraph (1) shall not apply to the punish-
5 ments specified in subparagraphs (E) and (F) of sub-
6 section (b)(2).

7 “(3) A commanding officer may waive the require-
8 ments set forth in subparagraphs (A) and (B) of para-
9 graph (1), on a case by case basis, if the commanding offi-
10 cer determines such a waiver is necessary in the national
11 security interests of the United States.”; and

12 (3) in subsection (f), as so redesignated, by
13 striking “subsection (d)” and inserting “subsection
14 (e)”.

15 (b) **EFFECTIVE DATE AND APPLICABILITY.**—The
16 amendments made by subsection (a) shall take effect 180
17 days after the date of the enactment of this Act and shall
18 apply with respect to punishments imposed under section
19 815 of title 10, United States Code (article 15 of the Uni-
20 form Code of Military Justice), on or after such effective
21 date.

22 (c) **ADDITIONAL GUIDANCE REQUIRED.**—Not later
23 than one year after the date of the enactment of this Act,
24 each Secretary of a military department shall prescribe
25 regulations or issue other written guidance with respect

1 to non-judicial punishment under section 815 of title 10,
2 United States Code (article 15 of the Uniform Code of
3 Military Justice) that—

4 (1)(A) identifies criteria to be considered when
5 determining whether a member of the armed forces
6 is attached to or embarked in a vessel for the pur-
7 poses of determining whether such member may de-
8 mand trial by court-martial in lieu of punishment
9 under such section (article); and

10 (B) establishes a policy about the appropriate
11 and responsible invocation of such exception; and

12 (2) establishes criteria commanders must con-
13 sider when evaluating whether to issue a waiver
14 under subsection (c)(3) of such section (article) (as
15 added by subsection (a) of this section) on the basis
16 of the national security interests of the United
17 States.

18 **SEC. 523. SELECTION PROCESS FOR MEMBERS TO SERVE**
19 **ON COURTS-MARTIAL.**

20 Section 825(e) of title 10, United States Code (article
21 25(e) of the Uniform Code of Military Justice), is amend-
22 ed—

23 (1) by redesignating paragraphs (1), (2), and
24 (3) as paragraphs (3), (4), and (5), respectively;

1 (2) by inserting before paragraph (3), as so re-
2 designated, the following new paragraphs: “(1)
3 When convening a court-martial, the convening au-
4 thority shall detail as members thereof members of
5 the armed forces under such regulations as the
6 President may prescribe for the randomized selection
7 of qualified personnel available to the convening au-
8 thority for detail.

9 “(2) The randomized selection process developed and
10 implemented under paragraph (1) may include parameter
11 controls that—

12 “(A) allow for exclusions based on scheduling
13 availability;

14 “(B) allow for controls based on military rank;
15 and

16 “(C) allow for controls to promote gender, ra-
17 cial, and ethnic diversity and inclusion.”; and

18 (3) in paragraph (4), as so redesignated, by—

19 (A) striking the first sentence; and

20 (B) striking “when he is” and inserting
21 “when the member is”.

22 **SEC. 524. PETITION FOR DNA TESTING UNDER THE UNI-**
23 **FORM CODE OF MILITARY JUSTICE.**

24 (a) **IN GENERAL.**—Subchapter IX of chapter 47 of
25 title 10, United States Code (the Uniform Code of Military

1 Justice), is amended by inserting after section 873 (article
2 73) the following new section (article):

3 **“§ 873a. Art. 73a. Petition for DNA testing**

4 “(a) IN GENERAL.—Upon a written petition by an
5 accused sentenced to imprisonment or death pursuant to
6 a conviction under this chapter (referred to in this section
7 as the ‘applicant’), the Judge Advocate General shall order
8 DNA testing of specific evidence if the Judge Advocate
9 General finds that all of the following apply:

10 “(1) The applicant asserts, under penalty of
11 perjury, that the applicant is actually innocent of
12 the offense for which the applicant is sentenced to
13 imprisonment or death.

14 “(2) The specific evidence to be tested was se-
15 cured in relation to the investigation or prosecution
16 of the offense referenced in the applicant’s assertion
17 under paragraph (1).

18 “(3) The specific evidence to be tested—

19 “(A) was not previously subjected to DNA
20 testing and the applicant did not knowingly fail
21 to request DNA testing of that evidence in a
22 prior motion for postconviction DNA testing; or

23 “(B) was previously subjected to DNA
24 testing and the applicant is requesting DNA
25 testing using a new method or technology that

1 is substantially more probative than the prior
2 DNA testing.

3 “(4) The specific evidence to be tested is in the
4 possession of the Government and has been subject
5 to a chain of custody and retained under conditions
6 sufficient to ensure that such evidence has not been
7 substituted, contaminated, tampered with, replaced,
8 or altered in any respect material to the proposed
9 DNA testing.

10 “(5) The proposed DNA testing is reasonable in
11 scope, uses scientifically sound methods, and is con-
12 sistent with accepted forensic practices.

13 “(6) The applicant identifies a theory of de-
14 fense that—

15 “(A) is not inconsistent with an affirmative
16 defense presented at trial; and

17 “(B) would establish the actual innocence
18 of the applicant of the offense referenced in the
19 applicant’s assertion under paragraph (1).

20 “(7) If the applicant was convicted following a
21 trial, the identity of the perpetrator was at issue in
22 the trial.

23 “(8) The proposed DNA testing of the specific
24 evidence may produce new material evidence that
25 would—

1 “(A) support the theory of defense ref-
2 erenced in paragraph (6); and

3 “(B) raise a reasonable probability that
4 the applicant did not commit the offense.

5 “(9) The applicant certifies that the applicant
6 will provide a DNA sample for purposes of compari-
7 son.

8 “(10) The petition is made in a timely fashion,
9 subject to the following conditions:

10 “(A) There shall be a rebuttable presump-
11 tion of timeliness if the petition is made within
12 five years of the enactment of the National De-
13 fense Authorization Act for Fiscal Year 2022 or
14 within three years after the date of the entry of
15 judgment under section 860c of this title (arti-
16 cle 60c), whichever comes later. Such presump-
17 tion may be rebutted upon a showing—

18 “(i) that the applicant’s petition for a
19 DNA test is based solely upon information
20 used in a previously denied motion; or

21 “(ii) of clear and convincing evidence
22 that the applicant’s filing is done solely to
23 cause delay or harass.

24 “(B) There shall be a rebuttable presump-
25 tion against timeliness for any petition not sat-

1 isfying subparagraph (A) above. Such presump-
2 tion may be rebutted upon the Judge Advocate
3 General’s finding—

4 “(i) that the applicant was or is in-
5 competent and such incompetence substan-
6 tially contributed to the delay in the appli-
7 cant’s motion for a DNA test;

8 “(ii) the evidence to be tested is newly
9 discovered DNA evidence;

10 “(iii) that the applicant’s petition is
11 not based solely upon the applicant’s own
12 assertion of innocence and, after consid-
13 ering all relevant facts and circumstances
14 surrounding the petition, a denial would
15 result in a manifest injustice; or

16 “(iv) upon good cause shown.

17 “(C) For purposes of this paragraph—

18 “(i) the term ‘incompetence’ has the
19 meaning given that term in section 876b of
20 this chapter (article 76b);

21 “(ii) the term ‘manifest’ means that
22 which is unmistakable, clear, plain, or in-
23 disputable and requires that the opposite
24 conclusion be clearly evident.

1 “(b) APPEAL OF DENIAL.— The applicant may ap-
2 peal the Judge Advocate General’s denial of the petition
3 of DNA testing to the Court of Appeals for the Armed
4 Forces.

5 “(c) EVIDENCE INVENTORY; PRESERVATION ORDER;
6 APPOINTMENT OF COUNSEL.—

7 “(1) INVENTORY.—The Judge Advocate Gen-
8 eral shall order the preparation of an inventory of
9 the evidence related to the case for which a petition
10 is made under subsection (a), which shall be pro-
11 vided to the applicant.

12 “(2) PRESERVATION ORDER.—To the extent
13 necessary to carry out proceedings under this sec-
14 tion, the Judge Advocate General shall direct the
15 preservation of the specific evidence relating to a pe-
16 tition under subsection (a).

17 “(3) APPOINTMENT OF COUNSEL.—The appli-
18 cant shall be eligible for representation by appellate
19 defense counsel under section 870 of this chapter
20 (article 70).

21 “(d) TESTING COSTS.—The costs of any DNA test-
22 ing ordered under this section shall be paid by the Govern-
23 ment.

24 “(e) TIME LIMITATION IN CAPITAL CASES.—In any
25 case in which the applicant is sentenced to death—

1 “(1) any DNA testing ordered under this sec-
2 tion shall be completed not later than 60 days after
3 the date on which the test is ordered by the Judge
4 Advocate General; and

5 “(2) not later than 120 days after the date on
6 which the DNA testing ordered under this section is
7 completed, the Judge Advocate General shall order
8 any post-testing procedures under subsection (f) or
9 (g), as appropriate.

10 “(f) DISCLOSURE OF TEST RESULTS.—Reporting of
11 test results shall be simultaneously disclosed to the Gov-
12 ernment and the applicant.

13 “(g) POST-TESTING PROCEDURES; INCONCLUSIVE
14 AND INCULPATORY RESULTS.—

15 “(1) INCONCLUSIVE RESULTS.—If DNA test re-
16 sults obtained under this section are inconclusive,
17 the Judge Advocate General may order further test-
18 ing, if appropriate, or may deny the applicant relief.

19 “(2) INCULPATORY RESULTS.—If DNA test re-
20 sults obtained under this section show that the ap-
21 plicant was the source of the DNA evidence, the
22 Judge Advocate General shall—

23 “(A) deny the applicant relief; and

1 “(B) if the DNA test results relate to a
2 State offense, forward the finding to any appro-
3 priate State official.

4 “(h) POST-TESTING PROCEDURES; MOTION FOR
5 NEW TRIAL OR RESENTENCING.—

6 “(1) IN GENERAL.—Notwithstanding any provi-
7 sion of law that would bar a motion under this para-
8 graph as untimely, if DNA test results obtained
9 under this section exclude the applicant as the
10 source of the DNA evidence, the applicant may file
11 a petition for a new trial or resentencing, as appro-
12 priate.

13 “(2) STANDARD FOR GRANTING MOTION FOR
14 NEW TRIAL OR RESENTENCING.—The applicant’s pe-
15 tition for a new trial or resentencing, as appropriate,
16 shall be granted if the DNA test results, when con-
17 sidered with all other evidence in the case (regard-
18 less of whether such evidence was introduced at
19 trial), establish by compelling evidence that a new
20 trial would result in the acquittal of the applicant.

21 “(i) RELATIONSHIP TO OTHER LAWS.—

22 “(1) POST-CONVICTION RELIEF.—Nothing in
23 this section shall affect the circumstances under
24 which a person may obtain DNA testing or post-con-
25 viction relief under any other provision of law.

1 “(2) HABEAS CORPUS.—Nothing in this section
2 shall provide a basis for relief in any Federal habeas
3 corpus proceeding.”.

4 (b) CLERICAL AMENDMENT.—The table of sections
5 at the beginning of such subchapter is amended by insert-
6 ing after the item relating to section 873 (article 73) the
7 following new item:

 “873a. 73a. Petition for DNA testing.”.

8 **SEC. 525. PUNITIVE ARTICLE ON VIOLENT EXTREMISM.**

9 (a) VIOLENT EXTREMISM.—

10 (1) IN GENERAL.—Subchapter X of chapter 47
11 of title 10, United States Code, is amended by in-
12 serting after section 916 (article 116 of the Uniform
13 Code of Military Justice) the following new section
14 (article):

15 **“§ 916a. Art. 116a. violent extremism**

16 “(a) PROHIBITION.—Any person subject to this chap-
17 ter who—

18 “(1) knowingly commits a covered offense
19 against—

20 “(A) the Government of the United States;

21 or

22 “(B) any person or class of people;

23 “(2)(A) with the intent to intimidate or coerce
24 any person or class of people; or

1 “(B) with the intent to influence, affect, or re-
2 taliatiate against the policy or conduct of the Govern-
3 ment of the United States or any State; and

4 “(3) does so—

5 “(A) to achieve political, ideological, reli-
6 gious, social, or economic goals; or

7 “(B) in the case of an act against a person
8 or class of people, for reasons relating to the
9 race, religion, color, ethnicity, sex, age, dis-
10 ability status, national origin, sexual orienta-
11 tion, or gender identity of the person or class
12 of people concerned;

13 is guilty of violent extremism and shall be punished
14 as a court-martial may direct.

15 “(b) ATTEMPTS, SOLICITATION, AND CONSPIRACY.—

16 Any person who attempts, solicits, or conspires to commit
17 an offense under this section shall be punished in the same
18 manner as a person who completes the offense.

19 “(c) DEFINITIONS.—In this section:

20 “(1) COVERED OFFENSE.—The term ‘covered
21 offense’ means—

22 “(A) loss, damage, destruction, or wrongful
23 disposition of military property of the United
24 States, in violation of section 908 of this title
25 (article 108);

1 “(B) waste, spoilage, or destruction of
2 property other than military property of the
3 United States, in violation of section 909 of this
4 title (article 109);

5 “(C) communicating threats, in violation of
6 section 915 of this title (article 115);

7 “(D) riot or breach of peace, in violation of
8 section 916 of this title (article 116);

9 “(E) provoking speech or gestures, in vio-
10 lation of section 917 of this title (article 117);

11 “(F) murder, in violation of section 918 of
12 this title (article 118);

13 “(G) manslaughter, in violation of section
14 919 of this title (article 119);

15 “(H) larceny or wrongful appropriation, in
16 violation of section 921 of this title (article
17 121);

18 “(I) robbery, in violation of section 922 of
19 this title (article 122);

20 “(J) kidnapping, in violation of section
21 925 of this title (article 125);

22 “(K) assault, in violation of section 928 of
23 this title (article 128);

24 “(L) conspiracy to commit an offense spec-
25 ified in any of subparagraphs (A) through (K),

1 as punishable under section 881 of this title
2 (article 81);

3 “(M) solicitation to commit an offense
4 specified in any of subparagraphs (A) through
5 (K), as punishable under section 882 of this
6 title (article 82); or

7 “(N) an attempt to commit an offense
8 specified in any of subparagraphs (A) through
9 (K), as punishable under section 880 of this
10 title (article 80).

11 “(2) STATE.—The term ‘State’ includes any
12 State of the United States, the District of Columbia,
13 the Commonwealth of Puerto Rico, and any other
14 possession or territory of the United States.”.

15 (2) CLERICAL AMENDMENT.—The table of sec-
16 tions at the beginning of such subchapter is amend-
17 ed by inserting after the item relating to section 916
18 (article 116) the following new item:

“916a. 116a. Violent extremism.”.

19 (b) EFFECTIVE DATE.—The amendments made by
20 subsection (a) shall take effect on the date of the enact-
21 ment of this Act and shall apply to offenses committed
22 on or after such date.

1 **SEC. 526. CLARIFICATIONS OF PROCEDURE IN INVESTIGA-**
2 **TIONS OF PERSONNEL ACTIONS TAKEN**
3 **AGAINST MEMBERS OF THE ARMED FORCES**
4 **IN RETALIATION FOR PROTECTED COMMU-**
5 **NICATIONS.**

6 (a) IN GENERAL.—Subparagraphs (D) and (E) of
7 paragraph (4) of section 1034(c) of title 10, United States
8 Code, are amended to read as follows:

9 “(D)(i) Upon determining that an investigation of an
10 allegation under paragraph (1) is warranted, the Inspector
11 General making the determination shall expeditiously in-
12 vestigate the allegation to determine whether the protected
13 communication or activity under subsection (b) was a con-
14 tributing factor in the personnel action prohibited under
15 subsection (b) that was taken or withheld (or threatened
16 to be taken or withheld) against a member of the armed
17 forces.

18 “(ii) In the case of a determination made by the In-
19 spector General of the Department of Defense, that In-
20 spector General may delegate responsibility for the inves-
21 tigation to an appropriate Inspector General of a military
22 department.

23 “(iii) The member alleging the prohibited personnel
24 action may use circumstantial evidence to demonstrate
25 that the protected communication or activity under sub-
26 section (b) was a contributing factor in the personnel ac-

1 tion prohibited under subsection (b). Such circumstantial
2 evidence may include that the person taking such prohib-
3 ited personnel action knew of the protected communication
4 or activity, and that the prohibited personnel action oc-
5 curred within a period of time such that a reasonable per-
6 son could conclude that the communication or protected
7 activity was a contributing factor in the personnel action.

8 “(iv) If the Inspector General determines it likelier
9 than not that the member made a communication or par-
10 ticipated in an activity protected under subsection (b) that
11 was a contributing factor in a personnel action described
12 in such subsection, the Inspector General shall presume
13 such personnel action to be prohibited under such sub-
14 section unless the Inspector General determines there is
15 clear and convincing evidence that the same personnel ac-
16 tion would have occurred in the absence of such protected
17 communication or activity.

18 “(E) If the Inspector General preliminarily deter-
19 mines in an investigation under subparagraph (D) that a
20 personnel action prohibited under subsection (b) has oc-
21 curred and that such personnel action shall result in an
22 immediate hardship to the member alleging the personnel
23 action, the Inspector General shall promptly notify the
24 Secretary of the military department concerned or the Sec-
25 retary of Homeland Security, as applicable, of the hard-

1 ship, and such Secretary shall take such action as such
2 Secretary determines appropriate.”.

3 (b) TECHNICAL AMENDMENTS.—Such paragraph is
4 further amended in subparagraphs (A) and (B) by striking
5 “subsection (h)” both places it appears and inserting
6 “subsection (i)”.

7 **SEC. 527. ACTIVITIES TO IMPROVE FAMILY VIOLENCE PRE-**
8 **VENTION AND RESPONSE.**

9 (a) DELEGATION OF AUTHORITY TO AUTHORIZE EX-
10 CEPTIONAL ELIGIBILITY FOR CERTAIN BENEFITS.—
11 Paragraph (4) of section 1059(m) of title 10, United
12 States Code, is amended to read as follows:

13 “(4)(A) Except as provided in subparagraph (B), the
14 authority of the Secretary concerned under paragraph (1)
15 may not be delegated.

16 “(B) During the two year period following the date
17 of the enactment of the National Defense Authorization
18 Act for Fiscal Year 2022, the authority of the Secretary
19 concerned under paragraph (1) may be delegated to an
20 official at the Assistant Secretary-level or above. Any exer-
21 cise of such delegated authority shall be reported to the
22 Secretary concerned on a quarterly basis.”.

23 (b) EXTENSION OF REQUIREMENT FOR ANNUAL
24 FAMILY ADVOCACY PROGRAM REPORT REGARDING
25 CHILD ABUSE AND DOMESTIC VIOLENCE.—Section

1 574(a) of the National Defense Authorization Act for Fis-
2 cal Year 2017 (Public Law 114–328; 130 Stat. 2141) is
3 amended by striking “April 30, 2021” and inserting
4 “April 30, 2026”.

5 (c) IMPLEMENTATION OF COMPTROLLER GENERAL
6 RECOMMENDATIONS.—

7 (1) IN GENERAL.—Consistent with the rec-
8 ommendations set forth in the report of the Comp-
9 troller General of the United States titled “Domestic
10 Abuse: Actions Needed to Enhance DOD’s Preven-
11 tion, Response, and Oversight” (GAO–21–289), the
12 Secretary of Defense, in consultation with the Secre-
13 taries of the military departments, shall carry out
14 the activities specified in subparagraphs (A) through
15 (K).

16 (A) DOMESTIC ABUSE DATA.—Not later
17 than 180 days after the date of the enactment
18 of this Act, the Secretary of Defense, in con-
19 sultation with the Secretaries of the military de-
20 partments, shall carry out each of the following:

21 (i) Issue guidance to the Secretaries
22 of the military departments to clarify and
23 standardize the process for collecting and
24 reporting data on domestic abuse in the
25 Armed Forces, including—

1 (I) data on the numbers and
2 types of domestic abuse and domestic
3 violence incidents involving members
4 of the Armed Forces;

5 (II) the information required to
6 be reported to the database on domes-
7 tic violence incidents under section
8 1562 of title 10, United States Code;
9 and

10 (III) data for inclusion in the re-
11 ports regarding child abuse and do-
12 mestic violence required to be sub-
13 mitted under section 574 of the Na-
14 tional Defense Authorization Act for
15 Fiscal Year 2017 (Public Law 114-
16 328; 130 Stat. 2141).

17 (ii) Develop a quality control process
18 to ensure the accurate and complete re-
19 porting of data on allegations of abuse in-
20 volving a member of the Armed Forces, in-
21 cluding allegations of abuse that do not
22 meet the Department of Defense definition
23 of domestic abuse.

24 (iii) Expand the scope of any report-
25 ing to Congress that includes data on do-

1 mestic abuse in the Armed Forces to in-
2 clude data on and analysis of the types of
3 allegations of domestic abuse.

4 (B) DOMESTIC VIOLENCE AND COMMAND
5 ACTION DATA.—Not later than 180 days after
6 the date of the enactment of this Act, the Sec-
7 retary of Defense, in consultation with the Sec-
8 retaries of the military departments, shall—

9 (i) evaluate the organizations and ele-
10 ments of the Department of Defense that
11 are responsible for tracking domestic vio-
12 lence incidents and the command actions
13 taken in response to such incidents to de-
14 termine if there are actions that may be
15 carried out to—

16 (I) eliminate gaps and
17 redundancies in the activities of such
18 organizations;

19 (II) ensure consistency in the ap-
20 proaches of such organizations to the
21 tracking of such incidents and actions;
22 and

23 (III) otherwise improve the
24 tracking of such incidents and actions
25 across the Department; and

1 (ii) based on the evaluation under
2 clause (i), clarify or adjust—

3 (I) the duties of such organiza-
4 tions and elements; and

5 (II) the manner in which such or-
6 ganizations and elements coordinate
7 their activities.

8 (C) REGULATIONS FOR VIOLATION OF CI-
9 VILIAN ORDERS OF PROTECTION.—The Sec-
10 retary of Defense shall revise or issue regula-
11 tions (as applicable) to ensure that each Sec-
12 retary of a military department provides, to any
13 member of the Armed Forces under the jurisdic-
14 tion of such Secretary who is subject to a ci-
15 vilian order of protection, notice that the viola-
16 tion of such order may be punishable under
17 chapter 47 of title 10, United States Code (the
18 Uniform Code of Military Justice).

19 (D) AGREEMENTS WITH CIVILIAN VICTIM
20 SERVICE ORGANIZATIONS.—

21 (i) GUIDANCE REQUIRED.—The Sec-
22 retary of Defense, in consultation with the
23 Secretaries of the military departments,
24 shall issue guidance pursuant to which per-
25 sonnel of a Family Advocacy Program at a

1 military installation may enter into memo-
2 randa of understanding with qualified civil-
3 ian victim service organizations for pur-
4 poses of providing services to victims of do-
5 mestic abuse in accordance with clause (ii).

6 (ii) CONTENTS OF AGREEMENT.—A
7 memorandum of understanding entered
8 into under clause (i) shall provide that per-
9 sonnel of a Family Advocacy Program at a
10 military installation may refer a victim of
11 domestic abuse to a qualified civilian vic-
12 tim service organization if such personnel
13 determine that—

14 (I) the services offered at the in-
15 stallation are insufficient to meet the
16 victim's needs; or

17 (II) such a referral would other-
18 wise benefit the victim.

19 (E) SCREENING AND REPORTING OF INI-
20 TIAL ALLEGATIONS.—The Secretary of Defense,
21 in consultation with the Secretaries of the mili-
22 tary departments, shall develop and implement
23 a standardized process—

24 (i) to ensure consistency in the man-
25 ner in which allegations of domestic abuse

1 are screened and documented at military
2 installations, including by ensuring that al-
3 legations of domestic abuse are docu-
4 mented regardless of the severity of the in-
5 cident;

6 (ii) that uses a risk-based approach to
7 consistently identify, from among such al-
8 legations of domestic abuse, the allegations
9 that should be presented to an Incident
10 Determination Committee; and

11 (iii) to ensure consistency in the form
12 and manner in which such allegations are
13 presented to Incident Determination Com-
14 mittees.

15 (F) IMPLEMENTATION AND OVERSIGHT OF
16 INCIDENT DETERMINATION COMMITTEES.—

17 (i) IMPLEMENTATION.—The Secretary
18 of Defense, in consultation with the Secre-
19 taries of the military departments, shall
20 ensure that Incident Determination Com-
21 mittees are fully implemented within each
22 Armed Force.

23 (ii) OVERSIGHT AND MONITORING.—
24 The Secretary of Defense shall—

1 (I) direct the Under Secretary of
2 Defense for Personnel and Readiness
3 to conduct oversight of the activities
4 of the Incident Determination Com-
5 mittees of the Armed Forces on an
6 ongoing basis; and

7 (II) establish a formal process
8 through which the Under Secretary
9 will monitor Incident Determination
10 Committees to ensure that the activi-
11 ties of such Committees are conducted
12 in an consistent manner in accordance
13 with the applicable policies of the De-
14 partment of Defense and the Armed
15 Forces.

16 (G) REASONABLE SUSPICION STANDARD
17 FOR INCIDENT REPORTING.—Not later than 90
18 days after the date of the enactment of the Act,
19 the Secretary of Defense, in consultation with
20 the Secretaries of the military departments,
21 shall issue regulations—

22 (i) under which the personnel of a
23 Family Advocacy Program shall be re-
24 quired to report an allegation of domestic
25 abuse to an Incident Determination Com-

1 mittee if there is reasonable suspicion that
2 the abuse occurred; and

3 (ii) that fully define and establish
4 standardized criteria for determining
5 whether an allegation of abuse meets the
6 reasonable suspicion standard referred to
7 in clause (i).

8 (H) GUIDANCE FOR VICTIM RISK ASSESS-
9 MENT.—The Secretary of Defense, in consulta-
10 tion with the Secretaries of the military depart-
11 ments, shall issue guidance that—

12 (i) identifies the risk assessment tools
13 that must be used by Family Advocacy
14 Program personnel to assess reports of do-
15 mestic abuse; and

16 (ii) establishes minimum qualifications
17 for the personnel responsible for using
18 such tools.

19 (I) IMPROVING FAMILY ADVOCACY PRO-
20 GRAM AWARENESS CAMPAIGNS.—The Secretary
21 of Defense, in consultation with the Secretaries
22 of the military departments, shall develop and
23 implement—

24 (i) a communications strategy to sup-
25 port the Armed Forces in increasing

1 awareness of the options and resources
2 available for reporting incidents of domes-
3 tic abuse; and

4 (ii) metrics to evaluate the effective-
5 ness of domestic abuse awareness cam-
6 paigns within the Department of Defense
7 and the Armed Forces, including by identi-
8 fying a target audience and defining meas-
9 urable objectives for such campaigns.

10 (J) ASSESSMENT OF THE DISPOSITION
11 MODEL FOR DOMESTIC VIOLENCE.—As part of
12 the independent analysis required by section
13 549C of the William M. (Mac) Thornberry Na-
14 tional Defense Authorization Act for Fiscal
15 Year 2021 (Public Law 116–283) the Secretary
16 of Defense shall include an assessment of—

17 (i) the risks and consequences of the
18 disposition model for domestic violence in
19 effect as of the date of the enactment of
20 this Act, including the risks and con-
21 sequences of such model with respect to—

22 (I) the eligibility of victims for
23 transitional compensation and other
24 benefits; and

1 (II) the eligibility of perpetrators
2 of domestic violence to possess fire-
3 arms and any related effects on the
4 military service of such individuals;
5 and

6 (ii) the feasibility and advisability es-
7 tablishing alternative disposition models
8 for domestic violence, including an assess-
9 ment of the advantages and disadvantages
10 of each proposed model.

11 (K) FAMILY ADVOCACY PROGRAM TRAIN-
12 ING.—

13 (i) TRAINING FOR COMMANDERS AND
14 SENIOR ENLISTED ADVISORS.—The Sec-
15 retary of Defense, in consultation with the
16 Secretaries of the military departments,
17 shall—

18 (I) ensure that the Family Advo-
19 cacy Program training provided to in-
20 stallation-level commanders and senior
21 enlisted advisors of the Armed Forces
22 meets the applicable requirements of
23 the Department of Defense; and

24 (II) shall provide such additional
25 guidance and sample training mate-

1 rials as may be necessary to improve
2 the consistency of such training.

3 (ii) TRAINING FOR CHAPLAINS.—The
4 Secretary of Defense shall—

5 (I) require that chaplains of the
6 Armed Forces receive Family Advo-
7 cacy Program training;

8 (II) establish content require-
9 ments and learning objectives for such
10 training; and

11 (III) provide such additional
12 guidance and sample training mate-
13 rials as may be necessary to effec-
14 tively implement such training.

15 (iii) TRAINING COMPLETION DATA.—
16 The Secretary of Defense, in consultation
17 with the Secretaries of the military depart-
18 ments, shall develop a process to ensure
19 the quality and completeness of data indi-
20 cating whether members of the Armed
21 Forces who are required to complete Fam-
22 ily Advocacy Program training, including
23 installation-level commanders and senior
24 enlisted advisors, have completed such
25 training.

1 (2) GENERAL IMPLEMENTATION DATE.—Except
2 as otherwise provided in paragraph (1), the Sec-
3 retary of Defense shall complete the implementation
4 of the activities specified in such paragraph by not
5 later than one year after the date of the enactment
6 of this Act.

7 (3) QUARTERLY STATUS REPORT.—Not later
8 than 90 days after the date of the enactment of this
9 Act and on a quarterly basis thereafter until the
10 date on which all of the activities specified in para-
11 graph (1) have been implemented, the Secretary of
12 Defense shall submit to the appropriate congres-
13 sional committees a report on the status of the im-
14 plementation of such activities.

15 (d) IMPROVING AWARENESS REGARDING FAMILY
16 ADVOCACY PROGRAMS AND OTHER SIMILAR SERVICES.—

17 (1) PILOT PROGRAM ON INFORMATION FOR
18 FAMILIES ENROLLING IN DEERS.—The Secretary of
19 Defense shall carry out a pilot program to assess the
20 feasibility and advisability of various mechanisms to
21 inform military families about the Family Advocacy
22 Programs and resiliency training of the Armed
23 Forces during their enrollment in the Defense En-
24 rollment Eligibility Reporting System. The matters

1 assessed by the pilot program shall include the fol-
2 lowing:

3 (A) An option for training members of
4 military families on the Family Advocacy Pro-
5 grams.

6 (B) Mechanisms for providing such family
7 members with information on—

8 (i) the resources available through the
9 Family Advocacy Programs of the Armed
10 Forces;

11 (ii) the Military OneSource program
12 of the Department of Defense;

13 (iii) resources relating to domestic
14 abuse and child abuse and neglect that are
15 available through local community service
16 organizations; and

17 (iv) the availability of the Military and
18 Family Life Counseling Program.

19 (C) Steps that may be taken to better in-
20 form such family members of the option to
21 make a restricted report or an unrestricted re-
22 port to a Family Advocacy Program, including
23 information on the difference between such re-
24 ports.

1 (2) INFORMATION ON SERVICES FOR MILITARY
2 FAMILIES.—Each Secretary of a military department
3 shall ensure that a military family member who re-
4 ports an incident of domestic abuse or child abuse
5 and neglect to a Family Advocacy Program under
6 the jurisdiction of such Secretary receives com-
7 prehensive information, in a clear and easily under-
8 standable format, on the services available to such
9 family member in connection with such incident.
10 Such information shall include a complete guide to
11 the following:

12 (A) The Family Advocacy Program of the
13 Armed Force or military department concerned.

14 (B) Military law enforcement services, in-
15 cluding an explanation of the process that fol-
16 lows a report of an incident of domestic abuse
17 or child abuse or neglect.

18 (C) Other applicable victim services.

19 (e) REPORTS ON STAFFING LEVELS FOR FAMILY AD-
20 VOCACY PROGRAMS.—

21 (1) IN GENERAL.—Not later than 180 days
22 after the date on which the staffing tool described
23 in paragraph (2) becomes operational, and on an an-
24 nual basis thereafter for the following five years, the
25 Secretary of Defense shall submit to the appropriate

1 congressional committees a report setting forth the
2 following:

3 (A) Military, civilian, and contract support
4 staffing levels for the Family Advocacy Pro-
5 grams of the Armed Forces at each military in-
6 stallation so staffed as of the date of the report.

7 (B) Recommendations for ideal staffing
8 levels for the Family Advocacy Programs, as
9 identified by the staffing tool.

10 (2) STAFFING TOOL DESCRIBED.—The staffing
11 tool described in this paragraph is a tool that—

12 (A) is under development as of the date of
13 the enactment of this Act pursuant to an agree-
14 ment between the Department of Defense and
15 Pennsylvania State University; and

16 (B) will be used to assist the Department
17 in determining adequate staffing levels for
18 Family Advocacy Programs.

19 (3) COMPTROLLER GENERAL REVIEW.—

20 (A) IN GENERAL.—Following the submis-
21 sion of the first annual report required under
22 paragraph (1), the Comptroller General of the
23 United States shall conduct a review of the
24 staffing of the Family Advocacy Programs of
25 the Armed Forces.

1 (B) ELEMENTS.—The review conducted
2 under subparagraph (A) shall include an assess-
3 ment of each of the following:

4 (i) The extent to which the Armed
5 Forces have filled authorized billets for
6 Family Advocacy program manager, clini-
7 cian, and victim advocate positions.

8 (ii) The extent to which the Armed
9 Forces have experienced challenges filling
10 authorized Family Advocacy Program posi-
11 tions, and how such challenges, if any,
12 have affected the provision of services.

13 (iii) The extent to which the Depart-
14 ment of Defense and Armed Forces have
15 ensured that Family Advocacy Program
16 clinicians and victim advocates meet quali-
17 fication and training requirements.

18 (iv) The extent to which the Depart-
19 ment of Defense has established metrics to
20 evaluate the effectiveness of the staffing
21 tool described in paragraph (2).

22 (C) BRIEFING AND REPORT.—

23 (i) BRIEFING.—Not later than one
24 year following the submission of the first
25 annual report required under paragraph

1 (1), the Comptroller General shall provide
2 to the Committees on Armed Services of
3 the Senate and the House of Representa-
4 tives a briefing on the preliminary observa-
5 tions made by the Comptroller General as
6 part of the review required under subpara-
7 graph (A).

8 (ii) REPORT.—Not later than 90 days
9 after the date of the briefing under clause
10 (i), the Comptroller General shall submit
11 to the Committees on Armed Services of
12 the Senate and the House of Representa-
13 tives a report on the results of the review
14 conducted under subparagraph (A).

15 (f) STUDY AND REPORT ON INITIAL ENTRY
16 POINTS.—

17 (1) STUDY.—The Secretary of Defense shall
18 conduct a study to identify initial entry points (in-
19 cluding anonymous entry points) through which mili-
20 tary family members may seek information or sup-
21 port relating to domestic abuse or child abuse and
22 neglect. Such study shall include an assessment of—

23 (A) points at which military families inter-
24 act with the Armed Forces or the Department
25 of Defense through which such information or

1 support may be provided to family members, in-
2 cluding points such as enrollment in the De-
3 fense Enrollment Eligibility Reporting System,
4 and the issuance of identification cards; and

5 (B) other existing and potential routes
6 through which such family members may seek
7 information or support from the Armed Forces
8 or the Department, including online chat rooms,
9 text-based support capabilities, and software
10 applications for smartphones.

11 (2) REPORT.—Not later than one year after the
12 date of the enactment of this Act, the Secretary of
13 Defense shall submit to the Committees on Armed
14 Services of the Senate and the House of Representa-
15 tives a report setting forth the results of the study
16 conducted under paragraph (1).

17 (g) INSPECTOR GENERAL REPORT.—Not later than
18 120 days after the date of the enactment of this Act, the
19 Inspector General of the Department of Defense shall sub-
20 mit to the Secretary of Defense and to the Committees
21 on Armed Services of the Senate and the House of Rep-
22 resentatives a report that—

23 (1) evaluates the progress of the Secretary of
24 Defense in carrying out this section; and

1 (2) identifies any actions the Secretary is tak-
2 ing improve the practices of military installations
3 with respect to the prevention and response to do-
4 mestic abuse and child abuse and neglect among
5 military families.

6 (h) DEFINITIONS.—In this section:

7 (1) The term “appropriate congressional com-
8 mittees” means—

9 (A) the Committee on Armed Services and
10 the Committee on Commerce, Science, and
11 Transportation of the Senate; and

12 (B) the Committee on Armed Services and
13 the Committee on Transportation and Infra-
14 structure of the House of Representatives.

15 (2) The term “civilian order of protection” has
16 the meaning given that term in section 1561a of
17 title 10, United States Code.

18 (3) The term “disposition model for domestic
19 violence” means the process to determine—

20 (A) the disposition of charges of an offense
21 of domestic violence under section 928b of title
22 10, United States Code (article 128b of the
23 Uniform Code of Military Justice); and

24 (B) consequences of such disposition for
25 members of the Armed Forces determined to

1 have committed such offense and the victims of
2 such offense.

3 (4) The term “Incident Determination Com-
4 mittee” means a committee established at a military
5 installation that is responsible for reviewing reported
6 incidents of domestic abuse and determining whether
7 such incidents constitute harm to the victims of such
8 abuse according to the applicable criteria of the De-
9 partment of Defense.

10 (5) The term “qualified civilian victim service
11 organization” means an organization outside the De-
12 partment of Defense that—

13 (A) is approved by the Secretary of De-
14 fense for the purpose of providing legal or other
15 services to victims of domestic abuse; and

16 (B) is located in a community surrounding
17 a military installation.

18 (6) The term “risk assessment tool” means a
19 process or technology that may be used to evaluate
20 a report of an incident of domestic abuse to deter-
21 mine the likelihood that the abuse will escalate or
22 recur.

1 **SEC. 528. MANDATORY NOTIFICATION OF MEMBERS OF**
2 **THE ARMED FORCES IDENTIFIED IN CERTAIN**
3 **RECORDS OF CRIMINAL INVESTIGATIONS.**

4 (a) IN GENERAL.—Chapter 80 of title 10, United
5 States Code, is amended by adding at the end the fol-
6 lowing new section:

7 **“§ 1567b. Mandatory notification of members of the**
8 **armed forces and reserve components**
9 **identified in certain records of criminal**
10 **investigations**

11 “(a) NOTIFICATION OF INCLUSION MCIO
12 RECORDS.—As soon as practicable after the conclusion of
13 a criminal investigation by a military criminal investiga-
14 tive organization, the head of such organization shall pro-
15 vide, to any member or former member of the armed
16 forces and reserve components who is designated in the
17 records of the organization as a subject of such investiga-
18 tion, written notice of such designation.

19 “(b) INITIAL NOTIFICATION OF PREVIOUS INCLU-
20 SION IN MCIO RECORDS.—Not later than 180 days after
21 the date of the enactment of this section, the head of each
22 military criminal investigative organization shall provide,
23 to any member or former member of the armed forces and
24 reserve components who is designated in the records of
25 the organization as a subject of a criminal investigation

1 that is closed as of such date, written notice of such des-
2 ignation.

3 “(c) CONTENTS OF NOTICE.—Each notice provided
4 under subsection (a) and (b) shall include the following
5 information—

6 “(1) The date on which the member was des-
7 igned as a subject of a criminal investigation in
8 the records of the military criminal investigative or-
9 ganization.

10 “(2) Identification of each crime for which the
11 member was investigated, including a citation to
12 each provision of chapter 47 of this title (the Uni-
13 form Code of Military Justice) that the member was
14 suspected of violating, if applicable.

15 “(3) Instructions on how the member may seek
16 removal of the record in accordance with subsection
17 (d).

18 “(d) REMOVAL OF RECORD.—The Secretary of De-
19 fense shall—

20 “(1) establish a process through which a mem-
21 ber of the armed forces and reserve components who
22 receives a notice under subsection (a) or (b) may re-
23 quest the removal of the record that is the subject
24 of such notice; and

1 “(2) issue uniform guidance, applicable to all
2 military criminal investigative organizations, speci-
3 fying the conditions under which such a record may
4 be removed.

5 “(e) **MILITARY CRIMINAL INVESTIGATIVE ORGANIZA-**
6 **TION DEFINED.**—In this section, the term ‘military crimi-
7 nal investigative organization’ means any organization or
8 element of the Department of Defense or an armed force
9 that is responsible for conducting criminal investigations,
10 including—

11 “(1) the Army Criminal Investigation Com-
12 mand;

13 “(2) the Naval Criminal Investigative Service;

14 “(3) the Air Force Office of Special Investiga-
15 tions;

16 “(4) the Coast Guard Investigative Service; and

17 “(5) the Defense Criminal Investigative Serv-
18 ice.”.

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

 “1567b. Mandatory notification of members of the armed forces and reserve
 components identified in certain records of criminal investiga-
 tions.”.

1 **SEC. 529. AUTHORITY OF MILITARY JUDGES AND MILITARY**
2 **MAGISTRATES TO ISSUE MILITARY COURT**
3 **PROTECTIVE ORDERS.**

4 (a) JUDGE-ISSUED MILITARY COURT PROTECTIVE
5 ORDERS.—Chapter 80 of title 10, United States Code, is
6 amended by adding at the end the following new section:

7 **“§ 1567b. Authority of military judges and military**
8 **magistrates to issue military court pro-**
9 **TECTIVE ORDERS**

10 “(a) AUTHORITY TO ISSUE MILITARY COURT PRO-
11 TECTIVE ORDERS.—The President shall prescribe regula-
12 tions authorizing military judges and military magistrates
13 to issue protective orders in accordance with this section.
14 A protective order issued in accordance with this section
15 shall be known as a ‘military court protective order’.
16 Under the regulations prescribed by the President, mili-
17 tary judges and military magistrates shall have exclusive
18 jurisdiction over the issuance, appeal, renewal, and termi-
19 nation of military court protective orders and such orders
20 may not be issued, appealed, renewed, or terminated by
21 State, local, territorial, or tribal courts.

22 “(b) ENFORCEMENT BY CIVILIAN AUTHORITIES.—

23 “(1) IN GENERAL.—In prescribing regulations
24 for military court protective orders, the President
25 shall seek to ensure that the protective orders are
26 issued in a form and manner that is enforceable by

1 State, local, territorial, and tribal civilian law en-
2 forcement authorities.

3 “(2) FULL FAITH AND CREDIT.—Any military
4 court protective order shall be accorded full faith
5 and credit by the court of a State, local, territorial,
6 or tribal jurisdiction (the enforcing jurisdiction) and
7 enforced by the court and law enforcement personnel
8 of that jurisdiction as if it were the order of the en-
9 forcing jurisdiction.

10 “(3) RECIPROCITY AGREEMENTS.—Consistent
11 with paragraphs (1) and (2), the Secretary of De-
12 fense shall seek to enter into reciprocity agreements
13 with State, local, territorial, and tribal civilian law
14 enforcement authorities under which—

15 “(A) such authorities agree to enforce mili-
16 tary court protective orders; and

17 “(B) the Secretary agrees to enforce pro-
18 tective orders issued by such authorities that
19 are consistent with section 2265(b) of title 18.

20 “(c) PURPOSE AND FORM OF ISSUANCE.—A military
21 court protective order—

22 “(1) may be issued for the purpose of pro-
23 tecting a victim of an alleged covered offense, or a
24 family member or associate of the victim, from a
25 person subject to chapter 47 of this title (the Uni-

1 form Code of Military Justice) who is alleged to
2 have committed such an offense; and

3 “(2) shall include—

4 “(A) a finding regarding whether such per-
5 son represents a credible threat to the physical
6 safety of such alleged victim;

7 “(B) a finding regarding whether the al-
8 leged victim is an intimate partner or child of
9 such person; and

10 “(C) if applicable, terms explicitly prohib-
11 iting the use, attempted use, or threatened use
12 of physical force that would reasonably be ex-
13 pected to cause bodily injury against such inti-
14 mate partner or child.

15 “(d) BURDEN OF PROOF.—In determining whether
16 to issue a military court protective order, a military judge
17 or military magistrate shall make all relevant findings by
18 a preponderance of the evidence. The burden shall be on
19 the party requesting the order to produce sufficient infor-
20 mation to satisfy the preponderance of the evidence stand-
21 ard referred to in the preceding sentence.

22 “(e) TIMING AND MANNER OF ISSUANCE.—A mili-
23 tary court protective order may be issued—

1 “(1) by a military magistrate, before referral of
2 charges and specifications to court-martial for trial,
3 at the request of—

4 “(A) a victim of an alleged covered offense;

5 or

6 “(B) a Special Victims’ Counsel or other
7 qualified counsel acting on behalf of the victim;

8 or

9 “(2) by a military judge, after referral of
10 charges and specifications to court-martial for trial,
11 at the request of qualified counsel, which may in-
12 clude a Special Victims’ Counsel acting on behalf of
13 the victim or trial counsel acting on behalf of the
14 prosecution.

15 “(f) DURATION AND RENEWAL OF PROTECTIVE
16 ORDER.—

17 “(1) DURATION.—A military court protective
18 order shall be issued for an initial period of up to
19 180 days and may be reissued for one or more addi-
20 tional periods, each of which may be up to 180 days,
21 in accordance with paragraph (2).

22 “(2) EXPIRATION AND RENEWAL.—Before the
23 expiration of any period during which a military
24 court protective order is in effect, a military judge
25 or military magistrate shall review the order to de-

1 termine whether the order will terminate at the expi-
2 ration of such period or be reissued for an additional
3 period of up to 180 days.

4 “(3) NOTICE TO PROTECTED PERSONS.—If a
5 military judge or military magistrate determines
6 under paragraph (2) that a military court protective
7 order will terminate, the judge or magistrate con-
8 cerned shall direct that each person protected by the
9 order be provided with reasonable, timely, and accu-
10 rate notification of the termination.

11 “(g) REVIEW OF MAGISTRATE-ISSUED ORDERS.—

12 “(1) REVIEW.—A military judge, at the request
13 of the person subject to a military court protective
14 order that was issued by a military magistrate, may
15 review the order to determine if the order was prop-
16 erly issued by the magistrate.

17 “(2) STANDARDS OF REVIEW.—A military
18 judge who reviews an order under paragraph (1)
19 shall terminate the order if the judge determines
20 that—

21 “(A) the military magistrate’s decision to
22 issue the order was an abuse of discretion, and
23 there is not sufficient information presented to
24 the military judge to justify the order; or

1 “(B) information not presented to the mili-
2 tary magistrate establishes that the military
3 court protective order should be terminated.

4 “(h) DUE PROCESS.—

5 “(1) PROTECTION OF DUE PROCESS.—Except
6 as provided in paragraph (2), a protective order au-
7 thorized under subsection (a) may be issued only
8 after reasonable notice and opportunity to be heard
9 and to present evidence, directly or through counsel,
10 is given to the person against whom the order is
11 sought sufficient to protect that person’s right to
12 due process.

13 “(2) EMERGENCY ORDERS.—A protective order
14 on an emergency basis may be issued on an ex parte
15 basis under such rules and limitations as the Presi-
16 dent shall prescribe. In the case of ex parte orders,
17 notice and opportunity to be heard and to present
18 evidence must be provided within a reasonable time
19 not to exceed 30 calendar days after the date on
20 which the order is issued, sufficient to protect the
21 respondent’s due process rights.

22 “(i) RIGHTS OF VICTIM.—The victim of an alleged
23 covered offense who seeks a military court protective order
24 has, in addition to any rights provided under section 806b

1 (article 6b), the following rights with respect to any pro-
2 ceeding involving the protective order:

3 “(1) The right to reasonable, accurate, and
4 timely notice of the proceeding and of any change in
5 the status of the protective order resulting from the
6 proceeding.

7 “(2) The right to be reasonably heard at the
8 proceeding.

9 “(3) The right to appear in person, with or
10 without counsel, at the proceeding.

11 “(4) The right be represented by qualified
12 counsel in connection with the proceeding, which
13 may include a Special Victims’ Counsel.

14 “(5) The reasonable right to confer with a rep-
15 resentative of the command of the accused and
16 counsel representing the government at the pro-
17 ceeding, as applicable.

18 “(6) The right to submit a written statement,
19 directly or through counsel, for consideration by the
20 military judge or military magistrate presiding over
21 the proceeding.

22 “(j) RESTRICTIONS ON ACCESS TO FIREARMS.—

23 “(1) IN GENERAL.—Notwithstanding any other
24 provision of law—

1 “(A) a military court protective order
2 issued on an ex parte basis shall restrain a per-
3 son from possessing, receiving, or otherwise ac-
4 cessing a firearm; and

5 “(B) a military court protective order
6 issued after the person to be subject to the
7 order has received notice and opportunity to be
8 heard on the order, shall restrain such person
9 from possessing, receiving, or otherwise access-
10 ing a firearm in accordance with section 922 of
11 title 18.

12 “(2) NOTICE TO ATTORNEYS GENERAL.—

13 “(A) NOTICE OF ISSUANCE.—Not later
14 than 72 hours after the issuance of an order
15 described in paragraph (1), the Secretary con-
16 cerned shall submit a record of the order—

17 “(i) to the Attorney General of the
18 United States; and

19 “(ii) to the Attorney General of the
20 State or Territory in which the order is
21 issued.

22 “(B) NOTICE OF RECISSION OR EXPIRA-
23 TION.—Not later than 72 hours after the
24 recission or expiration of an order described in
25 paragraph (1), the Secretary concerned shall

1 submit notice of such rescission or expiration to
2 the Attorneys General specified in subpara-
3 graph (A).

4 “(k) TREATMENT AS LAWFUL ORDER.—A military
5 court protective order shall be treated as a lawful order
6 for purposes of the application of section 892 (article 92)
7 and a violation of such an order shall be punishable under
8 such section (article).

9 “(l) COMMAND MATTERS.—

10 “(1) INCLUSION IN PERSONNEL FILE.—Any
11 military court protective order against a member
12 shall be placed and retained in the military per-
13 sonnel file of the member, except that such protec-
14 tive order shall be removed from the military per-
15 sonnel file of the member if the member is acquitted
16 of the offense to which the order pertains, it is de-
17 termined that the member did not commit the act
18 giving rise to the protective order, or it is deter-
19 mined that the protective order was issued in error.

20 “(2) NOTICE TO CIVILIAN LAW ENFORCEMENT
21 OF ISSUANCE.—Any military court protective order
22 against a member shall be treated as a military pro-
23 tective order for purposes of section 1567a including
24 for purposes of mandatory notification of issuance to

1 Federal and State civilian law enforcement agencies
2 as required by that section.

3 “(m) RELATIONSHIP TO OTHER AUTHORITIES.—

4 Nothing in this section may be construed as prohibiting—

5 “(1) a commanding officer from issuing or en-
6 forcing any otherwise lawful order in the nature of
7 a protective order to or against members of the offi-
8 cer’s command;

9 “(2) pretrial restraint in accordance with Rule
10 for Courts-Martial 304 (as set forth in the Manual
11 for Courts-Martial, 2019 edition, or any successor
12 rule); or

13 “(3) pretrial confinement in accordance with
14 Rule for Courts-Martial 305 (as set forth in the
15 Manual for Courts-Martial, 2019 edition, or any suc-
16 cessor rule).

17 “(n) DELIVERY TO CERTAIN PERSONS.—A physical
18 and electronic copy of any military court protective order
19 shall be provided, as soon as practicable after issuance,
20 to the following:

21 “(1) The person or persons protected by the
22 protective order or to the guardian of such a person
23 if such person is under the age of 18 years.

24 “(2) The person subject to the protective order.

1 “(3) To such commanding officer in the chain
2 of command of the person subject to the protective
3 order as the President shall prescribe for purposes
4 of this section.

5 “(o) DEFINITIONS.—In this section:

6 “(1) CONTACT.—The term ‘contact’ includes
7 contact in person or through a third party, or
8 through gifts,

9 “(2) COMMUNICATION.—The term ‘communica-
10 tion’ includes communication in person or through a
11 third party, and by telephone or in writing by letter,
12 data fax, or other electronic means.

13 “(3) COVERED OFFENSE.—The term ‘covered
14 offense’ means the following:

15 “(A) An alleged offense under section 920,
16 920a, 920b, 920c, or 920d of this title (article
17 120, 120a, 120b, 120c, or 120d of the Uniform
18 Code of Military Justice).

19 “(B) An alleged offense of stalking under
20 section 930 of this title (article 130 of the Uni-
21 form Code of Military Justice).

22 “(C) An alleged offense of domestic vio-
23 lence under section 928b of this title (article
24 128b of the Uniform Code of Military Justice).

1 “(D) A conspiracy to commit an offense
2 specified in subparagraphs (A) through (C) as
3 punishable under section 881 of this title (arti-
4 cle 81 of the Uniform Code of Military Justice).

5 “(E) A solicitation to commit an offense
6 specified in subparagraphs (A) through (C) as
7 punishable under section 882 of this title (arti-
8 cle 82 of the Uniform Code of Military Justice).

9 “(F) An attempt to commit an offense
10 specified in subparagraphs (A) through (C) as
11 punishable under section 880 of this title (arti-
12 cle 80 of the Uniform Code of Military Justice).

13 “(4) MILITARY JUDGE AND MILITARY MAG-
14 ISTRATE.—The terms ‘military judge’ and ‘military
15 magistrate’ mean a commissioned officer of the
16 armed forces who is a member of the bar of a Fed-
17 eral court or a member of the bar of the highest
18 court of a State and who is certified to be qualified,
19 by reason of education, training, experience, and ju-
20 dicial temperament, for duty as a military judge or
21 magistrate by the Judge Advocate General of the
22 armed force of which the officer is a member.

23 “(5) PROTECTIVE ORDER.—The term ‘protec-
24 tive order’ means an order that—

1 “(A) restrains a person from harassing,
2 stalking, threatening, or otherwise contacting or
3 communicating with a victim of an alleged cov-
4 ered offense, or a family member or associate of
5 the victim, or engaging in other conduct that
6 would place such other person in reasonable
7 fear of bodily injury to any such other person;

8 “(B) by its terms, explicitly prohibits—

9 “(i) the use, attempted use, or threat-
10 ened use of physical force by the person
11 against a victim of an alleged covered of-
12 fense, or a family member or associate of
13 the victim, that would reasonably be ex-
14 pected to cause bodily injury;

15 “(ii) the initiation by the person re-
16 strained of any contact or communication
17 with such other person;

18 “(iii) any other behavior by the person
19 restrained that the court deems necessary
20 to provide for the safety and welfare of the
21 victim of an alleged covered offense, or a
22 family member or associate of the victim;
23 or

24 “(iv) actions described by any of
25 clauses (i) through (iii).

1 “(6) SPECIAL VICTIMS’ COUNSEL.—The term
2 ‘Special Victims Counsel’ means a Special Victims’
3 Counsel described in section 1044e and includes a
4 Victims’ Legal Counsel of the Navy.”.

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

 “1567b. Authority of military judges and military magistrates to issue military
 court protective orders.”.

8 (c) IMPLEMENTATION.—The President shall pre-
9 scribe regulations implementing section 1567b of title 10,
10 United States Code (as added by subsection (a)), by not
11 later than one year after the date of the enactment of this
12 Act.

13 **SEC. 529A. COUNTERING EXTREMISM IN THE ARMED**
14 **FORCES.**

15 (a) IN GENERAL.—Part II of subtitle A of title 10,
16 United States Code, is amended by adding at the end the
17 following new chapter:

18 **“CHAPTER 89—COUNTERING EXTREMISM**

 “1801. Office of Countering Extremism.

 “1802. Training and education.

 “1803. Data collection and analysis.

 “1804. Reporting requirements.

 “1805. Definitions.

19 **“§ 1801. Office of Countering Extremism**

20 “(a) ESTABLISHMENT.—(1) There is an Office of
21 Countering Extremism (in this section referred to as the

1 ‘Office’) within the Office of the Under Secretary of De-
2 fense for Personnel and Readiness.

3 “(2) The Office shall be headed by the Director of
4 Countering Extremism (in this chapter referred to as the
5 ‘Director’), who shall be appointed by the Secretary of De-
6 fense, in consultation with the Secretary of Homeland Se-
7 curity, and report directly to the Under Secretary of De-
8 fense for Personnel and Readiness and the Secretary.

9 “(b) DUTIES.—The Director shall—

10 “(1) be responsible for policy of countering ex-
11 tremism within the armed forces;

12 “(2) in coordination with the Secretaries of the
13 military departments, develop and implement pro-
14 grams, resources, and activities to counter extre-
15 mism within the armed forces;

16 “(3) establish policies to ensure adequate pro-
17 tection, transparency of process, and availability of
18 resources for individuals who report incidents of ex-
19 tremism;

20 “(4) facilitate and coordinate with the Secre-
21 taries of the military departments, law enforcement
22 organizations, security organizations, and insider
23 threat programs in the armed forces;

24 “(5) engage and interact with, and solicit rec-
25 ommendations from, outside experts on extremism;

1 “(6) coordinate with—

2 “(A) the Under Secretary for Defense for
3 Intelligence and Security; and

4 “(B) the Deputy Inspector General of the
5 Department of Defense for Diversity and Inclu-
6 sion and Supremacist, Extremism and Criminal
7 Gang Activity; and

8 “(7) perform any additional duties prescribed
9 by the Secretary of Defense, in consultation with the
10 Secretary of Homeland Security.

11 **“§ 1802. Training and education**

12 “(a) IN GENERAL.—The Secretary of each military
13 department, in coordination with the Director, shall de-
14 velop and implement training and education programs and
15 related materials to assist members of the armed forces
16 and civilian employees of the armed forces in identifying,
17 preventing, responding to, reporting, and mitigating the
18 risk of extremism.

19 “(b) EXTREMIST INSIDER THREAT TRAINING.—(1)
20 The training and education programs and materials de-
21 scribed in subsection (a) shall include information on the
22 following:

23 “(A) What constitutes an extremist insider threat.

24 “(B) Risks posed by extremist insider threats.

25 “(C) How to identify extremist insider threats.

1 “(D) How to recognize when an individual is being
2 influenced by extremism or targeted for recruitment by ex-
3 tremist groups.

4 “(E) Information about procedures on when and how
5 to report detected extremist insider threats.

6 “(F) Resources for reporting outside the chain of
7 command.

8 “(G) Media literacy training.

9 “(H) Whistleblower protections.

10 “(I) Such other information as may be required by
11 the Secretary of Defense, in consultation with the Sec-
12 retary of Homeland Security.

13 “(2) The Secretary of Defense, in consultation with
14 the Secretary of Homeland Security, shall provide the
15 training and education described in subsection (a) as part
16 of each of the following:

17 “(A) Initial entry training for members of the
18 armed forces.

19 “(B) Curricula of—

20 “(i) the United States Army Training and
21 Doctrine Command;

22 “(ii) the Naval Education and Training
23 Command;

24 “(iii) the Air Education and Training
25 Command;

1 “(iv) all pre-commissioning programs of
2 the Department of Defense;

3 “(v) the military service academies;

4 “(vi) the Coast Guard Education and
5 Training Quota Management Command;

6 “(vii) the Coast Guard Academy; and

7 “(viii) all pre-commissioning programs of
8 the Coast Guard.

9 “(C) Certification courses required for members
10 or officers to be considered for promotion to any
11 grade above E-5, WO-5 (WO-3, in the case of the
12 Coast Guard), or O-5. Such members and officers
13 shall also receive training regarding—

14 “(i) how to identify emerging extremist in-
15 sider threat behaviors in a unit; and

16 “(ii) procedures on when and how to re-
17 spond when a subordinate reports a suspected
18 extremist insider threat.

19 “(3) The Secretary of Defense, in consultation
20 with the Secretary of Homeland Security, shall in-
21 clude the information described in paragraph (1) in
22 brochures, posters, print and online publications, or
23 other educational materials of the armed forces.

24 “(c) RECRUITER TRAINING.—The Secretary of each
25 military department, in coordination with the Director,

1 shall coordinate with the recruiting activities and organi-
2 zation of the armed forces to develop and carry out a
3 training program for recruiters on how to—

4 “(1) identify indicators of extremism in poten-
5 tial recruits;

6 “(2) identify members of extremist organiza-
7 tions in potential recruits; and

8 “(3) screen potential recruits for extremist ties
9 to ensure potential recruits comply with enlistment,
10 accession, or commissioning requirements.

11 **“§ 1803. Data collection and analysis**

12 “(a) IN GENERAL.—The Director shall—

13 “(1) establish and maintain a database on ex-
14 tremist activities in the armed forces; and

15 “(2) ensure the data collected across the mili-
16 tary departments is uniform to the maximum extent
17 practicable.

18 “(b) RECORDS.—The database established in sub-
19 section (a) shall include records on—

20 “(1) each incident, complaint, or allegation of
21 extremism by a member or civilian employee of the
22 armed forces, including—

23 “(A) the extremist behavior related to the
24 incident, complaint, or allegation;

1 “(B) the rank, race, gender, and ethnicity
2 of the individuals involved in the incident, com-
3 plaint, or allegation;

4 “(C) each Federal agency involved in in-
5 vestigating the incident, complaint, or allega-
6 tion;

7 “(D) any investigation of the incident,
8 complain, or allegation;

9 “(E) any action taken by a commander or
10 supervisor in response to the incident, com-
11 plaint, or allegation;

12 “(F) any adverse administrative personnel
13 action or punitive action related to the incident,
14 complaint, or allegation, including details of the
15 type of action initiated and the final disposition
16 of such action;

17 “(G) descriptions of an ideology, move-
18 ment, or extremist group associated with the in-
19 cident, complaint, or allegation; and

20 “(H) records submitted or collected re-
21 garding administrative or punitive action re-
22 ferred to in subsection (F).

23 “(2) each notification from the Federal Bureau
24 of Investigation to the Secretary of Defense, the
25 Secretary of Homeland Security, or a law enforce-

1 ment agency (if in the possession of either such Sec-
2 retary), of investigations related to extremism of
3 current and former members of the armed forces,
4 unless such reporting would jeopardize public safety
5 or compromise an ongoing law enforcement inves-
6 tigation;

7 “(3) responses related to questions about extre-
8 mism on surveys, questionnaires, command climate
9 surveys, transition checklists, exit surveys, and other
10 information gathering sources;

11 “(4) each involuntary separation or denial of
12 enlistment or commissioning on the basis of extre-
13 mism;

14 “(5) each security clearance revoked on the
15 basis of extremism; and

16 “(6) any other requirements prescribed by the
17 Secretary of Defense, in consultation with the Sec-
18 retary of Homeland Security.

19 “(c) COORDINATION.—Each Secretary of a military
20 department shall collect records described in subsection
21 (b) and provide them to the Director.

22 **“§ 1804. Reporting requirements**

23 “(a) ANNUAL REPORT.—Not later than December 1
24 of each year, the Director shall submit to Congress a re-

1 port on the prevalence of extremist activities within the
2 armed forces that includes the number of individuals—

3 “(1) determined ineligible to serve in the Armed
4 Forces during the preceding fiscal year by reason of
5 engagement in extremist activities;

6 “(2) separated from the Armed Forces during
7 the preceding fiscal year by reason of engagement in
8 extremist activities;

9 “(3) determined ineligible to reenlist in the
10 armed forces during the preceding fiscal year by rea-
11 son of engagement in extremist activities;

12 “(4) whose security clearances were revoked
13 during the preceding fiscal year by reason of engage-
14 ment in extremist activities;

15 “(5) statistics of incidents, complaints, and alle-
16 gations recorded under section 1803(b)—

17 “(A) disaggregated data by armed force,
18 race, gender, ethnicity, grade, and rank; and

19 “(B) with any personally identifiable infor-
20 mation redacted;

21 “(6) regulations prescribed to counter extre-
22 mism in the armed forces; and

23 “(7) any recommendations to Congress for re-
24 lated legislative actions to address extremism within
25 the armed forces.

1 “(b) PUBLICATION.—The Secretary of Defense
2 shall—

3 “(1) publish on an appropriate publicly avail-
4 able website of the Department of Defense the re-
5 ports required by subsection (a); and

6 “(2) ensure that any data included with each
7 such report is made available in a machine-readable
8 format that is downloadable, searchable, and sort-
9 able.

10 **“§ 1805. Definitions**

11 “In this chapter:

12 “(1) The terms ‘extremist activities’ and ‘ex-
13 tremist organization’ have the meanings prescribed
14 by the Secretary of Defense.

15 “(2) The term ‘extremist insider threat’ means
16 a member or civilian employee of the armed forces
17 with access to Government information, systems, or
18 facilities, who—

19 “(A) can use such access to do harm to the
20 security of the United States; and

21 “(B) exhibits extremist behaviors.”

22 (b) TECHNICAL AMENDMENT.—The table of chapters
23 for part II of subtitle A of such title 10 is amended by
24 inserting, after the item relating to chapter 88, the fol-
25 lowing new item:

“89. Countering Extremism 1801”.

1 (c) REGULATIONS.—The Secretary of Defense shall
2 prescribe regulations under chapter 89 of such title (in-
3 cluding definitions under section 1805 of such title), as
4 added by subsection (a), not later than 60 days after the
5 date of the enactment of this Act.

6 (d) PROGRESS REPORT.—Not later than 180 days
7 after the date of the enactment of this Act, the Secretary
8 of Defense shall submit to the Committees on Armed Serv-
9 ices of the Senate and House of Representatives a report
10 on the status of the implementation of chapter 89 of such
11 title, as added by subsection (a).

12 (e) PROHIBITION ON EXTREMIST ACTIVITIES.—

13 (1) PROHIBITION.—Chapter 39 of title 10,
14 United States Code, is amended by inserting after
15 section 985 the following new section:

16 **“§ 986. Prohibition on extremist activities**

17 “(a) PROHIBITION.—An individual who engages in
18 extremist activities or is a member of an extremist organi-
19 zation may not serve as a member of the armed forces.

20 “(b) REGULATIONS.—The Secretary of Defense shall
21 prescribe regulations regarding the separation of a mem-
22 ber of the armed forces who engages in extremist activities
23 or is a member of an extremist organization.

1 “(c) DEFINITIONS.—In this section, the terms ‘ex-
2 tremist activities’ and ‘extremist organization’ have the
3 meanings given such terms in section 1805 of this title.”.

4 (2) CLERICAL AMENDMENT.—The table of sec-
5 tions at the beginning of such chapter is amended
6 by inserting after the item relating to section 985
7 the following new item:

 “986. Prohibition on extremist activities.”.

8 (f) PROVISION OF INFORMATION REGARDING EX-
9 TREMIST GROUPS IN TRANSITION ASSISTANCE PRO-
10 GRAM.—Section 1142(b) of title 10, United States Code,
11 is amended by adding at the end the following new para-
12 graph (20):

13 “(20) Information about efforts of extremist
14 groups to recruit former members of the armed
15 forces, including how a member may report such ef-
16 forts to the Secretary concerned.”.

17 (g) AUTHORITY TO UTILIZE ONLINE EXTREMIST
18 CONTENT AS CAUSE FOR SEPARATION FROM AN ARMED
19 FORCE.—Chapter 3 of title 10, United States Code, is
20 amended by adding at the end the following new section:

21 **“§ 1301. Authority to utilize online extremist content**
22 **as cause for separation from an armed**
23 **force**

24 “The Secretary concerned may use content knowingly
25 shared, disseminated, or otherwise made available online

1 (including on social media platforms and accounts) by an
2 individual who serves in an armed force that expresses
3 support for extremist activities (as that term is defined
4 in section 1804 of this title) as cause for involuntary sepa-
5 ration from an armed force.”.

6 (h) COORDINATION OF DIRECTOR OF COUNTERING
7 EXTREMISM WITH DEPUTY INSPECTOR GENERAL RE-
8 GARDING SUPREMACIST, EXTREMIST, OR CRIMINAL GANG
9 ACTIVITY IN THE ARMED FORCES.—Section 554(a)(3) of
10 the William M. (Mac) Thornberry National Defense Au-
11 thorization Act for Fiscal Year 2021 (Public Law 116–
12 283) is amended by adding at the end the following new
13 subparagraph:

14 “(E) The Director of Countering Extre-
15 mism.”.

16 (i) EFFECTIVE DATE.—The amendments made by
17 this section shall take effect on the day that the Secretary
18 of Defense prescribes regulations under subsection (e).

19 **SEC. 529B. REFORM AND IMPROVEMENT OF MILITARY**
20 **CRIMINAL INVESTIGATIVE ORGANIZATIONS.**

21 (a) EVALUATION AND PLAN FOR REFORM.—Not
22 later than one year after the date of the enactment of this
23 Act, each Secretary concerned shall—

1 (1) complete an evaluation of the effectiveness
2 of the military criminal investigative organizations
3 under the jurisdiction of such Secretary: and

4 (2) submit to the Secretary of Defense and the
5 Committees on Armed Services of the Senate and
6 the House of Representatives a report that in-
7 cludes—

8 (A) the results of the evaluation conducted
9 under paragraph (1); and

10 (B) based on such results, a proposal for
11 reforming such military criminal investigative
12 organizations to ensure that the organizations
13 effectively meet the demand for complex inves-
14 tigation and other emerging mission require-
15 ments.

16 (b) IMPLEMENTATION PLAN.—

17 (1) IN GENERAL.—Not later than two years
18 after the date of the enactment of this Act, the Sec-
19 retary of Defense shall submit to the appropriate
20 congressional committees a plan to implement the
21 reforms to military criminal investigative organiza-
22 tions proposed by the Secretaries concerned under
23 subsection (a) to ensure each such organization is
24 capable of professionally investigating criminal mis-
25 conduct under its jurisdiction.

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

3 (A) The requirements that military crimi-
4 nal investigative organizations must meet to ef-
5 fectively carry out criminal investigative and
6 other law enforcement missions in 2022 and
7 subsequent years.

8 (B) The resources that will be needed to
9 ensure that each military criminal investigative
10 organization can achieve its mission.

11 (C) An analysis of factors affecting the
12 performance of military criminal investigate or-
13 ganizations, including—

14 (i) whether appropriate technological
15 investigative tools are available and acces-
16 sible to such organizations; and

17 (ii) whether the functions of such or-
18 ganizations would be better supported by
19 civilian rather than military leadership.

20 (D) For each military criminal investiga-
21 tive organization—

22 (i) the number of military personnel
23 assigned to such organization;

24 (ii) the number of civilian personnel
25 assigned to such organization; and

1 (iii) the functions of such military and
2 civilian personnel.

3 (E) A description of any plans of the Sec-
4 retary to develop a more professional workforce
5 of military and civilian investigators.

6 (F) A proposed timeline for the reform of
7 the military investigative organizations.

8 (G) An explanation of the potential bene-
9 fits of such reforms, including a description
10 of—

11 (i) specific improvements that are ex-
12 pected to result from the reforms; and

13 (ii) whether the reforms will improve
14 information sharing across military crimi-
15 nal investigative organizations.

16 (H) With respect to the military criminal
17 investigative organizations of the Army, an ex-
18 planation of how the plan will—

19 (i) address the findings of the report
20 of the Fort Hood Independent Review
21 Committee, dated November 6, 2020; and

22 (ii) coordinate with any other internal
23 reform efforts of the Army.

24 (c) LIMITATION ON THE CHANGES TO TRAINING LO-
25 CATIONS.—In carrying out this section, the Secretary of

1 Defense may not change the locations at which military
2 criminal investigative training is provided to members of
3 military criminal investigative organizations until—

4 (1) the implementation plan under subsection
5 (b) is submitted to the appropriate congressional
6 committees; and

7 (2) a period of 60 days has elapsed following
8 the date on which the Secretary notifies the congress-
9 sional defense committees of the Secretary's intent
10 to move such training to a different location.

11 (d) DEFINITIONS.—In this section:

12 (1) The term “appropriate congressional com-
13 mittees” means—

14 (A) the Committee on Armed Services and
15 the Committee on Commerce, Science, and
16 Transportation of the Senate; and

17 (B) the Committee on Armed Services and
18 the Committee on Transportation and Infra-
19 structure of the House of Representatives.

20 (2) The term “military criminal investigative
21 organization” means each organization or element of
22 the Department of Defense or the Armed Forces
23 that is responsible for conducting criminal investiga-
24 tions, including—

1 (A) the Army Criminal Investigation Com-
2 mand;

3 (B) the Naval Criminal Investigative Serv-
4 ice;

5 (C) the Air Force Office of Special Inves-
6 tigation;

7 (D) the Coast Guard Investigative Service;
8 and

9 (E) the Defense Criminal Investigative
10 Service.

11 (3) The term “Secretary concerned” has the
12 meaning given that term in section 101(a)(9) of title
13 10, United States Code.

14 **SEC. 529C. MEASURES TO IMPROVE THE SAFETY AND SECU-**
15 **RITY OF MEMBERS OF THE ARMED FORCES.**

16 (a) **COMPREHENSIVE REVIEW OF MISSING PERSONS**
17 **REPORTING.**—The Secretary of Defense shall instruct the
18 Secretary of each military department to undertake a com-
19 prehensive review of the policies and procedures of such
20 military department for reporting members of the Armed
21 Forces absent without leave, on unauthorized absence, or
22 missing.

23 (b) **REVIEW OF INSTALLATION-LEVEL PROCE-**
24 **DURES.**—The commander of each military installation
25 shall—

1 (1) direct each military installation under its
2 command to review its policies and procedures for
3 carrying out the reporting activities described under
4 subsection (a); and

5 (2) update such installation-level policies and
6 procedures with a view towards force protection, en-
7 hanced security for members of the Armed Forces
8 living on base, and prioritizing reporting at the ear-
9 liest reasonable time to local law enforcement at all
10 levels, and Federal law enforcement field offices with
11 overlapping jurisdiction with that installation, when
12 a member is determined to be missing.

13 (c) INSTALLATION-SPECIFIC REPORTING PROTO-
14 COLS.—

15 (1) IN GENERAL.—The commander of each
16 military installation shall establish a protocol for
17 sharing information with local and Federal law en-
18 forcement agencies about members of the Armed
19 Forces that are absent without leave, on unauthor-
20 ized absence, or missing. The protocol shall provide,
21 by memorandum of understanding or otherwise, for
22 the commander to notify all local and Federal law
23 enforcement agencies with jurisdiction over the im-
24 mediate area of the military installation—

1 (A) immediately when the status of a
2 member assigned to such installation has been
3 changed to absent without leave, on unauthor-
4 ized absence, or missing (including whether the
5 commander determines that such member has a
6 violent intent, based on criteria including
7 whether a firearm is missing from such military
8 installation); and

9 (B) of the status of a member described in
10 subparagraph (A), not less than once per week
11 after notification under such subparagraph,
12 until the commander changes the status of such
13 member.

14 (2) REPORTING TO MILITARY INSTALLATION
15 COMMAND.—The commander of each military instal-
16 lation shall submit the protocol established pursuant
17 to paragraph (1) to the relevant military installation
18 command.

19 (d) REPORT OF CHIEF OF NATIONAL GUARD BU-
20 REAU.—Not later than March 1, 2022, the Chief of the
21 National Guard Bureau shall submit to the Committees
22 on Armed Services and on the Judiciary of the Senate and
23 House of Representatives, a report on the feasibility of
24 implementing subsections (a), (b), and (c), with regards
25 to facilities of the National Guard. Such report shall in-

1 clude a proposed timeline for such implementation and
2 recommendations of the Chief.

3 **SEC. 529D. DISTRIBUTION OF INFORMATION ON THE AVAIL-**
4 **ABILITY OF CIVILIAN VICTIM SERVICES.**

5 (a) INFORMATION DISTRIBUTION.—Not later than
6 180 days after the date of the enactment of this Act, the
7 Secretary of Defense shall—

8 (1) require each military legal service provider
9 to provide, to each victim referred to such provider,
10 a list of approved civilian victim service organiza-
11 tions from which the victim may seek legal assist-
12 ance, legal representation, or other legal services;
13 and

14 (2) direct the Sexual Assault Prevention and
15 Response Office of the Department of Defense to
16 carry out activities to ensure the widespread dis-
17 tribution, throughout the Department, of informa-
18 tion on the availability of services from civilian vic-
19 tim service organizations.

20 (b) APPROVAL OF ORGANIZATIONS.—The Secretary
21 of Defense, acting through the Sexual Assault Prevention
22 and Response Office of the Department of Defense, shall
23 establish criteria for the approval of civilian victim service
24 organizations for inclusion on the list described in sub-
25 section (a)(1).

1 (c) DEFINITIONS.—In this section:

2 (1) The term “civilian victim service organiza-
3 tion” means an organization outside the Department
4 of Defense that is approved by the Secretary of De-
5 fense for the purpose of providing legal assistance,
6 legal representation, or other legal services directly
7 to a victim.

8 (2) The term “military legal service provider”
9 means an individual or organization within the De-
10 partment of Defense authorized to provide legal as-
11 sistance, legal representation, or other legal services
12 directly to a victim.

13 (3) The term “victim” means the victim of an
14 offense under chapter 47 of title 10, United States
15 Code (the Uniform Code of Military Justice).

16 **SEC. 529E. REPORT ON MANDATORY RESTITUTION.**

17 Not later than April 30, 2022, the Secretary of De-
18 fense shall submit to the Committees on Armed Services
19 of the Senate and the House of Representatives a report
20 on the Department’s progress in evaluating the feasibility
21 and advisability of authorizing mandatory restitution as
22 a component of the sentence for a conviction of an offense
23 under chapter 47 of title 10, United States Code (the Uni-
24 form Code of Military Justice).

1 **Subtitle D—Implementation of Rec-**
2 **ommendations of the Inde-**
3 **pendent Review Commission on**
4 **Sexual Assault in the Military**

5 **SEC. 531. SHORT TITLE.**

6 This subtitle may be cited as the “IRC implementa-
7 tion Act of 2021”.

8 **PART 1—SPECIAL VICTIM PROSECUTORS AND**
9 **SPECIAL VICTIM OFFENSES**

10 **SEC. 532. SPECIAL VICTIM PROSECUTORS.**

11 (a) IN GENERAL.—Subchapter V of chapter 47 of
12 title 10, United States Code, is amended by inserting after
13 section 824 (article 24 of the Uniform Code of Military
14 Justice) the following new section:

15 **“§ 824a. Art. 24a. Special victim prosecutors**

16 “(a) DETAIL OF SPECIAL VICTIM PROSECUTORS AND
17 ASSISTANT SPECIAL VICTIM PROSECUTORS.—Each Sec-
18 retary concerned shall detail—

19 “(1) one commissioned officer from each armed
20 force under the jurisdiction of such Secretary to
21 serve as the special victim prosecutor of that armed
22 force; and

23 “(2) such number of assistant special victim
24 prosecutors as the Secretary considers appropriate
25 to assist such special victim prosecutor.

1 “(b) QUALIFICATIONS.—

2 “(1) QUALIFICATIONS OF SPECIAL VICTIM
3 PROSECUTORS.—A special victim prosecutor shall be
4 a commissioned officer of the armed forces who—

5 “(A) is in the grade of O–6 or higher;

6 “(B) is a judge advocate;

7 “(C) is a member of the bar of a Federal
8 court or a member of the bar of the highest
9 court of a State; and

10 “(D) is certified to be qualified, by reason
11 of education, training, experience, and tempera-
12 ment, for duty as a special victim prosecutor.

13 “(2) QUALIFICATIONS OF ASSISTANT SPECIAL
14 VICTIM PROSECUTORS.—An assistant special victim
15 prosecutor shall be a commissioned officer of the
16 armed forces who—

17 “(A) has at least five years of criminal jus-
18 tice experience;

19 “(B) is a judge advocate;

20 “(C) is a member of the bar of a Federal
21 court or a member of the bar of the highest
22 court of a State; and

23 “(D) is certified to be qualified, by reason
24 of education, training, experience, and tempera-

1 ment, for duty as an assistant special victim
2 prosecutor.

3 “(c) DUTIES AND AUTHORITIES.—

4 “(1) IN GENERAL.—Special victim prosecutors
5 and assistant special victim prosecutors shall carry
6 out the duties described in this chapter and any
7 other duties prescribed by the Secretary of Defense,
8 in consultation with the Secretary of Homeland Se-
9 curity, by regulation.

10 “(2) CLARIFICATION OF AUTHORITY OF ASSIST-
11 ANT SPECIAL VICTIM PROSECUTORS.—Except as oth-
12 erwise expressly provided in this chapter, an assist-
13 ant special victim prosecutor shall have the same au-
14 thorities granted to a special victim prosecutor
15 under this chapter.

16 “(3) DETERMINATION OF SPECIAL VICTIM OF-
17 FENSE; RELATED CHARGES.—

18 “(A) AUTHORITY.—A special victim pros-
19 ecutor shall have exclusive authority to deter-
20 mine if an offense is a special victim offense
21 and shall, upon completion of a relevant inves-
22 tigation, exercise authority over any such of-
23 fense in accordance with this chapter.

24 “(B) RELATED OFFENSES.—If a special
25 victim prosecutor determines that an offense is

1 a special victim offense, the special victim pro-
2 secutor may also exercise authority over any re-
3 ported offense that the special victim prosecutor
4 determines to be related to the special victim
5 offense and any other reported offense by the
6 person alleged to have committed a special vic-
7 tim offense.

8 “(4) DISMISSAL; PREFERRAL; REFERRAL; PLEA
9 BARGAINS.—Subject to paragraph (5), with respect
10 to charges and specifications alleging any offense
11 over which a special victim prosecutor exercises au-
12 thority, a special victim prosecutor shall have exclu-
13 sive authority to, in accordance with this chapter—

14 “(A) make a determination that is binding
15 on the convening authority to prefer or refer
16 the charges and specifications for trial by a spe-
17 cial or general court-martial;

18 “(B) on behalf of the Government, dismiss
19 the charges and specifications or make a motion
20 to dismiss the charges and specifications;

21 “(C) enter into a plea agreement; and

22 “(D) determine if an ordered rehearing is
23 impracticable.

24 “(5) DEFERRAL TO CONVENING AUTHORITY.—

1 “(A) IN GENERAL.—Except as provided in
2 subparagraph (B), if a special victim prosecutor
3 exercises authority over an offense and elects
4 not to prefer charges and specifications for such
5 offense or, with respect to charges and speci-
6 fications for such offense preferred by a person
7 other than a special victim prosecutor, elects
8 not to refer such charges and specifications, a
9 convening authority may exercise any of the au-
10 thorities of the convening authority under this
11 chapter with respect to such offense.

12 “(B) EXCEPTION.—In exercising authority
13 under with respect to an offense described in
14 subparagraph (A), a convening authority may
15 not refer charges and specifications for a spe-
16 cial victim offense for trial by special or general
17 court-martial.

18 “(d) RELEVANT INVESTIGATION DEFINED.—In this
19 section, the term ‘relevant investigation’ means an inves-
20 tigation into an alleged offense under this chapter that
21 is conducted by the Federal Government or a State, local,
22 or Tribal law enforcement organization.”.

23 (b) CLERICAL AMENDMENT.—The table of sections
24 at the beginning of subchapter V of chapter 47 of title
25 10, United States Code (the Uniform Code of Military

1 Justice), is amended by inserting after the item relating
2 to section 824 (article 24) the following new item:

“824a. Art. 24a. Special victim prosecutors.”.

3 **SEC. 533. DEPARTMENT OF DEFENSE POLICIES WITH RE-**
4 **SPECT TO SPECIAL VICTIM PROSECUTORS**
5 **AND ESTABLISHMENT OF OFFICES OF SPE-**
6 **CIAL VICTIM PROSECUTORS WITHIN MILI-**
7 **TARY DEPARTMENTS.**

8 (a) IN GENERAL.—Chapter 53 of title 10, United
9 States Code, is amended by inserting after section 1044e
10 the following new section:

11 **“§ 1044f. Special victim prosecutors: Department of**
12 **Defense policies; establishment of Offices**
13 **of Special Victim Prosecutors**

14 “(a) POLICIES REQUIRED.—The Secretary of De-
15 fense shall establish policies with respect to the appro-
16 priate mechanisms and procedures that the Secretaries of
17 the military departments shall establish and carry out re-
18 lating to the activities of special victim prosecutors, includ-
19 ing expected milestones for the Secretaries to fully imple-
20 ment such mechanisms and procedures.

21 “(b) MILITARY DEPARTMENT OFFICES OF SPECIAL
22 VICTIM PROSECUTORS.—

23 “(1) ESTABLISHMENT.—Each Secretary of a
24 military department shall establish within the office
25 of such Secretary an Office of Special Victim Pros-

1 ecutors. The head of each such Office of Special Vic-
2 tim Prosecutors shall be a general or flag officer of
3 the Judge Advocate General's Corps an armed force
4 under the jurisdiction of such Secretary and shall re-
5 port directly to the Secretary concerned without in-
6 tervening authority.

7 “(2) ASSIGNMENT OF SPECIAL VICTIM PROS-
8 ECUTORS.—Notwithstanding section 806 of this title
9 (article 6) each special victim prosecutor and assist-
10 ant special victim prosecutor detailed by a Judge
11 Advocate General of a military department shall be
12 assigned to an Office of Special Victim Prosecutors
13 established by such Secretary.”.

14 (b) CLERICAL AMENDMENT.—The table of sections
15 at the beginning of chapter 53 of title 10, United States
16 Code, is amended by inserting after the item relating to
17 section 1044e the following new item:

“1044f. Special victim prosecutors: Department of Defense policies; establish-
ment of Offices of Special Victim Prosecutors.”.

18 **SEC. 534. DEFINITIONS OF MILITARY MAGISTRATE, SPE-**
19 **CIAL VICTIM OFFENSE, AND SPECIAL VICTIM**
20 **PROSECUTOR.**

21 Section 801 of title 10, United States Code (article
22 1 of the Uniform Code of Military Justice), is amended—

23 (1) by inserting after paragraph (10) the fol-
24 lowing new paragraph:

1 “(11) The term ‘military magistrate’ means a
2 commissioned officer certified for duty as a military
3 magistrate in accordance with section 826a of this
4 title (article 26a).”.

5 (2) by adding at the end the following new
6 paragraphs:

7 “(17) The term ‘special victim offense’ means—

8 “(A) an offense under section 917a (article
9 117a), section 919a (article 119a), section 919b
10 (article 119b), section 920 (article 120), section
11 925 (article 125), section 920b (article 120b),
12 section 920c (article 120c), section 920d (arti-
13 cle 120d), section 928b (article 128b), section
14 930 (article 130), section 932 (article 132), or
15 section 934 (article 134) (as it relates to child
16 pornography, pandering, and prostitution) of
17 this title;

18 “(B) any offense under this chapter in a
19 case in which the victim of the offense was a
20 child who had not attained the age of 18 years
21 as of the date of the offense;

22 “(C) a conspiracy to commit an offense
23 specified in subparagraph (A) or (B) as punish-
24 able under section 881 of this title (article 81);

1 “(D) a solicitation to commit an offense
2 specified in subparagraph (A) or (B) as punish-
3 able under section 882 of this title (article 82);

4 “(E) an attempt to commit an offense
5 specified in subparagraph (A), (B), (C), or (D)
6 as punishable under section 880 of this title
7 (article 80); or

8 “(18) The term ‘special victim prosecutor’
9 means a judge advocate detailed as the special vic-
10 tim prosecutor of an armed force in accordance with
11 section 824a(a)(1) of this title (article 24a(a)(1)).

12 “(19) The term ‘assistant special victim pros-
13 ecutor’ means a judge advocate detailed as an assist-
14 ant special victim prosecutor in accordance with sec-
15 tion 824a(a)(2) of this title (article 24a(a)(2)).”.

16 **SEC. 535. CLARIFICATION RELATING TO WHO MAY CON-**
17 **VENE COURTS-MARTIAL.**

18 (a) **GENERAL COURTS-MARTIAL.**—Section 822(b) of
19 title 10, United States Code (article 22(b) of the Uniform
20 Code of Military Justice), is amended—

21 (1) by striking “If any” and inserting “(1) If
22 any”; and

23 (2) by adding at the end the following new
24 paragraph:

1 “(2) A commanding officer shall not be considered
2 an accuser solely due to the role of the commanding officer
3 in convening a general court-martial to which charges and
4 specifications were referred by a special victim prosecutor
5 in accordance with this chapter.”.

6 (b) SPECIAL COURTS-MARTIAL.—Section 823(b) of
7 title 10, United States Code (article 23(b) of the Uniform
8 Code of Military Justice), is amended—

9 (1) by striking “If any” and inserting “(1) If
10 any”; and

11 (2) by adding at the end the following new
12 paragraph:

13 “(2) A commanding officer shall not be considered
14 an accuser solely due to the role of the commanding officer
15 in convening a special court-martial to which charges and
16 specifications were referred by a special victim prosecutor
17 in accordance with this chapter.”.

18 **SEC. 536. DETAIL OF TRIAL COUNSEL.**

19 Section 827 of title 10, United States Code (article
20 27 of the Uniform Code of Military Justice), is amended
21 by adding at the end the following new subsection:

22 “(e) For each general and special court-martial for
23 which charges and specifications were referred by a special
24 victim prosecutor—

1 “(1) a special victim prosecutor or an assistant
2 special victim prosecutor shall be detailed as trial
3 counsel;

4 “(2) a special victim prosecutor may detail a
5 special victim prosecutor or an assistant special vic-
6 tim prosecutor as an assistant trial counsel; and

7 “(3) a special victim prosecutor may request
8 that a counsel other than a special victim prosecutor
9 or assistant special victim prosecutor be detailed as
10 an assistant trial counsel.”.

11 **SEC. 537. PRELIMINARY HEARING.**

12 (a) **DETAIL OF HEARING OFFICER; WAIVER.**—Sub-
13 section (a)(1) of section 832 of title 10, United States
14 Code (article 32 of the Uniform Code of Military Justice),
15 is amended—

16 (1) in subparagraph (A), by striking “hearing
17 officer” and all that follows and inserting “hearing
18 officer detailed in accordance with subparagraph
19 (C).”;

20 (2) in subparagraph (B), by striking “written
21 waiver” and all that follows and inserting the fol-
22 lowing: “written waiver to—

23 “(i) except as provided in clause (ii),
24 the convening authority and the convening

1 authority determines that a hearing is not
2 required; and

3 “(ii) with respect to charges and spec-
4 ifications over which the special victim
5 prosecutor is exercising authority in ac-
6 cordance with section 824a of this title (ar-
7 ticle 24a), the special victim prosecutor
8 and the special victim prosecutor deter-
9 mines that a hearing is not required; and”;
10 and

11 (3) by adding at the end the following new sub-
12 paragraph:

13 “(C)(i) Except as provided in clause (ii), the
14 convening authority shall detail a hearing officer.

15 “(ii) If a special victim prosecutor is exercising
16 authority over the charges and specifications subject
17 to a preliminary hearing under this section (article),
18 the special victim prosecutor shall request a military
19 judge or military magistrate to serve as the hearing
20 officer, and a military judge or military magistrate
21 shall be provided, in accordance with regulations
22 prescribed by the President.”.

23 (b) REPORT OF PRELIMINARY HEARING OFFICER.—
24 Subsection (c) of such section is amended—

1 (1) in the heading, by inserting “OR SPECIAL
2 VICTIM PROSECUTOR” after “CONVENING AUTHOR-
3 ITY”; and

4 (2) in the matter preceding paragraph (1) by
5 striking “to the convening authority” and inserting
6 “to the convening authority or, in the case of a pre-
7 liminary hearing in which the hearing officer is pro-
8 vided at the request of a special victim prosecutor,
9 to the special victim prosecutor,”.

10 **SEC. 538. ADVICE TO CONVENING AUTHORITY BEFORE RE-**
11 **FERRAL FOR TRIAL.**

12 Section 834 of title 10, United States Code (article
13 34 of the Uniform Code of Military Justice), is amended—

14 (1) in subsection (a)(1) in the matter preceding
15 subparagraph (A) in the first sentence, by striking
16 “Before referral” and inserting “Subject to sub-
17 section (c), before referral”;

18 (2) in subsection (b), by striking “Before refer-
19 ral” and inserting “Subject to subsection (c), before
20 referral”;

21 (3) by redesignating subsections (c) and (d) as
22 subsections (d) and (e), respectively;

23 (4) by inserting after subsection (b) the fol-
24 lowing new subsection:

1 “(c) SPECIAL VICTIM OFFENSES.—A referral to a
2 general or special court-martial for trial of charges and
3 specifications over which a special victim prosecutor exer-
4 cises authority may only be made—

5 “(1) by a special victim prosecutor; or

6 “(2) by the convening authority in the case of—

7 “(A) charges and specifications that do not
8 allege a special victim offense and for which a
9 special victim prosecutor declines to prefer
10 charges; or

11 “(B) charges and specifications preferred
12 by a person other than a special victim pros-
13 ecutor, for which a special victim prosecutor de-
14 clines to refer charges.”; and

15 (5) in subsection (e), as redesignated by para-
16 graph (3) of this section, by inserting “or, with re-
17 spect to charges and specifications over which a spe-
18 cial victim prosecutor exercises authority in accord-
19 ance with section 824a of this title (article 24a), a
20 special victim prosecutor,” after “convening author-
21 ity”.

22 **SEC. 539. FORMER JEOPARDY.**

23 Section 844(c) of title 10, United States Code (article
24 44(c) of the Uniform Code of Military Justice), is amend-

1 ed by inserting “or the special victim prosecutor” after
2 “the convening authority” each place it appears.

3 **SEC. 539A. PLEA AGREEMENTS.**

4 (a) **AUTHORITY TO ENTER INTO AGREEMENTS.**—
5 Subsection (a) of section 853a of title 10, United States
6 Code (article 53a of the Uniform Code of Military Jus-
7 tice), is amended—

8 (1) in paragraph (1), by striking “At any time”
9 and inserting “Subject to paragraph (3), at any
10 time”; and

11 (2) by adding at the end the following new
12 paragraph:

13 “(3) With respect to charges and specifications re-
14 ferred to court-martial by a special victim prosecutor, a
15 plea agreement under this section may only be entered
16 into between a special victim prosecutor and the accused.
17 Such agreement shall be subject to the same limitations
18 and conditions applicable to other plea agreements under
19 this section (article).”.

20 (b) **BINDING EFFECT.**—Subsection (d) of such sec-
21 tion (article) is amended by inserting after “parties” the
22 following: “(including the convening authority and the spe-
23 cial victim prosecutor in the case of a plea agreement en-
24 tered into under subsection (a)(3))”.

1 **SEC. 539B. DETERMINATIONS OF IMPRACTICALITY OF RE-**
2 **HEARING.**

3 (a) TRANSMITTAL AND REVIEW OF RECORDS.—Sec-
4 tion 865(e)(3)(B) of title 10, United States Code (article
5 65(e)(3)(B) of the Uniform Code of Military Justice), is
6 amended—

7 (1) by striking “IMPRACTICAL.—If the Judge
8 Advocate General” and inserting the following: “IM-
9 PRACTICAL.—

10 “(i) IN GENERAL.—Subject to clause
11 (ii), if the Judge Advocate General”; and

12 (2) by adding at the end the following new
13 clause:

14 “(ii) CASES REFERRED BY SPECIAL
15 VICTIM PROSECUTOR.—If a case was re-
16 ferred to trial by a special victim pros-
17 ecutor, a special victim prosecutor shall de-
18 termine if a rehearing is impractical and
19 shall dismiss the charges if the special vic-
20 tim prosecutor so determines.”.

21 (b) COURTS OF CRIMINAL APPEALS.—Section
22 866(f)(1)(C) of title 10, United States Code (article
23 66(f)(1)(C) of the Uniform Code of Military Justice), is
24 amended—

1 (1) by striking “IMPRACTICABLE.—If the Court
2 of Criminal Appeals” and inserting the following:

3 “IMPRACTICABLE.—

4 “(i) IN GENERAL.—Subject to clause
5 (ii), if the Court of Criminal Appeals”; and

6 (2) by adding at the end the following new
7 clause:

8 “(ii) CASES REFERRED BY SPECIAL
9 VICTIM PROSECUTOR.—If a case was re-
10 ferred to trial by a special victim pros-
11 ecutor, a special victim prosecutor shall de-
12 termine if a rehearing is impracticable and
13 shall dismiss the charges if the special vic-
14 tim prosecutor so determines.”.

15 (c) REVIEW BY THE COURT OF APPEALS FOR THE
16 ARMED FORCES.—Section 867(e) of title 10, United
17 States Code (article 67(e) of the Uniform Code of Military
18 Justice), is amended by adding at the end the following
19 new sentence: “Notwithstanding the preceding sentence,
20 if a case was referred to trial by a special victim pros-
21 ecutor, a special victim prosecutor shall determine if a re-
22 hearing is impracticable and shall dismiss the charges if
23 the special victim prosecutor so determines.”.

24 (d) REVIEW BY JUDGE ADVOCATE GENERAL.—Sec-
25 tion 869(c)(1)(D) of title 10, United States Code (article

1 69(c)(1)(D) of the Uniform Code of Military Justice), is
2 amended—

3 (1) by striking “If the Judge Advocate Gen-
4 eral” and inserting “(i) Subject to clause (ii), if the
5 Judge Advocate General”; and

6 (2) by adding at the end the following new
7 clause:

8 “(ii) If a case was referred to trial by
9 a special victim prosecutor, a special victim
10 prosecutor shall determine if a rehearing is
11 impractical and shall dismiss the charges if
12 the special victim prosecutor so deter-
13 mines.”.

14 **SEC. 539C. PUNITIVE ARTICLE ON SEXUAL HARASSMENT.**

15 (a) IN GENERAL.—Subchapter X of chapter 47 of
16 title 10, United States Code (the Uniform Code of Military
17 Justice), is amended by inserting after section 920c (arti-
18 cle 120c) the following new section (article):

19 **“§ 920d. Art. 120d. sexual harassment**

20 “(a) IN GENERAL.—Any person subject to this chap-
21 ter who commits sexual harassment against another per-
22 son shall be punished as a court-martial may direct.

23 “(b) ELEMENTS.—A person subject to this chapter
24 commits sexual harassment when—

25 “(1) such person knowingly—

1 “(A) makes a sexual advance;

2 “(B) demands or requests a sexual favor;

3 or

4 “(C) engages in other conduct of a sexual
5 nature;

6 “(2) the conduct described in paragraph (1)
7 that such person committed is unwelcome;

8 “(3) under the circumstances, on the basis of
9 the record as a whole, such conduct would cause a
10 reasonable person to—

11 “(A) believe that submission to, or rejec-
12 tion of, such conduct would be made, either ex-
13 plicitly or implicitly, a term or condition of a
14 person’s military duties, job, pay, career, bene-
15 fits, or entitlements;

16 “(B) believe that submission to, or rejec-
17 tion of, such conduct would be used as a basis
18 for military career or employment decisions af-
19 fecting that person; or

20 “(C) perceive an intimidating, hostile, or
21 offensive duty or working environment due to
22 the severity, repetitiveness, or pervasiveness of
23 such conduct; and

24 “(4) a person, who by some duty or military-re-
25 lated reason works or is associated with the accused,

1 did reasonably believe or perceive as described in
2 subparagraph (A), (B), or (C) of paragraph (3).

3 “(c) OTHER CONDUCT.—For purposes of subsection
4 (b)(1)(C), whether other conduct would cause a reasonable
5 person to believe it is of a sexual nature shall be dependent
6 upon the circumstances of the act alleged and may include
7 conduct that, without context, would not appear to be sex-
8 ual in nature.

9 “(d) LOCATION AND MEANS OF ACT.—An act consti-
10 tuting sexual harassment under this section—

11 “(1) may occur at any location and without re-
12 gard to whether the victim or accused is on or off
13 duty at the time of the alleged act;

14 “(2) does not require physical proximity be-
15 tween the victim and the accused; and

16 “(3) may be transmitted through any means,
17 including written, oral, online, or other electronic
18 means.”.

19 (b) CLERICAL AMENDMENT.—The table of sections
20 at the beginning of such subchapter is amended by insert-
21 ing after the item relating to section 920c (article 120c)
22 the following new item:

“920d. Art. 120d. Sexual harassment.”.

1 **SEC. 539D. CLARIFICATION OF APPLICABILITY OF DOMES-**
2 **TIC VIOLENCE AND STALKING TO DATING**
3 **PARTNERS.**

4 (a) ARTICLE 128B; DOMESTIC VIOLENCE.—Section
5 928b of title 10, United States Code (article 128b of the
6 Uniform Code of Military Justice), is amended—

7 (1) in the matter preceding paragraph (1), by
8 striking “Any person” and inserting the following:

9 “(a) IN GENERAL.—Any person”.

10 (2) by inserting “a dating partner,” after “an
11 intimate partner,” each place it appears; and

12 (3) by adding at the end the following new sub-
13 section:

14 “(b) DEFINITIONS.—In this section, the terms dating
15 partner, ‘immediate family’, and ‘intimate partner’ have
16 the meaning given such terms in section 930 of this title
17 (article 130).”.

18 (b) ARTICLE 130; STALKING.—Section 930 of such
19 title (article 130 of the Uniform Code of Military Justice)
20 is amended—

21 (1) in subsection (a), by striking “or to his or
22 her intimate partner” each place it appears and in-
23 serting “to his or her intimate partner, or to his or
24 her dating partner”;

25 (2) in subsection (b)—

1 (A) by redesignating paragraphs (3)
2 through (5) as paragraphs (4) through (6), re-
3 spectively; and

4 (B) by inserting after paragraph (2) the
5 following new paragraph:

6 “(3) The term ‘dating partner’, in the case of
7 a specific person, means a person who is or has been
8 in a social relationship of a romantic or intimate na-
9 ture with such specific person, and a reasonable per-
10 son would believe such a relationship exists or ex-
11 isted, based on—

12 “(A) the length of the relationship;

13 “(B) the type of relationship; and

14 “(C) the frequency of interaction between
15 the persons involved in the relationship.”.

16 **SEC. 539E. EFFECTIVE DATE.**

17 (a) IN GENERAL.—Except as provided in subsection
18 (b), the amendments made by this part shall take effect
19 on the date that is two years after the date of the enact-
20 ment of this Act and shall apply with respect to offenses
21 that occur after that date.

22 (b) REGULATIONS.—

23 (1) REQUIREMENT.—The President shall pre-
24 scribe regulations to carry out this part not later

1 than two years after the date of the enactment of
2 this Act.

3 (2) IMPACT OF DELAY OF ISSUANCE.—If the
4 President does not prescribe regulations to carry out
5 this part before the date that is two years after the
6 date of the enactment of this Act, the amendments
7 made by this part shall take effect on the date on
8 which such regulations are prescribed and shall
9 apply with respect to offenses that occur on or after
10 that date.

11 **PART 2—SENTENCING REFORM**

12 **SEC. 539F. SENTENCING REFORM.**

13 (a) ARTICLE 53; FINDINGS AND SENTENCING.—Sec-
14 tion 853 of title 10, United States Code (article 53 of the
15 Uniform Code of Military Justice), is amended—

16 (1) in subsection (b), by amending paragraph
17 (1) to read as follows:

18 “(1) GENERAL AND SPECIAL COURTS-MAR-
19 TIAL.—Except as provided in subsection (c) for cap-
20 ital offenses, if the accused is convicted of an offense
21 in a trial by general or special court-martial, the
22 military judge shall sentence the accused. The sen-
23 tence determined by the military judge constitutes
24 the sentence of the court-martial.”;

25 (2) in subsection (c)—

1 (A) by amending paragraph (1) to read as
2 follows:

3 “(1) IN GENERAL.—In a capital case, if the ac-
4 cused is convicted of an offense for which the court-
5 martial may sentence the accused to death—

6 “(A) the members shall determine—

7 “(i) whether the sentence for that of-
8 fense shall be death or life in prison with-
9 out eligibility for parole; or

10 “(ii) whether the matter shall be re-
11 turned to the military judge for determina-
12 tion of a lesser punishment; and

13 “(B) the military judge shall sentence the
14 accused for that offense in accordance with the
15 determination of the members under subpara-
16 graph (A).”; and

17 (B) in paragraph (2), by striking “the
18 court-martial” and inserting “the military
19 judge”.

20 (b) ARTICLE 53A; PLEA AGREEMENTS.—Section
21 853a of title 10, United States Code (article 53a of the
22 Uniform Code of Military Justice), as amended by section
23 539A of this subtitle, is further amended—

24 (1) by redesignating subsections (b), (c), and
25 (d), as subsections (c), (d), and (e), respectively; and

1 (2) by inserting after subsection (a) the fol-
2 lowing new subsection:

3 “(b) ACCEPTANCE OF PLEA AGREEMENT.—Subject
4 to subsections (c) and (d), the military judge of a general
5 or special court-martial shall accept a plea agreement sub-
6 mitted by the parties, except that—

7 “(1) in the case of an offense with a sentencing
8 parameter under section 856 of this chapter (article
9 56), the military judge may reject a plea agreement
10 that proposes a sentence that is outside the sen-
11 tencing parameter if the military judge determines
12 that the proposed sentence is plainly unreasonable;
13 and

14 “(2) in the case of an offense with no sen-
15 tencing parameter under section 856 of this chapter
16 (article 56), the military judge may reject a plea
17 agreement that proposes a sentence if the military
18 judge determines that the proposed sentence is
19 plainly unreasonable.”.

20 (c) ARTICLE 56; SENTENCING.—Section 856 of title
21 10, United States Code (article 56 of the Uniform Code
22 of Military Justice), is amended—

23 (1) in subsection (c)—

24 (A) in paragraph (1)—

1 (i) in subparagraph (C)(vii), by strik-
2 ing “and” at the end;

3 (ii) in subparagraph (D), by striking
4 the period at the end and inserting “;
5 and”; and

6 (iii) by adding at the end the fol-
7 lowing new subparagraph:

8 “(E) the applicable sentencing parameters
9 or sentencing criteria prescribed under this sec-
10 tion.”;

11 (B) by striking paragraphs (2) through (4)
12 and inserting the following new paragraphs:

13 “(2) APPLICATION OF SENTENCING PARAM-
14 ETERS IN GENERAL AND SPECIAL COURTS-MAR-
15 TIAL.—

16 “(A) REQUIREMENT TO SENTENCE WITHIN
17 PARAMETERS.—Except as provided in subpara-
18 graph (B), in a general or special court-martial
19 in which the accused is convicted of an offense
20 for which there is a sentencing parameter under
21 subsection (d), the military judge shall sentence
22 the accused for that offense within the applica-
23 ble parameter.

24 “(B) EXCEPTION.—The military judge
25 may impose a sentence outside a sentencing pa-

1 parameter upon finding specific facts that warrant
2 such a sentence. If the military judge imposes
3 a sentence outside a sentencing parameter
4 under this subparagraph, the military judge
5 shall include in the record a written statement
6 of the factual basis for the sentence.

7 “(3) USE OF SENTENCING CRITERIA IN GEN-
8 ERAL AND SPECIAL COURTS-MARTIAL.—In a general
9 or special court-martial in which the accused is con-
10 victed of an offense for which there are sentencing
11 criteria under subsection (d), the military judge shall
12 consider the applicable sentencing criteria in deter-
13 mining the sentence for that offense.

14 “(4) OFFENSE-BASED SENTENCING IN GEN-
15 ERAL AND SPECIAL COURTS-MARTIAL.—In announc-
16 ing the sentence under section 853 of this chapter
17 (article 53) in a general or special court-martial, the
18 military judge shall, with respect to each offense of
19 which the accused is found guilty, specify the term
20 of confinement, if any, and the amount of the fine,
21 if any. If the accused is sentenced to confinement
22 for more than one offense, the military judge shall
23 specify whether the terms of confinement are to run
24 consecutively or concurrently.

1 “(5) INAPPLICABILITY TO DEATH PENALTY.—
2 Sentencing parameters and sentencing criteria shall
3 not apply to a determination of whether an offense
4 should be punished by death.

5 “(6) SENTENCE OF CONFINEMENT FOR LIFE
6 WITHOUT ELIGIBILITY FOR PAROLE.—(A) If an of-
7 fense is subject to a sentence of confinement for life,
8 a court-martial may impose a sentence of confine-
9 ment for life without eligibility for parole.

10 “(B) An accused who is sentenced to confine-
11 ment for life without eligibility for parole shall be
12 confined for the remainder of the accused’s life un-
13 less—

14 “(i) the sentence is set aside or otherwise
15 modified as a result of—

16 “(I) action taken by the convening au-
17 thority or the Secretary concerned; or

18 “(II) any other action taken during
19 post-trial procedure or review under any
20 other provision of subchapter IX of this
21 chapter;

22 “(ii) the sentence is set aside or otherwise
23 modified as a result of action taken by a court
24 of competent jurisdiction; or

1 “(iii) the accused receives a pardon or an-
2 other form of Executive clemency.”;

3 (2) by redesignating subsection (d) as sub-
4 section (e);

5 (3) by inserting after subsection (c) the fol-
6 lowing new subsection:

7 “(d) ESTABLISHMENT OF SENTENCING PARAMETERS
8 AND SENTENCING CRITERIA.—

9 “(1) IN GENERAL.—The President shall pre-
10 scribe regulations establishing sentencing parameters
11 and sentencing criteria in accordance with this sub-
12 section. Such parameters and criteria—

13 “(A) shall cover sentences of confinement;
14 and

15 “(B) may cover lesser punishments, as the
16 President determines appropriate.

17 “(2) SENTENCING PARAMETERS.—Sentencing
18 parameters established under paragraph (1) shall—

19 “(A) identify a delineated sentencing range
20 for an offense that is appropriate for a typical
21 violation of the offense, taking into consider-
22 ation—

23 “(i) the severity of the offense;

24 “(ii) the guideline or offense category
25 that would apply to the offense if the of-

1 fense were tried in a United States district
2 court;

3 “(iii) any military-specific sentencing
4 factors; and

5 “(iv) the need for the sentencing pa-
6 rameter to be sufficiently broad to allow
7 for individualized consideration of the of-
8 fense and the accused;

9 “(B) include no fewer than five and no
10 more than twelve offense categories;

11 “(C) assign each offense under this chap-
12 ter to an offense category unless the offense is
13 identified as unsuitable for sentencing param-
14 eters under paragraph (4)(F)(ii);

15 “(D) delineate the confinement range for
16 each offense category by setting an upper con-
17 finement limit and a lower confinement limit;
18 and

19 “(E) be neutral as to the race, color, reli-
20 gion, national origin, ethnicity, gender, gender
21 identity, disability, sexual orientation, and so-
22 cioeconomic status of offenders.

23 “(3) SENTENCING CRITERIA.—Sentencing cri-
24 teria established under paragraph (1) shall identify
25 offense-specific factors the military judge should

1 consider and any collateral effects of available pun-
2 ishments that may aid the military judge in deter-
3 mining an appropriate sentence when there is no ap-
4 plicable sentencing parameter for a specific offense.

5 “(4) MILITARY SENTENCING PARAMETERS AND
6 CRITERIA BOARD.—

7 “(A) IN GENERAL.—There is established
8 within the Department of Defense a board, to
9 be known as the ‘Military Sentencing Param-
10 eters and Criteria Board’ (referred to in this
11 subsection as the ‘Board’).

12 “(B) VOTING MEMBERS.—The Board shall
13 have five voting members, as follows:

14 “(i) The four chief trial judges des-
15 ignated under section 826(g) of this chap-
16 ter (article 26(g)), except that, if the chief
17 trial judge of the Coast Guard is not avail-
18 able, the Judge Advocate General of the
19 Coast Guard may designate as a voting
20 member a judge advocate of the Coast
21 Guard with substantial military justice ex-
22 perience.

23 “(ii) A trial judge of the Navy, des-
24 ignated under regulations prescribed by
25 the President, if the chief trial judges des-

1 ignated under section 826(g) of this chap-
2 ter (article 26(g)) do not include a trial
3 judge of the Navy.

4 “(iii) A trial judge of the Marine
5 Corps, designated under regulations pre-
6 scribed by the President, if the chief trial
7 judges designated under section 826(g) of
8 this chapter (article 26(g)) do not include
9 a trial judge of the Marine Corps.

10 “(C) NONVOTING MEMBERS.—The Chief
11 Judge of the Court of Appeals for the Armed
12 Forces, the Chairman of the Joint Chiefs of
13 Staff, and the General Counsel of the Depart-
14 ment of Defense shall each designate one non-
15 voting member of the Board.

16 “(D) CHAIR AND VICE-CHAIR.—The Sec-
17 retary of Defense shall designate one voting
18 member as chair of the Board and one voting
19 member as vice-chair.

20 “(E) VOTING REQUIREMENT.—An affirma-
21 tive vote of at least three members is required
22 for any action of the Board under this sub-
23 section.

24 “(F) DUTIES OF BOARD.—The Board shall
25 have the following duties:

1 “(i) As directed by the President, the
2 Board shall submit to the President for ap-
3 proval—

4 “(I) sentencing parameters for
5 all offenses under this chapter (other
6 than offenses that the Board identi-
7 fies as unsuitable for sentencing pa-
8 rameters in accordance with clause
9 (ii)); and

10 “(II) sentencing criteria to be
11 used by military judges in determining
12 appropriate sentences for offenses
13 that are identified as unsuitable for
14 sentencing parameters in accordance
15 with clause (ii).

16 “(ii) Identify each offense under this
17 chapter that is unsuitable for sentencing
18 parameters. The Board shall identify an
19 offense as unsuitable for sentencing pa-
20 rameters if—

21 “(I) the nature of the offense is
22 indeterminate and unsuitable for cat-
23 egorization; and

24 “(II) there is no similar criminal
25 offense under the laws of the United

1 States or the laws of the District of
2 Columbia.

3 “(iii) In developing sentencing param-
4 eters and criteria, the Board shall consider
5 the sentencing data collected by the Mili-
6 tary Justice Review Panel pursuant to sec-
7 tion 946(f)(2) of this chapter (article
8 146(f)(2)).

9 “(iv) In addition to establishing pa-
10 rameters for sentences of confinement
11 under clause (i)(I), the Board shall con-
12 sider the appropriateness of establishing
13 sentencing parameters for punitive dis-
14 charges, fines, reductions, forfeitures, and
15 other lesser punishments authorized under
16 this chapter.

17 “(v) The Board shall regularly—

18 “(I) review, and propose revision
19 to, in consideration of comments and
20 data coming to the Board’s attention,
21 the sentencing parameters and sen-
22 tencing criteria prescribed under para-
23 graph (1); and

24 “(II) submit to the President,
25 through the Secretary of Defense,

1 proposed amendments to the sen-
2 tencing parameters and sentencing
3 criteria, together with statements ex-
4 plaining the basis for the proposed
5 amendments.

6 “(vi) The Board shall develop means
7 of measuring the degree to which applica-
8 ble sentencing, penal, and correctional
9 practices are effective with respect to the
10 sentencing factors and policies set forth in
11 this section.

12 “(vii) In fulfilling its duties and in ex-
13 ercising its powers, the Board shall consult
14 authorities on, and individual and institu-
15 tional representatives of, various aspects of
16 the military criminal justice system. The
17 Board shall establish separate advisory
18 groups consisting of individuals with cur-
19 rent or recent experience in command and
20 in senior enlisted positions, individuals
21 with experience in the trial of courts-mar-
22 tial, and such other groups as the Board
23 deems appropriate.

24 “(viii) The Board shall submit to the
25 President, through the Secretary of De-

1 fense, proposed amendments to the rules
2 for courts-martial with respect to sen-
3 tencing proceedings and maximum punish-
4 ments, together with statements explaining
5 the basis for the proposed amendments.

6 “(ix) The Board may issue non-bind-
7 ing policy statements to achieve the
8 Board’s purposes and to guide military
9 judges in fashioning appropriate sentences,
10 including guidance on factors that may be
11 relevant in determining where in a sen-
12 tencing parameter a specification may fall,
13 or whether a deviation outside of the sen-
14 tencing range may be warranted.

15 “(G) FEDERAL ADVISORY COMMITTEE
16 ACT.—The Federal Advisory Committee Act (5
17 U.S.C. App.) shall not apply with respect to the
18 Board or any advisory group established by the
19 Board.”; and

20 (4) in subsection (e)(1), as redesignated by
21 paragraph (2) of this subsection—

22 (A) in subparagraph (A), by striking “or”
23 at the end;

24 (B) by redesignating subparagraph (B) as
25 subparagraph (C);

1 (C) by inserting after subparagraph (A)
2 the following new subparagraph:

3 “(B) in the case of a sentence for an offense
4 with a sentencing parameter under this section, the
5 sentence is a result of an incorrect application of the
6 parameter; or”; and

7 (D) in subparagraph (C), as redesignated
8 by subparagraph (B) of this paragraph, by
9 striking “, as determined in accordance with
10 standards and procedures prescribed by the
11 President”.

12 (d) ARTICLE 66; COURTS OF CRIMINAL APPEALS.—
13 Section 866 of title 10, United States Code (article 66
14 of the Uniform Code of Military Justice) is amended—

15 (1) in subsection (d)(1)(A), by striking the
16 third sentence; and

17 (2) by amending subsection (e) to read as fol-
18 lows:

19 “(e) CONSIDERATION OF SENTENCE.—

20 “(1) IN GENERAL.—In considering a sentence
21 on appeal, other than as provided in section 856(e)
22 of this chapter (article 56(e)), the Court of Criminal
23 Appeals may consider—

24 “(A) whether the sentence violates the law;

1 “(B) whether the sentence is inappropri-
2 ately severe—

3 “(i) if the sentence is for an offense
4 for which there is no sentencing parameter
5 under section 856(d) of this chapter (arti-
6 cle 56(d)); or

7 “(ii) in the case of an offense with a
8 sentencing parameter under section 856(d)
9 of this chapter (article 56(d)), if the sen-
10 tence is above the upper range of such sen-
11 tencing parameter;

12 “(C) in the case of a sentence for an of-
13 fense with a sentencing parameter under sec-
14 tion 856(d) of this chapter (article 56(d)),
15 whether the sentence is a result of an incorrect
16 application of the parameter;

17 “(D) whether the sentence is plainly un-
18 reasonable; and

19 “(E) in review of a sentence to death or to
20 life in prison without eligibility for parole deter-
21 mined by the members in a capital case under
22 section 853(c) of this chapter (article 53(c)),
23 whether the sentence is otherwise appropriate,
24 under rules prescribed by the President.

1 “(2) RECORD ON APPEAL.—In an appeal under
2 this subsection or section 856(e) of this chapter (ar-
3 ticle 56(e)), other than review under subsection
4 (b)(2), the record on appeal shall consist of—

5 “(A) any portion of the record in the case
6 that is designated as pertinent by any party;

7 “(B) the information submitted during the
8 sentencing proceeding; and

9 “(C) any information required by rule or
10 order of the Court of Criminal Appeals.”.

11 (e) CONFORMING AMENDMENTS.—

12 (1) Section 863(e) of title 10, United States
13 Code (article 63(e) of the Uniform Code of Military
14 Justice) is amended by striking “section 856(d) of
15 this title (article 56(d))” and inserting “section
16 856(e) of this chapter (article 56(e))”.

17 (2) Section 866 of title 10, United States Code
18 (article 66 of the Uniform Code of Military Justice),
19 as amended by subsection (d), is further amended by
20 striking “section 856(d) of this title (article 56(d))”
21 each place it appears and inserting “section 856(e)
22 of this chapter (article 56(e))”.

23 (f) EFFECTIVE DATE.—

24 (1) IN GENERAL.—The amendments made by
25 this section shall take effect on the date that is two

1 years after the date of the enactment of this Act and
2 shall apply to sentences adjudged in cases in which
3 all findings of guilty are for offenses that occurred
4 after the date that is two years after the date of the
5 enactment of this Act.

6 (2) IMPLEMENTATION OF SENTENCING PARAM-
7 ETERS AND CRITERIA.—

8 (A) IN GENERAL.—The President shall
9 prescribe regulations setting forth the sen-
10 tencing parameters and criteria required by
11 subsection (d) of section 856 of title 10, United
12 States Code (article 56 of the Uniform Code of
13 Military Justice), as added by subsection (c) of
14 this section.

15 (B) EFFECTIVE DATES.—The regulations
16 under subparagraph (A) shall take effect on a
17 date determined by the President which shall be
18 not later than four years after the date of en-
19 actment of this Act and shall apply only to sen-
20 tences adjudged in cases in which all findings of
21 guilty are for offenses that occurred after the
22 date on which the regulations required by sub-
23 paragraph (A) take effect.

24 (C) INTERIM AUTHORITY OF JUDGES.—If
25 the regulations required by subparagraph (A)

1 have not been prescribed as of the date on
2 which the amendments made by this section
3 take effect under paragraph (1), each sentence
4 adjudged in accordance with the amendments
5 made by this section and the terms of the effective
6 date under paragraph (1) shall be made as
7 if no sentencing parameter or criteria for that
8 offense has been prescribed until such time as
9 such regulations are issued that include such a
10 sentencing parameter or criteria.

11 (g) REPEAL OF SECRETARIAL GUIDELINES ON SENTENCES FOR OFFENSES COMMITTED UNDER THE UNIFORM CODE OF MILITARY JUSTICE.—Section 537 of the
12 National Defense Authorization Act for Fiscal Year 2020
13 (Public Law 116–92; 133 Stat. 1363; 10 U.S.C. 856 note)
14 is repealed.

17 **PART 3—REPORTS AND OTHER MATTERS**
18 **SEC. 539G. REPORT ON MODIFICATION OF DISPOSITION AUTHORITY FOR OFFENSES OTHER THAN SPECIAL VICTIM OFFENSES.**

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 submit to the Committees on Armed Services of the
24 Senate and the House of Representatives a report on the
25 feasibility, advisability, and potential effects of modifying

1 chapter 47 of title 10, United States Code (the Uniform
2 Code of Military Justice) to require that determinations
3 as to whether to prefer or refer charges for trial by court-
4 martial for offenses other than special victim offenses
5 must be made by an individual outside of the chain of com-
6 mand of the member subject to the charges rather than
7 by a commanding officer who is in the chain of command
8 of the member.

9 (b) ELEMENTS.—The report under subsection (a)
10 shall include the following:

11 (1) A review and reassessment of the findings
12 of the Secretary of Defense included in the report
13 submitted under section 540F of the National De-
14 fense Authorization Act for Fiscal year 2020 (Public
15 Law 116–92; 133 Stat. 1367), taking into account
16 the findings and recommendations of the Inde-
17 pendent Review Commission on Sexual Assault in
18 the Military as set forth in the report of the Com-
19 mission titled “Hard Truths and the Duty to
20 Change: Recommendations from the Independent
21 Review Commission on Sexual Assault in the Mili-
22 tary”.

23 (2) An analysis of any effects, including positive
24 and negative effects, that may result from the modi-

1 fication of disposition authority for offenses as de-
2 scribed in subsection (a).

3 (c) INDEPENDENT COMMITTEE.—

4 (1) IN GENERAL.—The Secretary of Defense
5 shall establish an independent committee to prepare
6 the report required by this section.

7 (2) MEMBERS.—Subject to paragraph (3), the
8 committee established under paragraph (1) shall be
9 composed of members who—

10 (A) are designated by the Secretary of De-
11 fense; and

12 (B) have expertise determined to be rel-
13 evant by the Secretary

14 (3) LIMITATION.—No member of an Armed
15 Force or civilian employee of the Department of De-
16 fense may serve on the committee established under
17 paragraph (1).

18 (d) SPECIAL VICTIM OFFENSE DEFINED.—In this
19 section, the term “special victim offense” means an of-
20 fense specified in section 801(17) of title 10, United
21 States Code (article 1(17) of the Uniform Code of Military
22 Justice), as added by section 534 of this subtitle.

1 **SEC. 539H. REPORT ON IMPLEMENTATION OF CERTAIN**
2 **RECOMMENDATIONS OF THE INDEPENDENT**
3 **REVIEW COMMISSION ON SEXUAL ASSAULT**
4 **IN THE MILITARY.**

5 (a) **REPORT REQUIRED.**—Not later than 180 days
6 after the date of the enactment of this Act, the Secretary
7 of Defense shall submit to the Committees on Armed Serv-
8 ices of the Senate and the House of Representatives a re-
9 port on status of the implementation of the recommenda-
10 tions specified in subsection (c).

11 (b) **ELEMENTS.**—The report under subsection (a)
12 shall include the following:

13 (1) A description of the status of the implemen-
14 tation of each recommendation specified in sub-
15 section (c), including—

16 (A) whether, how, and to what extent the
17 recommendation has been implemented;

18 (B) any rules, regulations, policies, or
19 other guidance that have been issued, revised,
20 changed, or cancelled as a result of the imple-
21 mentation of the recommendation; and

22 (C) any impediments to the implementa-
23 tion of the recommendation.

24 (2) For each recommendation specified in sub-
25 section (c) that has not been fully implemented or
26 superseded by statute as of the date of the report,

1 a plan for the implementation of the recommenda-
2 tion, including identification of—

3 (A) intermediate actions, milestone dates,
4 and the expected completion date for implemen-
5 tation of the recommendation; and

6 (B) any rules, regulations, policies, or
7 other guidance that are expected to be issued,
8 revised, changed, or cancelled as a result of the
9 implementation of the recommendation.

10 (3) Any statutory changes identified as nec-
11 essary to fully implement the recommendations spec-
12 ified in subsection (c).

13 (c) RECOMMENDATIONS SPECIFIED.—The rec-
14 ommendations specified in this subsection are the fol-
15 lowing, as set forth in the report of the Independent Re-
16 view Commission on Sexual Assault in the Military titled
17 “Hard Truths and the Duty to Change: Recommendations
18 from the Independent Review Commission on Sexual As-
19 sault in the Military”, and dated July 2, 2021:

20 (1) Each recommendation under the heading
21 “Line of Effort 1: Accountability” as set forth in
22 section III such report.

23 (2) Each recommendation under the heading
24 “Line of Effort 2: Prevention” as set forth in sec-
25 tion III such report.

1 (3) Each recommendation under the heading
2 “Line of Effort 3: Climate and Culture” as set forth
3 in section III of such report.

4 (4) Each recommendation under the heading
5 “Line of Effort 4: Victim Care and Support” as set
6 forth in section III of such report.

7 **SEC. 539I. REPORT ON IMPLEMENTATION OF REC-**
8 **COMMENDATIONS AND OTHER ACTIVITIES TO**
9 **ADDRESS RACIAL, ETHNIC, AND GENDER DIS-**
10 **PARITIES IN THE MILITARY JUSTICE SYSTEM.**

11 Not later than 180 days after the date of the enact-
12 ment of this Act, the Secretary of Defense shall submit
13 to the Committees on Armed Services of the Senate and
14 the House of Representatives a report on status of the
15 Secretary’s efforts—

16 (1) to implement the recommendations set forth
17 in the May 2019 report of the Government Account-
18 ability Office titled “Military Justice: DOD and the
19 Coast Guard Need to Improve Their Capabilities to
20 Assess Racial and Gender Disparities” (GAO–19–
21 344); and

22 (2) to carry out the activities required under
23 section 540I(b) of the National Defense Authoriza-
24 tion Act for Fiscal Year 2020 (Public Law 116–92;
25 133 Stat. 1369; 10 U.S.C. 810 note).

1 **Subtitle E—Other Sexual Assault-**
2 **Related Matters**

3 **SEC. 541. INDEPENDENT INVESTIGATION OF COMPLAINTS**
4 **OF SEXUAL HARASSMENT.**

5 (a) IN GENERAL.—Section 1561 of title 10, United
6 States Code, is amended to read as follows:

7 **“§ 1561. Complaints of sexual harassment: inde-**
8 **pendent investigation**

9 “(a) ACTION ON COMPLAINTS ALLEGING SEXUAL
10 HARASSMENT.—A commanding officer or officer in charge
11 of a unit, vessel, facility, or area of an armed force, who
12 receives, from a member of the command or a member
13 under the supervision of the officer, a formal complaint
14 alleging sexual harassment by a member of the armed
15 forces shall, as soon as practicable after such receipt, for-
16 ward the complaint to an independent investigator.

17 “(b) COMMENCEMENT OF INVESTIGATION.—To the
18 extent practicable, an independent investigator shall com-
19 mence an investigation of a formal complaint of sexual
20 harassment not later than 72 hours after—

21 “(1) receiving a formal complaint of sexual har-
22 assment forwarded by a commanding officer or offi-
23 cer in charge under subsection (a); or

24 “(2) receiving a formal complaint of sexual har-
25 assment directly from a member of the armed forces.

1 “(c) DURATION OF INVESTIGATION.—To the extent
2 practicable, an investigation under subsection (b) shall be
3 completed not later than 14 days after the date on which
4 the investigation commences.

5 “(d) REPORT ON INVESTIGATION.—

6 “(1) If the investigation cannot be completed
7 within 14 days, not later than the 14th day after the
8 investigation commences, and every 14 days there-
9 after until the investigation is complete, the inde-
10 pendent investigator shall submit to the officer de-
11 scribed in subsection (a) a report on the progress
12 made in completing the investigation.

13 “(2) To the extent practicable, and as soon as
14 practicable upon completion of the investigation, the
15 officer described in subsection (a) shall notify the
16 complainant of the final results of the investigation,
17 including any action taken, or planned to be taken,
18 as a result of the investigation.

19 “(e) DEFINITIONS.—In this section:

20 “(1) The term ‘formal complaint’ means a com-
21 plaint—

22 “(A) that an individual files in writing;

23 and

1 “(B) in which the individual attests to the
2 accuracy of the information contained in the
3 complaint.

4 “(2) The term ‘independent investigator’ means
5 a member of the armed forces or a civilian employee
6 of the Department of Defense or the Coast Guard
7 who—

8 “(A) is outside the chain of command of
9 the complainant and the subject of the inves-
10 tigation; and

11 “(B) is trained in the investigation of sex-
12 ual harassment, as determined by—

13 “(i) the Secretary concerned, in the
14 case of a member of the armed forces;

15 “(ii) the Secretary of Defense, in the
16 case of a civilian employee of the Depart-
17 ment of Defense; or

18 “(iii) the Secretary of Homeland Se-
19 curity, in the case of a civilian employee of
20 the Coast Guard.

21 “(3) In this section, the term ‘sexual harass-
22 ment’ means any of the following:

23 “(A) Conduct that—

24 “(i) involves unwelcome sexual ad-
25 vances, requests for sexual favors, and de-

1 liberate or repeated offensive comments or
2 gestures of a sexual nature when—

3 “(I) submission to such conduct
4 is made either explicitly or implicitly a
5 term or condition of a person’s job,
6 pay, or career;

7 “(II) submission to or rejection
8 of such conduct by a person is used as
9 a basis for career or employment deci-
10 sions affecting that person; or

11 “(III) such conduct has the pur-
12 pose or effect of unreasonably inter-
13 fering with an individual’s work per-
14 formance or creates an intimidating,
15 hostile, or offensive working environ-
16 ment; and

17 “(ii) is so severe or pervasive that a
18 reasonable person would perceive, and the
19 victim does perceive, the environment as
20 hostile or offensive.

21 “(B) Any use or condonation, by any per-
22 son in a supervisory or command position, of
23 any form of sexual behavior to control, influ-
24 ence, or affect the career, pay, or job of a mem-
25 ber of the armed forces or a civilian employee

1 of the Department of Defense or the Coast
2 Guard.

3 “(C) Any deliberate or repeated unwelcome
4 verbal comment or gesture of a sexual nature
5 by any member of the armed forces or civilian
6 employee of the Department of Defense or the
7 Coast Guard.”.

8 (b) CLERICAL AMENDMENT.—The table of sections
9 at the beginning of chapter 80 of title 10 United States
10 Code is amended by striking the item relating to section
11 1561 and inserting the following new item:

“1561. Complaints of sexual harassment: independent investigation.”.

12 (c) EFFECTIVE DATE.—The amendments made by
13 subsections (a) and (b) shall—

14 (1) take effect on the date that is two years
15 after the date of the enactment of this Act; and

16 (2) apply to any investigation of a formal com-
17 plaint of sexual harassment (as those terms are de-
18 fined in section 1561 of title 10, United States
19 Code, as amended by subsection (a)) made on or
20 after that date.

21 (d) REPORT ON IMPLEMENTATION.—

22 (1) IN GENERAL.—Not later than one year
23 after the date of the enactment of this Act, each
24 Secretary concerned shall submit to the appropriate
25 congressional committees a report on preparation of

1 that Secretary to implement section 1561 of title 10,
2 United States Code, as amended by subsection (a).

3 (2) APPROPRIATE CONGRESSIONAL COMMIT-
4 TEES DEFINED.—In this section, the term “appro-
5 priate congressional committees” means—

6 (A) the Committee on Armed Services and
7 the Committee on Commerce, Science, and
8 Transportation of the Senate; and

9 (B) the Committee on Armed Services and
10 the Committee on Transportation and Infra-
11 structure of the House of Representatives.

12 **SEC. 542. MODIFICATION OF NOTICE TO VICTIMS OF PEND-**
13 **ENCY OF FURTHER ADMINISTRATIVE ACTION**
14 **FOLLOWING A DETERMINATION NOT TO**
15 **REFER TO TRIAL BY COURT-MARTIAL.**

16 Section 549 of the National Defense Authorization
17 Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C.
18 806b note) is amended—

19 (1) in the section heading, by striking “**AL-**
20 **LEGED SEXUAL ASSAULT**” and inserting “**AL-**
21 **LEGED SEX-RELATED OFFENSE**”;

22 (2) by striking “Under regulations” and insert-
23 ing “Notwithstanding section 552a of title 5, United
24 States Code, and under regulations”;

1 (3) by striking “alleged sexual assault” and in-
2 serting “an alleged sex-related offense (as defined in
3 section 1044e(h) of title 10, United States Code)”;
4 and

5 (4) by adding at the end the following new sen-
6 tence: “Upon such final determination, the com-
7 mander shall notify the victim of the type of action
8 taken on such case, the outcome of the action (in-
9 cluding any punishments assigned or characteriza-
10 tion of service, as applicable), and such other infor-
11 mation as the commander determines to be rel-
12 evant.”

13 **SEC. 543. MODIFICATIONS TO ANNUAL REPORT REGARD-**
14 **ING SEXUAL ASSAULTS INVOLVING MEMBERS**
15 **OF THE ARMED FORCES.**

16 (a) **ELIMINATION OF SUNSET AND INCLUSION OF**
17 **DEMOGRAPHIC INFORMATION.—**

18 (1) **IN GENERAL.—**Section 1631 of the Ike
19 Skelton National Defense Authorization Act for Fis-
20 cal Year 2011 (Public Law 111–383; 10 U.S.C.
21 1561 note) is amended—

22 (A) in subsection (a), by striking “through
23 March 1, 2021” and inserting “through March
24 1, 2026”; and

25 (B) in subsection (b)—

1 (i) in paragraph (3), by inserting “the
2 race and ethnicity of the victim and ac-
3 cused,” before “the action”; and

4 (ii) in paragraph (13)(B), by inserting
5 “, including the race and ethnicity of the
6 victim and accused” before the period at
7 the end.

8 (2) APPLICABILITY.—The amendments made
9 by paragraph (1) shall apply with respect to reports
10 required to be submitted under section 1631 of the
11 Ike Skelton National Defense Authorization Act for
12 Fiscal Year 2011 (Public Law 111–383; 10 U.S.C.
13 1561 note) after the date of the enactment of this
14 Act.

15 (b) ADDITIONAL PREVALENCE DATA.—

16 (1) IN GENERAL.—Paragraph (8) of section
17 1631(b) of the Ike Skelton National Defense Au-
18 thorization Act for Fiscal Year 2011 (Public Law
19 111–383; 10 U.S.C. 1561 note) is amended to read
20 as follows:

21 “(8) An analysis and assessment of trends in
22 the incidence, disposition, and prosecution of sexual
23 assaults by units, commands and other competent
24 authorities, and installations during the year covered
25 by the report, including trends relating to—

1 “(A) the prosecution of incidents and
2 avoidance of incidents; and

3 “(B) the prevalence of incidents, set forth
4 separately for—

5 “(i) each installation with 5,000 or
6 more servicemembers;

7 “(ii) the major career fields of any in-
8 dividuals involved in such incidents, includ-
9 ing the fields of combat arms, aviation, lo-
10 gistics, maintenance, administration, and
11 medical; and

12 “(iii) in the case of the Navy, the
13 operational status (whether sea duty or
14 shore duty) of any individuals involved in
15 such incidents.”.

16 (2) APPLICABILITY.—The amendment made by
17 paragraph (1) shall apply with respect to reports re-
18 quired to be submitted under section 1631 of the Ike
19 Skelton National Defense Authorization Act for Fis-
20 cal Year 2011 (Public Law 111–383; 10 U.S.C.
21 1561 note) after January 1, 2023.

22 **SEC. 544. CIVILIAN POSITIONS TO SUPPORT SPECIAL VIC-**
23 **TIMS’ COUNSEL.**

24 (a) CIVILIAN SUPPORT POSITIONS.—Each Secretary
25 of a military department may establish one or more civil-

1 ian positions within each office of the Special Victims'
2 Counsel under the jurisdiction of such Secretary.

3 (b) DUTIES.—The duties of each position under sub-
4 section (a) shall be—

5 (1) to provide support to Special Victims' Coun-
6 sel, including legal, paralegal, and administrative
7 support; and

8 (2) to ensure the continuity of legal services
9 and the preservation institutional knowledge in the
10 provision of victim legal services notwithstanding
11 transitions in the military personnel assigned to of-
12 fices of the Special Victims' Counsel.

13 (c) SPECIAL VICTIMS' COUNSEL DEFINED.—In this
14 section, the term “Special Victims' Counsel” means Spe-
15 cial Victims' Counsel described in section 1044e of title
16 10, United States Code, and in the case of the Navy and
17 Marine Corps, includes counsel designated as “Victims'
18 Legal Counsel”.

1 **SEC. 545. FEASIBILITY STUDY ON ESTABLISHMENT OF**
2 **CLEARINGHOUSE OF EVIDENCE-BASED PRAC-**
3 **TICES TO PREVENT SEXUAL ASSAULT, SUI-**
4 **CIDE, AND OTHER HARMFUL BEHAVIORS**
5 **AMONG MEMBERS OF THE ARMED FORCES**
6 **AND MILITARY FAMILIES.**

7 (a) STUDY.—The Secretary of Defense shall study
8 the feasibility of establishing a single, centralized clearing-
9 house of evidence-based practices to support the health
10 and well-being of members of the Armed Forces and mili-
11 tary families. and reduce harmful behaviors, through the
12 following activities:

13 (1) Establishment evidentiary standards to pro-
14 vide a common frame of reference for assessing the
15 strength of research evidence.

16 (2) In consultation with nondepartmental ex-
17 perts, identification of health and well-being domains
18 of interest, including the prevention of—

19 (A) sexual assault;

20 (B) harassment;

21 (C) substance abuse;

22 (D) workplace violence; and

23 (E) suicide.

24 (3) Provision of practical guidance about the ef-
25 fectiveness of evidence-based practices, including

1 how they can be implemented and steps for moni-
2 toring implementation and changes in behavior.

3 (b) REPORT.—Not later than six months after the
4 date of the enactment of this Act, the Secretary shall sub-
5 mit to the appropriate congressional committees a report
6 containing the results of the feasibility study under sub-
7 section (a) and related recommendations of the Secretary.

8 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
9 FINED.—In this section, the term “appropriate congres-
10 sional committees” means the following:

11 (1) The Committee on Armed Services of the
12 House of Representatives.

13 (2) The Committee on Armed Services of the
14 Senate.

15 (3) The Committee on Transportation and In-
16 frastructure of the House of Representatives.

17 (4) The Committee on Commerce, Science, and
18 Transportation of the Senate.

1 **Subtitle F—Member Education,**
2 **Training, and Transition**

3 **SEC. 551. TRAINING ON CONSEQUENCES OF COMMITTING A**
4 **CRIME IN PRESEPARATION COUNSELING OF**
5 **THE TRANSITION ASSISTANCE PROGRAM.**

6 (a) ESTABLISHMENT.—Subsection (b) of section
7 1142 of title 10, United States Code, is amended by add-
8 ing at the end the following new paragraph:

9 “(20) Training regarding the consequences to
10 such a member who is convicted of a crime, specifi-
11 cally regarding the loss of benefits from the Federal
12 Government to such member.”.

13 (b) IMPLEMENTATION DATE.—The Secretary con-
14 cerned shall carry out paragraph (20) of such subsection,
15 as added by subsection (a), not later than one year after
16 the date of the enactment of this Act.

17 (c) DEVELOPMENT.—The Secretary of Defense shall
18 develop the training under such paragraph.

19 (d) PROGRESS BRIEFING.—Not later than 180 days
20 of the enactment of this Act, the Secretary of Defense
21 shall provide a briefing to the Committees on Armed Serv-
22 ices of the Senate and House of Representatives regarding
23 progress of the Secretary in preparing the training under
24 such paragraph.

1 **SEC. 552. PARTICIPATION OF MEMBERS OF THE RESERVE**
2 **COMPONENTS OF THE ARMED FORCES IN**
3 **THE SKILLBRIDGE PROGRAM.**

4 Section 1143(e)(2) of title 10, United States Code,
5 is amended to read as follows:

6 “(2) A member of the armed forces is eligible for a
7 program under this subsection if—

8 “(A) the member—

9 “(i) has completed at least 180 days on ac-
10 tive duty in the armed forces; and

11 “(ii) is expected to be discharged or re-
12 leased from active duty in the armed forces
13 within 180 days of the date of commencement
14 of participation in such a program; or

15 “(B) the member is a member of a reserve com-
16 ponent.”.

17 **SEC. 553. EXPANSION AND CODIFICATION OF MATTERS**
18 **COVERED BY DIVERSITY TRAINING IN THE**
19 **DEPARTMENT OF DEFENSE.**

20 (a) IN GENERAL.—Chapter 101 of title 10, United
21 States Code, is amended by inserting before section 2002
22 the following new section:

23 **“§ 2001. Human relations, diversity, equity, and inclu-**
24 **sion training**

25 “(a) HUMAN RELATIONS, DIVERSITY, EQUITY, AND
26 INCLUSION TRAINING.—

1 “(1) The Secretary shall ensure that the Sec-
2 retary of a military department conducts ongoing
3 training programs regarding human relations, diver-
4 sity, equity, and inclusion for all covered individuals
5 under the jurisdiction of the Secretary of a military
6 department. Such training shall be tailored to spe-
7 cific leadership levels and local area requirements.

8 “(2) Matters to be covered by such training in-
9 clude the following:

10 “(A) Racism.

11 “(B) Discrimination on the basis of sex
12 (including pregnancy, sexual orientation, and
13 gender identity).

14 “(C) Discrimination on the basis of age.

15 “(D) Discrimination on the basis of reli-
16 gion.

17 “(E) Discrimination on the basis of na-
18 tional origin.

19 “(F) Discrimination on the basis of color.

20 “(G) Discrimination on the basis of paren-
21 tal status.

22 “(H) Conscious and unconscious bias.

23 “(I) Discrimination based on disability,
24 both physical and mental.

1 “(J) Failure to provide a reasonable ac-
2 commodation.

3 “(K) Whistleblowers and information re-
4 garding how to file an equal opportunity com-
5 plaint.

6 “(L) Reprisal.

7 “(M) Harassment and hostile environment.

8 “(N) Procedures for reporting and obtain-
9 ing relief for discrimination, retaliation, hostile
10 work environment with respect to each compo-
11 nent of the workforce.

12 “(O) Procedures for appealing Equal Op-
13 portunity and Equal Employment Opportunity
14 complaints with respect to each component of
15 the workforce.

16 “(P) Any other matter the Secretary of
17 Defense determines appropriate.

18 “(3) Such training shall be provided during the
19 following:

20 “(A) Initial entry training.

21 “(B) Annual refresher training.

22 “(C) Professional military education.

23 “(D) Peer education.

24 “(E) Specialized leadership training.

1 “(F) Any other time the Secretary of De-
2 fense determines appropriate.

3 “(4) The Secretary of Defense shall ensure that
4 such measures are taken to provide appropriate
5 metrics and measurement of these efforts.

6 “(5) The Secretary of Defense shall ensure that
7 unit commanders are aware of their responsibility to
8 ensure that activity based upon discriminatory mo-
9 tives does not occur in units under their command.

10 “(b) INFORMATION PROVIDED TO PROSPECTIVE RE-
11 CRUITS.—The Secretary of Defense shall ensure that a
12 covered individual preparing to enter an officer accession
13 program or to execute an original enlistment agreement
14 or serve as a civilian employee—

15 “(1) is provided information concerning the
16 meaning of the oath of office or oath of enlistment
17 for service in the armed forces, including conduct ex-
18 pected under such oath; and

19 “(2) is informed that if supporting such guar-
20 antees is not possible personally for that covered in-
21 dividual, then that covered individual should decline
22 to join the Armed Forces.

23 “(c) COVERED INDIVIDUAL DEFINED.—In this sec-
24 tion, the term ‘covered individual’ includes—

25 “(1) a member of the Armed Forces;

1 “(2) a civilian employee of the Department; and

2 “(3) a contractor or sub-contractor providing
3 support to the Department.”.

4 (b) TECHNICAL AND CONFORMING AMENDMENTS.—

5 (1) TECHNICAL AMENDMENT.—The table of
6 sections at the beginning of such chapter is amended
7 by inserting before the item relating to section 2002
8 the following new item:

 “2001. Human relations, diversity, equity, and inclusion training.”.

9 (2) CONFORMING AMENDMENT.—Section 571
10 of the National Defense Authorization Act for Fiscal
11 Year 1997 (Public Law 104–201; 10 U.S.C. 113
12 note) is repealed.

13 **SEC. 554. EXPANSION OF JUNIOR RESERVE OFFICERS’**
14 **TRAINING CORPS PROGRAM.**

15 (a) EXPANSION OF JROTC CURRICULUM.—Para-
16 graph (3) of section 2031(b) of title 10, United States
17 Code, is amended to read as follows:

18 “(3) the institution provides a course of mili-
19 tary instruction of not less than three academic
20 years’ duration, as prescribed by the Secretary of
21 the military department concerned—

22 “(A) which shall include an introduction to
23 service opportunities in military, national, and
24 public service; and

1 “(B) which may include instruction or ac-
2 tivities in the fields of science, technology, engi-
3 neering, and mathematics;”.

4 (b) PLAN TO INCREASE NUMBER OF JROTC
5 UNITS.—The Secretary of Defense may, in consultation
6 with the Secretaries of the military departments, develop
7 and implement a plan to establish and support not fewer
8 than 6,000 units of the Junior Reserve Officers’ Training
9 Corps by September 30, 2031.

10 (c) REPORT REQUIRED.—Not later than one year
11 after the date of the enactment of this Act, the Secretary
12 of Defense shall submit to the Committees on Armed Serv-
13 ices of the Senate and the House of Representatives a re-
14 port on the status of the Junior Reserve Officers’ Training
15 Corps programs of each Armed Force. The report shall
16 include—

17 (1) an assessment of the current usage of the
18 program, including the number of individuals en-
19 rolled in the program and the number of units estab-
20 lished under the program;

21 (2) a description of the efforts of the Armed
22 Forces to meet current enrollment targets for the
23 program;

24 (3) an explanation of the reasons such enroll-
25 ment targets have not been met, if applicable;

1 (4) a description of any obstacles preventing the
2 Armed Forces from meeting such enrollment targets;
3 and

4 (5) a comparison of the potential benefits and
5 drawbacks of expanding the program.

6 **SEC. 555. DEFENSE LANGUAGE INSTITUTE FOREIGN LAN-**
7 **GUAGE CENTER.**

8 (a) AUTHORITY TO AWARD BACHELOR'S DE-
9 GREES.—Section 2168 of title 10, United States Code, is
10 amended—

11 (1) in the section heading, by striking “**Asso-**
12 **ciate**” and inserting “**Associate or Bachelor**”;
13 and

14 (2) by amending subsection (a) to read as fol-
15 lows:

16 “(a) Subject to subsection (b), the Commandant of
17 the Defense Language Institute may confer—

18 “(1) an Associate of Arts degree in a foreign
19 language upon any graduate of the Foreign Lan-
20 guage Center of the Institute who fulfills the re-
21 quirements for that degree; or

22 “(2) a Bachelor of Arts degree in a foreign lan-
23 guage upon any graduate of the Foreign Language
24 Center of the Institute who fulfills the requirements
25 for that degree.”.

1 (b) CLERICAL AMENDMENT.—The table of sections
2 at the beginning of chapter 108 of title 10, United States
3 Code, is amended by striking the item relating to section
4 2168 and inserting the following new item:

“2168. Defense Language Institute Foreign Language Center: degree of Associate or Bachelor of Arts in foreign language.”.

5 **SEC. 556. ALLOCATION OF AUTHORITY FOR NOMINATIONS**
6 **TO THE MILITARY SERVICE ACADEMIES IN**
7 **THE EVENT OF THE DEATH, RESIGNATION,**
8 **OR EXPULSION FROM OFFICE OF A MEMBER**
9 **OF CONGRESS.**

10 (a) UNITED STATES MILITARY ACADEMY.—

11 (1) IN GENERAL.—Chapter 753 of title 10,
12 United States Code, is amended by inserting after
13 section 7442 the following new section:

14 **“§ 7442a. Cadets: nomination in event of death, res-**
15 **ignation, or expulsion from office of**
16 **member of Congress otherwise author-**
17 **ized to nominate**

18 “(a) SENATORS.—In the event a Senator does not
19 submit nominations for cadets for an academic year in ac-
20 cordance with section 7442(a)(3) of this title due to death,
21 resignation from office, or expulsion from office and the
22 date of the swearing-in of the Senator’s successor as Sen-
23 ator occurs after the date of the deadline for submittal
24 of nominations for cadets for the academic year, the nomi-

1 nations for cadets otherwise authorized to be made by the
2 Senator pursuant to such section shall be made instead
3 by the other Senator from the State concerned.

4 “(b) REPRESENTATIVES.—In the event a Representa-
5 tive from a State does not submit nominations for cadets
6 for an academic year in accordance with section
7 7442(a)(4) of this title due to death, resignation from of-
8 fice, or expulsion from office and the date of the swearing-
9 in of the Representative’s successor as Representative oc-
10 curs after the date of the deadline for submittal of nomi-
11 nations for cadets for the academic year, the nominations
12 for cadets otherwise authorized to be made by the Rep-
13 resentative pursuant to such section shall be made instead
14 by the Senators from the State from the district of the
15 Representative, with such nominations divided equally
16 among such Senators and any remainder going to the sen-
17 ior Senator from the State.

18 “(c) CONSTRUCTION OF AUTHORITY.—Any nomina-
19 tion for cadets made by a Senator pursuant to this section
20 is in addition to any nomination for cadets otherwise au-
21 thorized the Senator under section 7442 of this title or
22 any other provision of law.”.

23 (2) CLERICAL AMENDMENT.—The table of sec-
24 tions at the beginning of chapter 753 of such title

1 is amended by inserting after the item relating to
2 section 7442 the following new item:

“7442a. Cadets: nomination in event of death, resignation, or expulsion from office of member of Congress otherwise authorized to nominate.”.

3 (b) UNITED STATES NAVAL ACADEMY.—

4 (1) IN GENERAL.—Chapter 853 of title 10,
5 United States Code, is amended by inserting after
6 section 8454 the following new section:

7 **“§ 8454a. Midshipmen: nomination in event of death,**
8 **resignation, or expulsion from office of**
9 **member of Congress otherwise author-**
10 **ized to nominate**

11 “(a) SENATORS.—In the event a Senator does not
12 submit nominations for midshipmen for an academic year
13 in accordance with section 8454(a)(3) of this title due to
14 death, resignation from office, or expulsion from office and
15 the date of the swearing-in of the Senator’s successor as
16 Senator occurs after the date of the deadline for submittal
17 of nominations for midshipmen for the academic year, the
18 nominations for midshipmen otherwise authorized to be
19 made by the Senator pursuant to such section shall be
20 made instead by the other Senator from the State con-
21 cerned.

22 “(b) REPRESENTATIVES.—In the event a Representa-
23 tive from a State does not submit nominations for mid-
24 shipmen for an academic year in accordance with section

1 8454(a)(4) of this title due to death, resignation from of-
2 fice, or expulsion from office and the date of the swearing-
3 in of the Representative's successor as Representative oc-
4 curs after the date of the deadline for submittal of nomi-
5 nations for midshipmen for the academic year, the nomi-
6 nations for midshipmen otherwise authorized to be made
7 by the Representative pursuant to such section shall be
8 made instead by the Senators from the State from the
9 district of the Representative, with such nominations di-
10 vided equally among such Senators and any remainder
11 going to the senior Senator from the State.

12 “(c) CONSTRUCTION OF AUTHORITY.—Any nomina-
13 tion for midshipmen made by a Senator pursuant to this
14 section is in addition to any nomination for midshipmen
15 otherwise authorized the Senator under section 8454 of
16 this title or any other provision of law.”.

17 (2) CLERICAL AMENDMENT.—The table of sec-
18 tions at the beginning of chapter 853 of such title
19 is amended by inserting after the item relating to
20 section 8454 the following new item:

“8454a. Midshipmen: nomination in event of death, resignation, or expulsion
from office of member of Congress otherwise authorized to
nominate.”.

21 (c) AIR FORCE ACADEMY.—

22 (1) IN GENERAL.—Chapter 953 of title 10,
23 United States Code, is amended by inserting after
24 section 9442 the following new section:

1 **“§ 9442a. Cadets: nomination in event of death, res-**
2 **ignation, or expulsion from office of**
3 **member of Congress otherwise author-**
4 **ized to nominate**

5 “(a) SENATORS.—In the event a Senator does not
6 submit nominations for cadets for an academic year in ac-
7 cordance with section 9442(a)(3) of this title due to death,
8 resignation from office, or expulsion from office and the
9 date of the swearing-in of the Senator’s successor as Sen-
10 ator occurs after the date of the deadline for submittal
11 of nominations for cadets for the academic year, the nomi-
12 nations for cadets otherwise authorized to be made by the
13 Senator pursuant to such section shall be made instead
14 by the other Senator from the State concerned.

15 “(b) REPRESENTATIVES.—In the event a Representa-
16 tive from a State does not submit nominations for cadets
17 for an academic year in accordance with section
18 9442(a)(4) of this title due to death, resignation from of-
19 fice, or expulsion from office and the date of the swearing-
20 in of the Representative’s successor as Representative oc-
21 curs after the date of the deadline for submittal of nomi-
22 nations for cadets for the academic year, the nominations
23 for cadets otherwise authorized to be made by the Rep-
24 resentative pursuant to such section shall be made instead
25 by the Senators from the State from the district of the
26 Representative, with such nominations divided equally

1 among such Senators and any remainder going to the sen-
2 ior Senator from the State.

3 “(c) CONSTRUCTION OF AUTHORITY.—Any nomina-
4 tion for cadets made by a Senator pursuant to this section
5 is in addition to any nomination of cadets otherwise au-
6 thorized the Senator under section 9442 of this title or
7 any other provision of law.”.

8 (2) CLERICAL AMENDMENT.—The table of sec-
9 tions at the beginning of chapter 953 of such title
10 is amended by inserting after the item relating to
11 section 9442 the following new item:

“9442a. Cadets: nomination in event of death, resignation, or expulsion from of-
fice of member of Congress otherwise authorized to nominate.”.

12 (d) REPORT.—Not later than September 30, 2022,
13 the Secretary of Defense shall submit to the Committees
14 on Armed Services of the Senate and House of Represent-
15 atives a report regarding implementation of the amend-
16 ments under this section, including—

17 (1) the estimate of the Secretary regarding the
18 frequency with which the authorities under such
19 amendments will be used each year; and

20 (2) the number of times a Member of Congress
21 has failed to submit nominations to the military
22 academies due to death, resignation from office, or
23 expulsion from office.

1 **SEC. 557. VOTES REQUIRED TO CALL A MEETING OF THE**
2 **BOARD OF VISITORS OF A MILITARY SERVICE**
3 **ACADEMY.**

4 (a) UNITED STATES MILITARY ACADEMY.—Section
5 7455 of title 10, United States Code, is amended by add-
6 ing at the end the following new subsection:

7 “(i) A majority of the members of the Board may
8 call an official meeting of the Board at any time.”.

9 (b) UNITED STATES NAVAL ACADEMY.—Section
10 8468 of title 10, United States Code, is amended by add-
11 ing at the end the following new subsection:

12 “(i) A majority of the members of the Board may
13 call an official meeting of the Board at any time.”.

14 (c) UNITED STATES AIR FORCE ACADEMY.—Section
15 9455 of title 10, United States Code, is amended by add-
16 ing at the end the following new subsection:

17 “(i) A majority of the members of the Board may
18 call an official meeting of the Board at any time.”.

19 **SEC. 558. UNITED STATES NAVAL COMMUNITY COLLEGE.**

20 (a) ESTABLISHMENT.—Chapter 859 of title 10,
21 United States Code, is amended by adding at the end the
22 following new section:

1 **“§ 8595. United States Naval Community College: es-**
2 **tabishment and degree granting author-**
3 **ity**

4 “(a) ESTABLISHMENT AND FUNCTION.—There is a
5 United States Naval Community College. The primary
6 function of such College shall be to provide—

7 “(1) programs of academic instruction and pro-
8 fessional and technical education for individuals de-
9 scribed in subsection (b) in—

10 “(A) academic and technical fields of the
11 liberal arts and sciences which are relevant to
12 the current and future needs of the Navy and
13 Marine Corps; and

14 “(B) their practical duties;

15 “(2) remedial, developmental, or continuing
16 education programs, as prescribed by the Secretary
17 of the Navy, which are necessary to support, main-
18 tain, or extend programs under paragraph (1);

19 “(3) support and advisement services for indi-
20 viduals pursuing such programs; and

21 “(4) continuous monitoring of the progress of
22 such individuals.

23 “(b) INDIVIDUALS ELIGIBLE FOR PROGRAMS.—Sub-
24 ject to such other eligibility requirements as the Secretary
25 of the Navy may prescribe, the following individuals are

1 eligible to participate in programs and services under sub-
2 section (a):

3 “(1) Enlisted members of the Navy and Marine
4 Corps.

5 “(2) Officers of the Navy and Marine Corps
6 who hold a commission but have not completed a
7 postsecondary degree.

8 “(3) Civilian employees of the Department of
9 the Navy.

10 “(4) Other individuals, as determined by the
11 Secretary of the Navy, so long as access to programs
12 and services under subsection (a) by such individuals
13 is—

14 “(A) in alignment with the mission of the
15 United States Naval Community College; and

16 “(B) determined to support the mission or
17 needs of the Department of the Navy.

18 “(c) DEGREE AND CREDENTIAL GRANTING AUTHOR-
19 ITY.—

20 “(1) IN GENERAL.—Under regulations pre-
21 scribed by the Secretary of the Navy, the head of
22 the United States Naval Community College may,
23 upon the recommendation of the directors and fac-
24 ulty of the College, confer appropriate degrees or

1 academic credentials upon graduates who meet the
2 degree or credential requirements.

3 “(2) LIMITATION.—A degree or credential may
4 not be conferred under this subsection unless—

5 “(A) the Secretary of Education has rec-
6 ommended approval of the degree or credential
7 in accordance with the Federal Policy Gov-
8 erning Granting of Academic Degrees by Fed-
9 eral Agencies; and

10 “(B) the United States Naval Community
11 College is accredited by the appropriate civilian
12 academic accrediting agency or organization to
13 award the degree or credential, as determined
14 by the Secretary of Education.

15 “(3) CONGRESSIONAL NOTIFICATION REQUIRE-
16 MENTS.—

17 “(A) When seeking to establish degree or
18 credential granting authority under this sub-
19 section, the Secretary of Defense shall submit
20 to the Committees on Armed Services of the
21 Senate and House of Representatives—

22 “(i) a copy of the self assessment
23 questionnaire required by the Federal Pol-
24 icy Governing Granting of Academic De-
25 grees by Federal Agencies, at the time the

1 assessment is submitted to the Department
2 of Education's National Advisory Com-
3 mittee on Institutional Quality and Integ-
4 rity; and

5 “(ii) the subsequent recommendations
6 and rationale of the Secretary of Edu-
7 cation regarding the establishment of the
8 degree or credential granting authority.

9 “(B) Upon any modification or redesigna-
10 tion of existing degree or credential granting
11 authority, the Secretary of Defense shall submit
12 to the Committees on Armed Services of the
13 Senate and House of Representatives a report
14 containing the rationale for the proposed modi-
15 fication or redesignation and any subsequent
16 recommendation of the Secretary of Education
17 on the proposed modification or redesignation.

18 “(C) The Secretary of Defense shall sub-
19 mit to the Committees on Armed Services of
20 the Senate and House of Representatives a re-
21 port containing an explanation of any action by
22 the appropriate academic accrediting agency or
23 organization not to accredit the United States
24 Naval Community College to award any new or
25 existing degree or credential.

1 “(d) CIVILIAN FAULTY MEMBERS.—

2 “(1) AUTHORITY OF SECRETARY.—The Sec-
3 retary of the Navy may employ as many civilians as
4 professors, instructors, and lecturers at the United
5 States Naval Community College as the Secretary
6 considers necessary.

7 “(2) COMPENSATION.—The compensation of
8 persons employed under this subsection shall be pre-
9 scribed by the Secretary of the Navy.”.

10 (b) CLERICAL AMENDMENT.—The table of sections
11 at the beginning of chapter 859 of title 10, United States
12 Code, is amended by adding at the end the following new
13 item:

“8595. United States Naval Community College: establishment and degree
granting authority.”.

14 **SEC. 559. CODIFICATION OF ESTABLISHMENT OF UNITED**
15 **STATES AIR FORCE INSTITUTE OF TECH-**
16 **NOLOGY.**

17 (a) IN GENERAL.—Chapter 951 of title 10, United
18 States Code, is amended by inserting before section 9414
19 the following new section:

20 **“§ 9413. United States Air Force Institute of Tech-**
21 **nology: establishment**

22 “There is in the Department of the Air Force a
23 United States Air Force Institute of Technology, the pur-
24 poses of which are to perform research and to provide,

1 to members of the Air Force and Space Force (including
2 the reserve components) and civilian employees of such
3 Department, advanced instruction and technical education
4 regarding their duties.”.

5 (b) CLERICAL AMENDMENT.—The table of sections
6 at the beginning of such chapter is amended by inserting,
7 before the item relating to section 9414, the following new
8 item:

“9413. United States Air Force Institute of Technology: establishment.”.

9 **SEC. 559A. CLARIFICATIONS REGARDING SCOPE OF EM-**
10 **PLOYMENT AND REEMPLOYMENT RIGHTS OF**
11 **MEMBERS OF THE UNIFORMED SERVICES.**

12 (a) CLARIFICATION REGARDING DEFINITION OF
13 RIGHTS AND BENEFITS.—Section 4303(2) of title 38,
14 United States Code, is amended—

15 (1) by inserting “(A)” before “The term”; and

16 (2) by adding at the end the following new sub-
17 paragraph:

18 “(B) Any procedural protections or provisions
19 set forth in this chapter shall also be considered a
20 right or benefit subject to the protection of this
21 chapter.”.

22 (b) CLARIFICATION REGARDING RELATION TO
23 OTHER LAW AND PLANS FOR AGREEMENTS.—Section
24 4302 of such title is amended by adding at the end the
25 following:

1 “(c)(1) Pursuant to this section and the procedural
2 rights afforded by subchapter III of this chapter, any
3 agreement to arbitrate a claim under this chapter is unen-
4 forceable, unless all parties consent to arbitration after a
5 complaint on the specific claim has been filed in court or
6 with the Merit Systems Protection Board and all parties
7 knowingly and voluntarily consent to have that particular
8 claim subjected to arbitration.

9 “(2) For purposes of this subsection, consent shall
10 not be considered voluntary when a person is required to
11 agree to arbitrate an action, complaint, or claim alleging
12 a violation of this chapter as a condition of future or con-
13 tinued employment, advancement in employment, or re-
14 ceipt of any right or benefit of employment.”.

15 **SEC. 559B. CLARIFICATION AND EXPANSION OF PROHIBI-**
16 **TION ON GENDER-SEGREGATED TRAINING IN**
17 **THE MARINE CORPS.**

18 Section 565 of the National Defense Authorization
19 Act for Fiscal Year 2020 (10 U.S.C. 8431 note prec.) is
20 amended—

21 (1) in the heading, by inserting “**AND OFFI-**
22 **CER CANDIDATES SCHOOL**” after “**DEPOTS**”;

23 (2) in subsection (a)(1)—

24 (A) by striking “training” and inserting
25 “no training platoon” ; and

1 (B) by striking “not”;

2 (3) in subsection (b)(1)—

3 (A) by striking “training” and inserting
4 “no training platoon” ; and

5 (B) by striking “not”; and

6 (4) by adding at the end the following new sub-
7 sections:

8 “(c) NEW LOCATION.—No training platoon at a Ma-
9 rine Corps recruit depot established after the date of the
10 enactment of this Act may be segregated based on gender.

11 “(d) OFFICER CANDIDATES SCHOOL.—

12 “(1) PROHIBITION.—Subject to paragraph (2),
13 training at Officer Candidates School, Quantico, Vir-
14 ginia, may not be segregated based on gender.

15 “(2) DEADLINE.—The Commandant of the Ma-
16 rine Corps shall carry out this subsection not later
17 than five years after the date of the enactment of
18 this Act.”.

19 **SEC. 559C. REQUIREMENT TO ISSUE REGULATIONS ENSUR-**
20 **ING CERTAIN PARENTAL GUARDIANSHIP**
21 **RIGHTS OF CADETS AND MIDSHIPMEN.**

22 (a) REGULATIONS REQUIRED.—

23 (1) IN GENERAL.—Each Secretary concerned
24 shall prescribe by regulation policies ensuring that
25 the parental guardianship rights of cadets and mid-

1 shipmen are protected consistent with individual and
2 academic responsibilities.

3 (2) PROTECTION OF PARENTAL GUARDIANSHIP
4 RIGHTS.—The regulations prescribed under para-
5 graph (1) shall provide that—

6 (A) a cadet or midshipman of a covered
7 service academy may not be required to give up
8 such cadet or midshipman’s parental guardian-
9 ship rights in the event of a pregnancy occur-
10 ring after the beginning of such cadet or mid-
11 shipman’s first day of academic courses;

12 (B) except as provided under paragraph
13 (3), a covered service academy may not involun-
14 tarily dis-enroll a cadet or midshipman who be-
15 comes pregnant or fathers a child while enrolled
16 at such academy after the first day of academic
17 courses; and

18 (C) a cadet or midshipman who becomes
19 pregnant or fathers a child while enrolled at a
20 covered service academy shall be allowed to take
21 leave for up to one year and return to the acad-
22 emy to resume classes afterward.

23 (3) RESPONSIBILITIES OF PARENTS ENROLLED
24 AT COVERED SERVICE ACADEMIES.—The regulations
25 prescribed under paragraph (1) shall require cadets

1 and midshipmen with dependents to establish a fam-
2 ily care plan in consultation with and approved by
3 appropriate academy leadership. The family care
4 plan shall—

5 (A) designate a full-time care provider,
6 such as another parent or guardian of the de-
7 pendent or a family member of the cadet or
8 midshipman, who shall—

9 (i) be responsible for the dependent;

10 (ii) not be enrolled at a covered serv-
11 ice academy; and

12 (iii) have either full power-of-attorney
13 or guardianship rights in order to prevent
14 situations where such cadet or midshipman
15 is pulled away from such cadet or mid-
16 shipman's duties and responsibilities at the
17 covered service academy;

18 (B) ensure that such cadet or mid-
19 shipman—

20 (i) does not rely on base facilities or
21 child-care services and is able to function
22 as any other cadet or midshipman, includ-
23 ing residing in covered service academy
24 dormitories;

1 (ii) except as provided under para-
2 graphs (4) and (5)(B)(i), does not receive
3 additional compensation benefits or conces-
4 sions from the covered service academy on
5 account of having a dependent, including
6 money, leave, or liberty;

7 (iii) is not be excused on account of
8 such dependent from standard classes,
9 training, traveling, fitness requirements, or
10 any other responsibilities inherent to at-
11 tending a covered service academy; and

12 (C) ensure, that if both parents of a de-
13 pendent are cadets or midshipmen at a covered
14 service academy, the parents shall agree on the
15 family care plan or face expulsion (with no in-
16 curred obligations).

17 (4) OPTIONS FOR PREGNANT CADETS AND MID-
18 SHIPMEN.—The regulations prescribed under para-
19 graph (1) shall provide that females becoming preg-
20 nant while enrolled at a covered service academy
21 shall have, at a minimum, the following options:

22 (A) At the conclusion of the current semes-
23 ter or when otherwise deemed medically appro-
24 priate, taking leave from the covered service

1 academy for up to one year followed by a return
2 to full cadet or midshipman status.

3 (B) Seek a transfer to a university with a
4 Reserve Officers' Training Corps for the Armed
5 Force under the military department concerned.

6 (C) Full release from the covered service
7 academy and any related obligations.

8 (D) Enlistment in active-duty service, with
9 all of the attendant benefits.

10 (5) TREATMENT OF MALES FATHERING A
11 CHILD WHILE ENROLLED AT COVERED SERVICE
12 ACADEMIES.—The regulations prescribed under
13 paragraph (1) shall provide that males fathering a
14 child while enrolled at a covered service academy—

15 (A) shall not be required to give up paren-
16 tal rights; and

17 (B) shall not acquire any benefits or leave
18 considerations as a result of fathering a child,
19 except that—

20 (i) academy leadership shall establish
21 policies to allow cadets and midshipmen at
22 least one week of leave to attend the birth
23 of such child, which must be used in con-
24 junction with the birth; and

1 (ii) in the event the male father be-
2 comes the sole financial provider for a de-
3 pendent, the academy shall provide the fa-
4 ther the same options available to a cadet
5 or midshipman who becomes a mother
6 while enrolled, including remaining enrolled
7 in accordance with a family care plan es-
8 tablished pursuant to paragraph (3) or se-
9 lecting one of the options specified in sub-
10 paragraphs (B) and (C) of paragraph (4).

11 (6) RULE OF CONSTRUCTION.—Nothing in this
12 section shall be construed as requiring or providing
13 for the changing of admission requirements at any
14 of the covered service academies.

15 (b) DEFINITIONS.—In this section:

16 (1) The term “covered service academy” means
17 the following:

18 (A) The United States Military Academy,
19 West Point, New York.

20 (B) The United States Naval Academy,
21 Annapolis, Maryland.

22 (C) The United States Air Force Academy,
23 Colorado Springs, Colorado.

24 (D) The United States Coast Guard Acad-
25 emy, New London, Connecticut.

1 (E) The United States Merchant Marine
2 Academy, Kings Point, New York.

3 (2) The term “Secretary concerned” means—

4 (A) with respect to the United States Mili-
5 tary Academy, the United States Naval Acad-
6 emy, and the United States Air Force Academy,
7 the Secretary of Defense, in consultation with
8 the Secretaries of the military departments and
9 the Superintendent of each such academy;

10 (B) with respect to the United States
11 Coast Guard Academy, the Secretary of Home-
12 land Security, in consultation with the Com-
13 mandant of the Coast Guard and the Super-
14 intendent of the Coast Guard Academy; and

15 (C) with respect to the United States Mer-
16 chant Marine Academy, the Secretary of Trans-
17 portation, in consultation with the Adminis-
18 trator of the Maritime Administration and the
19 Superintendent of the Merchant Marine Acad-
20 emy.

21 **SEC. 559D. DEFENSE LANGUAGE CONTINUING EDUCATION**
22 **PROGRAM.**

23 (a) IN GENERAL.—Not later than 120 days after the
24 date of the enactment of this Act, the Under Secretary
25 of Defense for Personnel and Readiness shall coordinate

1 with the Director of the Defense Intelligence Agency to
2 designate an executive agent for commercially available
3 advanced foreign language training to meet operational
4 readiness requirements of the Department of Defense.

5 (b) ELEMENTS.—The executive agent designated in
6 subsection (a) shall be responsible for the following:

7 (1) Developing policies, procedures, and cur-
8 ricula to allow for continuing language training
9 when linguists transition to operational environ-
10 ments from education or training environments,
11 such as the Defense Language Institute, the Defense
12 Language and National Security Education Office,
13 or service-based training.

14 (2) Identifying the resourcing requirements nec-
15 essary for each armed force to have access to the
16 following foreign language training elements:

17 (A) A foreign language and current culture
18 training and maintenance virtual immersion
19 program covering strategic languages (as des-
20 ignated by the Federal Government), with a
21 range of multimedia materials including—

22 (i) current and authentic copyrighted
23 multimedia content (video, audio, print,
24 etc.), in multiple genres, that have been
25 cleared for legal use;

1 (ii) foreign-originated newscasts and
2 interviews with foreign speakers; and

3 (iii) any other content determined by
4 the executive agent to be necessary for per-
5 sonnel to acquire proper vocabulary, phra-
6 seology, and enhanced understanding of
7 the nuances associated with foreign cul-
8 tures.

9 (B) Anytime accessibility, both on-line and
10 via mobile device.

11 (C) Training programs with success proven
12 by previous partnerships with academic institu-
13 tions in the United States or other departments
14 and agencies of the Federal Government.

15 (c) REIMBURSEMENT AUTHORITY.—Not later than
16 180 days after the date of the enactment of this Act, the
17 executive agent, in coordination with the chief of each cov-
18 ered Armed Force, shall establish a procedure through
19 which the Armed Force shall reimburse any organization
20 of the Department of Defense that provides instruction
21 under this section to members of that Armed Force for
22 the costs of such instruction.

23 (d) COVERED ARMED FORCE DEFINED.—In this sec-
24 tion, the term “covered Armed Force” means the Army,
25 Navy, Air Force, Marine Corps, and Space Force.

1 **SEC. 559E. PUBLIC-PRIVATE CONSORTIUM TO IMPROVE**
2 **PROFESSIONAL MILITARY EDUCATION.**

3 (a) ESTABLISHMENT.—The Secretary of Defense,
4 acting through the Chairman of the Joint Chiefs of Staff
5 and in consultation with the Under Secretary of Defense
6 for Personnel and Readiness, may establish and maintain
7 a public-private consortium (referred to in this section as
8 the “Consortium”) to improve and broaden professional
9 military education for military officers and civilian em-
10 ployees of the Federal Government.

11 (b) DIRECTORS.—

12 (1) IN GENERAL.—The President of the Na-
13 tional Defense University and the head of a civilian
14 institution of higher education appointed in accord-
15 ance with paragraph (3) shall serve as co-directors
16 of the Consortium.

17 (2) RESPONSIBILITIES OF CO-DIRECTORS.—The
18 co-directors shall be responsible for—

19 (A) the administration and management of
20 the Consortium; and

21 (B) developing a common curriculum for
22 professional military education using input re-
23 ceived from members of the Consortium.

24 (3) APPOINTMENT OF CO-DIRECTOR FROM CI-
25 VILIAN INSTITUTION.—Not later than June 1, 2022,
26 the Secretary of Defense shall appoint an individual

1 who is the President or Chancellor of a civilian insti-
2 tution of higher education to serve as co-director of
3 the Consortium as described in paragraph (1).

4 (4) TERM OF CO-DIRECTOR.—The co-director
5 appointed under paragraph (3) shall serve an initial
6 term of five years. The Secretary of Defense may re-
7 appoint such co-director for one or more additional
8 terms of not more than five years, as the Secretary
9 determines appropriate.

10 (5) AUTHORITY.—In the event that a conflict
11 arises between co-directors of the Consortium, the
12 conflict shall be resolved by the Director for Joint
13 Force Development of the Joint Chiefs of Staff (J-
14 7).

15 (c) ACTIVITIES OF CONSORTIUM.—The Consortium
16 shall carry out the following activities:

17 (1) Bring the military education system (includ-
18 ing military service academies, institutions that pro-
19 vide professional military education, and other insti-
20 tutions the provide military education) together with
21 a broad group of civilian institutions of higher edu-
22 cation, policy research institutes, and the commercial
23 sector to develop and continually update a research-
24 based curriculum to prepare early career, mid-ca-
25 reer, and senior military officers and civilian employ-

1 ees of the Federal Government to succeed in an era
2 that will be predominantly defined by great power
3 competition and in which security challenges will
4 transcend the traditional areas of defense expertise,
5 becoming more complex and inter-related than be-
6 fore, with disruptions that will manifest rapidly and
7 with little warning.

8 (2) Train military officers and civilian edu-
9 cators serving in the joint professional military edu-
10 cation system to implement the curriculum developed
11 under paragraph (2) at the institutions they serve.

12 (3) On a regular basis, make recommendations
13 to the Secretary about how the joint professional
14 military education system should be modified to
15 meet the challenges of apparent or possible future
16 defense, national security, and international environ-
17 ments.

18 (d) MEMBERS.—The Consortium shall be composed
19 of representatives selected by the Secretary of Defense
20 from the following organizations:

21 (1) Organizations within the joint professional
22 military education system.

23 (2) Military service academies.

24 (3) Other institutions of the Federal Govern-
25 ment that provide military education.

1 (4) Civilian institutions of higher education.

2 (5) Private sector and government policy re-
3 search institutes.

4 (6) Organizations in the commercial sector, in-
5 cluding organizations from the industrial, finance,
6 and technology sectors.

7 (e) ANNUAL REPORT.—Not later than September 30,
8 2023, and annually thereafter, the co-directors of the Con-
9 sortium shall submit to the Secretary of Defense and the
10 appropriate congressional committees a report that de-
11 scribes the activities carried out by the Consortium during
12 the preceding year.

13 (f) DEFINITIONS.—In this section:

14 (1) The term “appropriate congressional com-
15 mittees” means—

16 (A) the Committee on Armed Services and
17 the Committee on Transportation and Infra-
18 structure of the House of Representatives; and

19 (B) the Committee on Armed Services and
20 the Committee on the Environment and Public
21 Works of the Senate.

22 (2) The term “civilian institution of higher edu-
23 cation” means an institution of higher education (as
24 defined in section 101 of the Higher Education Act

1 of 1965 (20 U.S.C. 1001)) that is not owned or con-
2 trolled by the Federal Government.

3 **SEC. 559F. STANDARDS FOR TRAINING OF SURFACE WAR-**
4 **FARE OFFICERS AND ENLISTED MEMBERS.**

5 (a) ESTABLISHMENT.—Not later than September 30,
6 2022, the Secretary of the Navy shall establish standards
7 and procedures (subject to subsection (b)) by which a
8 Navy surface warfare officer or enlisted member of the
9 Navy who serves in a bridge or engine department may
10 be issued a merchant mariner credential in accordance
11 with part E of subtitle II of title 46, United States Code,
12 including—

13 (1) a merchant mariner credential with a na-
14 tional officer endorsement under section 10.109(a)
15 of title 46, Code Federal Regulations, as in effect on
16 the date of the enactment of this Act;

17 (2) a national rating endorsement under sub-
18 section (b) or (c) of section 10.109 of such title; or

19 (3) a Standards of Training, Certification, and
20 Watchkeeping endorsement under section 10.109 (d)
21 of such title.

22 (b) STRINGENCY.—In no case shall the standards de-
23 scribed in subsection (a) be less stringent than the stand-
24 ards applied by the Army, Military Sealift Command, or
25 Coast Guard vessel operators.

1 (c) REPORT.—Upon establishment under subsection
2 (a), the Secretary of the Navy shall submit to the appro-
3 priate congressional committees a report that updates the
4 military-to-mariner transition provided in response to sec-
5 tion 568 of the National Defense Authorization Act for
6 Fiscal Year 2017 (Public Law 114–328) that includes—

7 (1) a description of the how the training pro-
8 gram for surface warfare officers exceeds the min-
9 imum requirements for a merchant mariner creden-
10 tial with an appropriate endorsement—

11 (A) meets the requirements for a merchant
12 mariner credential with an appropriate endorse-
13 ment; and

14 (B) exceeds such requirements;

15 (2) a list of the proposed naval curriculum
16 courses that have been submitted to the National
17 Maritime Center for course credentialing approval;
18 and

19 (3) a timeline for—

20 (A) all personnel described in subsection
21 (b)(1) to be qualified to be issued merchant
22 mariner credentials with national officer and
23 ratings endorsements; and

1 (B) 50 percent of such personnel to receive
2 such credential with Standards of Training,
3 Certification, and Watchkeeping endorsement.

4 (d) APPROPRIATE CONGRESSIONAL COMMITTEES
5 DEFINED.—In this section, the term “appropriate con-
6 gressional committees” means the following:

7 (1) The congressional defense committees (as
8 that term is defined in section 101 of title 10,
9 United States Code).

10 (2) The Committee on Transportation and In-
11 frastructure of the House of Representatives.

12 (3) The Committee on Commerce, Science, and
13 Transportation of the Senate.

14 **SEC. 559G. PROFESSIONAL MILITARY EDUCATION: REPORT;**
15 **DEFINITION.**

16 (a) REPORT.—

17 (1) IN GENERAL.—Not later than July 1, 2022,
18 the Secretary of Defense, in consultation with the
19 Chairman of the Joint Chiefs of Staff, shall submit
20 to the Committees on Armed Services of the Senate
21 and the House of Representatives a report setting
22 forth the results of a review and assessment of the
23 definition of professional military education in the
24 Department of Defense and the military depart-
25 ments as specified in subsection (c).

1 (2) ELEMENTS.—The report under this sub-
2 section shall include the following elements:

3 (A) A consolidated summary of all defini-
4 tions of the term “professional military edu-
5 cation” used in the Department of Defense and
6 the military departments.

7 (B) A description of how such term is used
8 in the Department of Defense in educational in-
9 stitutions, associated schools, programs, think
10 tanks, research centers, and support activities.

11 (C) An analysis of how such term—

12 (i) applies to tactical, operational, and
13 strategic settings; and

14 (ii) is linked to mission requirements.

15 (D) An analysis of how professional mili-
16 tary education has been applied and linked
17 through all levels of Department of Defense
18 education and training.

19 (E) The applicability of professional mili-
20 tary education to the domains of warfare, in-
21 cluding land, air, sea, space, and cyber.

22 (F) With regards to online and virtual
23 learning in professional military education—

24 (i) an analysis of the use of such
25 learning; and

1 (ii) student satisfaction in comparison
2 to traditional classroom learning.

3 (b) DEFINITION.—Not later than one year after the
4 date of the enactment of this Act, the Secretary of De-
5 fense, in coordination with the Chairman of the Joint
6 Chiefs of Staff and the Secretaries of the military depart-
7 ments, using the report under subsection (a), shall stand-
8 ardize the definition of “professional military education”
9 across the military departments and the Department of
10 Defense.

11 **SEC. 559H. STUDY ON TRAINING AND EDUCATION OF MEM-**
12 **BERS OF THE ARMED FORCES REGARDING**
13 **SOCIAL REFORM AND UNHEALTHY BEHAV-**
14 **IORES.**

15 (a) STUDY.—Not later than April 1, 2022, the Sec-
16 retary of Defense, in consultation with the Secretaries of
17 the military departments, shall conduct a study on train-
18 ing and courses of education offered to covered members
19 regarding—

- 20 (1) sexual assault;
- 21 (2) sexual harassment;
- 22 (3) extremism;
- 23 (4) domestic violence;
- 24 (5) diversity, equity, and inclusion;
- 25 (6) military equal opportunity;

1 (7) suicide prevention; and

2 (8) substance abuse.

3 (b) ELEMENTS.—The study under subsection (a)
4 shall identify, with regard to each training or course of
5 education, the following:

6 (1) Sponsor.

7 (2) Location.

8 (3) Method.

9 (4) Frequency.

10 (5) Number of covered members who have par-
11 ticipated.

12 (6) Legislation, regulation, instruction, or guid-
13 ance that requires such training or course (if appli-
14 cable).

15 (7) Metrics of—

16 (A) performance;

17 (B) effectiveness; and

18 (C) data collection.

19 (8) Responsibilities of the Secretary of Defense
20 or Secretary of a military department to—

21 (A) communicate with non-departmental
22 entities;

23 (B) process feedback from trainers, train-
24 ees, and such entities;

1 (C) connect such training or course to tac-
2 tical, operational, and strategic goals; and

3 (D) connect such training or course to
4 other training regarding social reform and
5 unhealthy behavior.

6 (9) Analyses of—

7 (A) whether the metrics described in para-
8 graph (7) are standardized across the military
9 departments;

10 (B) mechanisms used to engage non-de-
11 partmental entities to assist in the development
12 of such training or courses;

13 (C) incentives used to ensure the effective-
14 ness of such training or courses;

15 (D) how each training or courses is in-
16 tended to change behavior; and

17 (E) costs of such training and courses.

18 (10) Recommendations of the Secretary of De-
19 fense to improve such training or courses, including
20 the estimated costs to implement such improve-
21 ments.

22 (11) Any other information the Secretary of
23 Defense determines relevant.

24 (c) REPORT.—Not later than July 1, 2022, the Sec-
25 retary of Defense shall submit to the Committees on

1 Armed Services of the Senate and House of Representa-
2 tives a report on the results of the study under this sec-
3 tion.

4 (d) COVERED MEMBER DEFINED.—In this section,
5 the term “covered member” means a member of an Armed
6 Force under the jurisdiction of the Secretary of a military
7 department.

8 **Subtitle G—Military Family Readiness and Dependents’ Education**

10 **SEC. 561. ESTABLISHMENT OF EXCEPTIONAL FAMILY MEM-**
11 **BER PROGRAM ADVISORY COUNCIL.**

12 (a) ESTABLISHMENT.—Chapter 7 of title 10, United
13 States Code, is amended by inserting before section 187
14 the following new section 186:

15 **“§ 186. Exceptional Family Member Program Advi-**
16 **sory Council**

17 “(a) ESTABLISHMENT.—There is an Exceptional
18 Family Member Program Advisory Council in the Depart-
19 ment of Defense (in this section referred to as the ‘Coun-
20 cil’).

21 “(b) PURPOSE.—The Council shall provide, to the
22 Secretary and the chiefs of the covered armed forces, rec-
23 ommendations regarding how to improve the Exceptional
24 Family Member Program. The Council shall provide such
25 recommendations not less than once every six months.

1 “(c) COMPOSITION.—The Council shall be composed
2 of the following:

3 “(1) One member of each covered armed
4 force—

5 “(A) serving on active duty;

6 “(B) who has a dependent—

7 “(i) enrolled in the Exceptional Fam-
8 ily Member Program; and

9 “(ii) with an individualized education
10 program; and

11 “(C) appointed by the Vice Chief of Staff
12 of the covered armed force concerned.

13 “(2) Two military spouses—

14 “(A) of members eligible to be appointed
15 under paragraph (1);

16 “(B) who are not civilian employees of the
17 Department of Defense;

18 “(C) one of whom is married to an enlisted
19 member and one of whom is married to an offi-
20 cer; and

21 “(D) appointed by the Vice Chief of Staff
22 of the covered armed force concerned.

23 “(3) One adult dependent—

24 “(A) enrolled in the Exceptional Family
25 Member Program; and

1 “(B) appointed by the Vice Chief of Staff
2 of the covered armed force concerned.

3 “(4) One representative of the Exceptional
4 Family Member Program Coalition.

5 “(5) One member of the Defense Health Agen-
6 cy.

7 “(6) One member of the Department of De-
8 fense Education Activity.

9 “(7) One member of the Office of Special
10 Needs.

11 “(d) APPOINTMENTS.—In making appointments
12 under subsection (c), the Vice Chief of Staff of the covered
13 armed force concerned shall seek to represent the diversity
14 of the disability community.

15 “(e) TERMS.—Each member of the Council shall
16 serve a term of two years, except one of the original mem-
17 bers appointed under subsection (c)(2), selected by the
18 Secretary of Defense at the time of appointment, one shall
19 be appointed for a term of three years.

20 “(f) MEETINGS.—The Council shall meet at least
21 once every calendar quarter, in person or by teleconfer-
22 ence.

23 “(g) COVERED ARMED FORCE DEFINED.—In this
24 section, the term ‘covered armed force’ means an armed

1 force under the jurisdiction of the Secretary of a military
2 department.”.

3 (b) TECHNICAL AND CONFORMING AMENDMENTS.—

4 (1) TABLE OF SECTIONS.—The table of sections
5 at the beginning of such chapter is amended by in-
6 sserting before the item relating to section 187 the
7 following new item:

“186. Exceptional Family Member Program Advisory Council.”.

8 (2) TERMINATION OF ADVISORY PANEL ON
9 COMMUNITY SUPPORT FOR MILITARY FAMILIES WITH
10 SPECIAL NEEDS.—Section 563 of the National De-
11 fense Authorization Act for Fiscal Year 2010 (Pub-
12 lic Law 111–84; 10 U.S.C. 1781e note) is amended
13 by striking subsection (d).

14 **SEC. 562. NON-MEDICAL COUNSELING SERVICES FOR MILI-**
15 **TARY FAMILIES.**

16 Section 1781 of title 10, United States Code, is
17 amended by adding at the end the following new sub-
18 section:

19 “(d) NON-MEDICAL COUNSELING SERVICES.—(1) In
20 carrying out its duties under subsection (b), the Office
21 may coordinate programs and activities for the provision
22 of non-medical counseling services to military families
23 through the Department of Defense Family Readiness
24 System.

1 “(2) Notwithstanding any other provision of law, a
2 mental health care provider described in paragraph (3)
3 may provide non-medical counseling services at any loca-
4 tion in a State, the District of Columbia, or a territory
5 or possession of the United States, without regard to
6 where the provider or recipient of such services is located,
7 if the provision of such services is within the scope of the
8 authorized Federal duties of the provider.

9 “(3) A mental health care provider described in this
10 subsection is a person who is—

11 “(A) a currently licensed mental health care
12 provider who holds a license that is—

13 “(i) issued by a State, the District of Co-
14 lumbia, or a territory or possession of the
15 United States; and

16 “(ii) recognized by the Secretary of De-
17 fense;

18 “(B) a member of the armed forces, a civilian
19 employee of the Department of Defense, or a con-
20 tractor designated by the Secretary; and

21 “(C) performing authorized duties for the De-
22 partment of Defense under a program or activity re-
23 ferred to in paragraph (1).

24 “(4) In this subsection, the term ‘non-medical coun-
25 seling services’ means mental health care services that are

1 non-clinical, short-term and solution focused, and address
2 topics related to personal growth, development, and posi-
3 tive functioning.”.

4 **SEC. 563. EXPANSION OF SUPPORT PROGRAMS FOR SPE-**
5 **CIAL OPERATIONS FORCES PERSONNEL AND**
6 **IMMEDIATE FAMILY MEMBERS.**

7 (a) IN GENERAL.—Section 1788a(e) of title 10,
8 United States Code, is amended—

9 (1) in paragraph (4), by striking “covered per-
10 sonnel” and inserting “covered individuals”; and

11 (2) in paragraph (5)—

12 (A) by striking “covered personnel” and
13 inserting “covered individuals”;

14 (B) in subparagraph (B), by striking
15 “and” at the end;

16 (C) in subparagraph (C), by striking the
17 period at the end and inserting “; and”; and

18 (D) by adding at the end the following new
19 subparagraph:

20 “(D) immediate family members of individ-
21 uals described in subparagraphs (A) or (B) in
22 a case in which such individual died—

23 “(i) as a direct result of armed con-
24 flict;

1 “(ii) while engaged in hazardous serv-
2 ice;

3 “(iii) in the performance of duty
4 under conditions simulating war; or

5 “(iv) through an instrumentality of
6 war.”.

7 **SEC. 564. CLARIFICATION OF QUALIFICATIONS FOR ATTOR-**
8 **NEYS WHO PROVIDE LEGAL SERVICES TO**
9 **FAMILIES ENROLLED IN THE EXCEPTIONAL**
10 **FAMILY MEMBER PROGRAM.**

11 Section 582(b)(7) of the William M. (Mac) Thorn-
12 berry National Defense Authorization Act for Fiscal Year
13 2021 (Public Law 116–283) is amended, in the matter
14 preceding subparagraph (A), by striking “in education
15 law” and inserting “and with experience in the practice
16 of education law in the State in which the military installa-
17 tion is located (and any other State or States in which
18 a significant portion of the personnel assigned to such
19 military installation reside)”.

20 **SEC. 565. IMPROVEMENTS TO THE EXCEPTIONAL FAMILY**
21 **MEMBER PROGRAM.**

22 (a) VERIFICATION OF SUITABILITY OF HOUSING AND
23 EDUCATIONAL INSTITUTIONS.—Section 582(c)(2) of the
24 William M. (Mac) Thornberry National Defense Author-
25 ization Act for Fiscal Year 2021 (Public Law 116–283)

1 is amended by inserting “, and to verify that housing and
2 at least one school near such military installation is suit-
3 able for the dependent with special needs of such covered
4 member” before the period at the end.

5 (b) EXPANSION OF ADVISORY PANEL ON COMMU-
6 NITY SUPPORT FOR MILITARY FAMILIES WITH SPECIAL
7 NEEDS.—Section 563(d)(2) of the National Defense Au-
8 thorization Act for Fiscal Year 2010 (Public Law 111–
9 84; 10 U.S.C. 1781c note) is amended—

10 (1) by striking “seven” and inserting “nine”;

11 (2) by inserting “, appointed by the Secretary
12 of Defense,” after “individuals”;

13 (3) by inserting “each” before “a member”;

14 (4) by striking the second sentence; and

15 (5) by adding “One such individual shall be the
16 spouse of an enlisted member and one such indi-
17 vidual shall be the spouse of an officer in a grade
18 below O-6.” at the end.

19 (c) RELOCATION.—The Secretary of the military de-
20 partment concerned shall, if such Secretary determines it
21 feasible, permit a covered member who receives permanent
22 change of station orders to elect, not later than 14 days
23 after such receipt, from at least two locations that provide
24 support for the dependent of such covered member with
25 a special need.

1 (d) SCANNING OF DD FORM 2792.—The Secretary
2 of a military department shall require that a DD Form
3 2792 completed by a covered member is scanned and
4 uploaded to the electronic health record of the dependent
5 described in such DD Form 2792.

6 (e) COVERED MEMBER DEFINED.—In this section,
7 the term “covered member” means a member of an Armed
8 Force—

9 (1) under the jurisdiction of the Secretary of a
10 military department; and

11 (2) with a dependent with a special need.

12 **SEC. 566. DATABASE OF NEXT OF KIN OF DECEASED MEM-**
13 **BERS OF THE ARMED FORCES.**

14 Not later than 180 days after the date of the enact-
15 ment of this Act, the Secretary of Defense shall prescribe
16 regulations that establish and maintain a database of the
17 Department of Defense that contains up-to-date contact
18 information for the next of kin of members of the Armed
19 Forces under the jurisdiction of the Secretaries of the
20 military departments. Such regulations shall ensure
21 that—

22 (1) a commander in a grade higher than O-5
23 may access the contact information for the next of
24 kin of a member who died while a member of the
25 unit under the command of such commander, re-

1 regardless of whether such member served under such
2 commander; and

3 (2) an individual named in such database
4 may—

5 (A) elect to not be contacted by an officer
6 described in paragraph (1); and

7 (B) change such election at any time.

8 **SEC. 567. POLICY REGARDING REMOTE MILITARY INSTAL-**
9 **LATIONS.**

10 (a) **POLICY.**—Not later than April 1, 2022, the Sec-
11 retary of Defense, in consultation with the Secretaries of
12 the military departments, shall develop a uniform policy
13 for how to—

14 (1) identify remote military installations; and

15 (2) assess and manage challenges associated
16 with remote military installations.

17 (b) **ELEMENTS.**—The policy under subsection (a)
18 shall address the following:

19 (1) Activities and facilities for the morale, wel-
20 fare, and recreation of members of the Armed
21 Forces.

22 (2) Availability of housing, located on and off
23 remote military installations.

1 (3) Educational services for dependents of
2 members of the Armed Forces, located on and off
3 remote military installations.

4 (4) Availability of health care.

5 (5) Employment opportunities for military
6 spouses.

7 (6) Risks associated with having insufficient
8 support services for members of the Armed Forces
9 and their dependents.

10 (c) REPORT.—Not later than July 1, 2022, the Sec-
11 retary of Defense shall submit to the Committees on
12 Armed Services of the Senate and the House of Represent-
13 atives a report setting forth—

14 (1) the policy under this section; and

15 (2) an implementation plan for the policy.

16 (d) MILITARY INSTALLATION DEFINED.—In this sec-
17 tion, the term “military installation” has the meaning
18 given that term in section 2801 of title 10, United States
19 Code.

20 **SEC. 568. FEASIBILITY STUDY ON PROGRAM FOR DROP-IN**
21 **CHILD CARE FURNISHED TO CERTAIN MILI-**
22 **TARY SPOUSES AT MILITARY CHILD DEVEL-**
23 **OPMENT CENTERS.**

24 (a) AUTHORIZATION.—Not later than 180 days after
25 the date of the enactment of this Act, the Secretary of

1 Defense shall conduct a feasibility study on the establish-
2 ment of a program under which the military spouse of a
3 covered member may leave a covered child with a child
4 care employee—

5 (1) at the military child development center of
6 the military installation that is the permanent duty
7 station of such covered member;

8 (2) during the normal hours of operation of the
9 military child development center at which such
10 child care employee is employed; and

11 (3) for not more than two hours per week.

12 (b) REPORT.—Not later than September 30, 2022,
13 the Secretary shall submit to the Committees on Armed
14 Services of the Senate and House of Representatives a re-
15 port regarding the results of the study under subsection
16 (a).

17 (c) DEFINITIONS.—In this section:

18 (1) The terms “child care employee” and “mili-
19 tary child development center” have the meanings
20 given such terms in section 1800 of title 10, United
21 States Code.

22 (2) The term “covered child” means the de-
23 pendent child of a covered member—

24 (A) younger than seven years of age; and

1 (B) who does not regularly receive child
2 care services at a military child development
3 center.

4 (3) The term “covered member” means a mem-
5 ber of the Armed Forces performing active duty for
6 a period of more than 30 days at a location other
7 than the permanent duty station of such member.

8 **SEC. 569. COMPTROLLER GENERAL OF THE UNITED**
9 **STATES REPORTS ON EMPLOYMENT DIS-**
10 **CRIMINATION AGAINST MILITARY SPOUSES**
11 **BY CIVILIAN EMPLOYERS.**

12 Not later than 180 days after the date of the enact-
13 ment of this Act, and 180 days thereafter, the Comptroller
14 General of the United States shall submit to the congress-
15 sional defense committees a report on employment dis-
16 crimination against military spouses by civilian employers,
17 including on the basis of military spouse status. Such re-
18 port shall include an assessment of the following:

19 (1) The feasibility of policy solutions to prevent
20 such discrimination, including—

21 (A) by amending the Uniformed Services
22 Employment and Reemployment Rights Act of
23 1994 (Public Law 103–353) to ensure that
24 military spouses are covered under such Act;
25 and

1 (B) by including military spouses as a pro-
2 tected class for the purpose of laws relating to
3 employment discrimination.

4 (2) Potential differential effects of such dis-
5 crimination across race and gender, to determine if
6 military spouses who are people of color are subject
7 to intersectional discrimination.

8 **SEC. 569A. REPORT ON EFFORTS OF COMMANDERS OF**
9 **MILITARY INSTALLATIONS TO CONNECT**
10 **MILITARY FAMILIES WITH LOCAL ENTITIES**
11 **THAT PROVIDE SERVICES TO MILITARY FAMI-**
12 **LIES.**

13 Not later than 120 days after the date of the enact-
14 ment of this Act, the Secretary of Defense shall submit
15 to the Committees on Armed Services of the Senate and
16 House of Representatives a report on how and the extent
17 to which commanders of military installations connect
18 military families with local nonprofit and government enti-
19 ties that provide services to military families, including as-
20 sistance with housing.

21 **SEC. 569B. REPORT ON PRESERVATION OF THE FORCE AND**
22 **FAMILY PROGRAM OF UNITED STATES SPE-**
23 **CIAL OPERATIONS COMMAND.**

24 (a) REPORT REQUIRED.—Not later than 180 days
25 after the date of the enactment of this Act, the Com-

1 mander of United States Special Operations Command
2 shall submit to the congressional defense committees a re-
3 port on POTFF.

4 (b) ELEMENTS.—The report under this section shall
5 include the following:

6 (1) An assessment of the human performance
7 domain of current programs and activities, includ-
8 ing—

9 (A) physical conditioning;

10 (B) exercise physiology;

11 (C) kinesiology;

12 (D) nutrition guidance;

13 (E) rehabilitative support (including phys-
14 ical therapy); and

15 (F) mental skills training (including sports
16 psychology).

17 (2) A description of efforts of the Commander
18 to assess the unique needs of members of special op-
19 erations forces, including women and minorities.

20 (3) An assessment of the effectiveness of
21 POTFF in addressing such unique needs.

22 (4) Plans of the Commander to improve
23 POTFF to better address such unique needs.

24 (c) DEFINITIONS.—In this section:

1 (1) The term “POTFF” means the Preserva-
2 tion of the Force and Family Program of United
3 States Special Operations Command under section
4 1788a of title 10, United States Code.

5 (2) The term “special operations forces” means
6 the forces described in section 167(j) of title 10,
7 United States Code.

8 **SEC. 569C. GAO REVIEW OF PRESERVATION OF THE FORCE**
9 **AND FAMILY PROGRAM OF UNITED STATES**
10 **SPECIAL OPERATIONS COMMAND.**

11 (a) REVIEW.—Not later than April 1, 2022, the
12 Comptroller General of the United States shall conduct
13 a review of POTFF and submit to the appropriate com-
14 mittees a report containing the results of such review.

15 (b) ELEMENTS.—The report under this section shall
16 include the following:

17 (1) An assessment of the sufficiency of the
18 human performance domain of current programs
19 and activities of POTFF.

20 (2) A description of efforts of the Commander
21 of United States Special Operations Command to as-
22 sess the unique needs of members of special oper-
23 ations forces, including women and minorities.

1 (3) A description of plans of the Commander to
2 improve POTFF to better address the unique needs
3 of members of special operations forces.

4 (4) Changes in costs to the United States to op-
5 erate POTFF since implementation.

6 (5) Rates of participation in POTFF, includ-
7 ing—

8 (A) the number of individuals who partici-
9 pate;

10 (B) frequency of use by such individuals;
11 and

12 (C) geographic locations where such indi-
13 viduals participate.

14 (6) Methods by which data on POTFF is col-
15 lected and analyzed.

16 (7) Outcomes used to determine the effects of
17 POTFF on members of special operations forces and
18 their immediate family members, including a de-
19 scription of the effectiveness of POTFF in address-
20 ing unique needs of such individuals.

21 (c) BRIEFING.—Not later than January 31, 2022,
22 the Comptroller General shall provide to the appropriate
23 committees a briefing on the preliminary findings of the
24 Comptroller General under the review under this section.

25 (d) DEFINITIONS.—In this section:

1 (1) The term “appropriate committees” means
2 the Committees on Armed Services of the Senate
3 and House of Representatives.

4 (2) The term “POTFF” means the Preserva-
5 tion of the Force and Family Program of United
6 States Special Operations Command under section
7 1788a of title 10, United States Code.

8 (3) The term “special operations forces” means
9 the forces described in section 167(j) of title 10,
10 United States Code.

11 **SEC. 569D. CONTINUED ASSISTANCE TO SCHOOLS WITH**
12 **SIGNIFICANT NUMBERS OF MILITARY DE-**
13 **PENDENT STUDENTS.**

14 (a) ASSISTANCE TO SCHOOLS WITH SIGNIFICANT
15 NUMBERS OF MILITARY DEPENDENT STUDENTS.—Of the
16 amount authorized to be appropriated for fiscal year 2022
17 in division D of this Act and available for operation and
18 maintenance for Defense-wide activities as specified in the
19 funding table in section 4301 of this Act, \$50,000,000
20 shall be available only for the purpose of providing assist-
21 ance to local educational agencies under subsection (a) of
22 section 572 of the National Defense Authorization Act for
23 Fiscal Year 2006 (Public Law 109–163; 20 U.S.C.
24 7703b).

1 (b) IMPACT AID FOR CHILDREN WITH SEVERE DIS-
2 ABILITIES.—Of the amount authorized to be appropriated
3 for fiscal year 2022 in division D of this Act and available
4 for operation and maintenance for Defense-wide activities
5 as specified in the funding table in section 4301 of this
6 Act, \$20,000,000 shall be available for payments under
7 section 363 of the Floyd D. Spence National Defense Au-
8 thorization Act for Fiscal Year 2001 (Public Law 106–
9 398; 20 U.S.C. 7703a).

10 (c) LOCAL EDUCATIONAL AGENCY DEFINED.—In
11 this section, the term “local educational agency” has the
12 meaning given that term in section 7013(9) of the Ele-
13 mentary and Secondary Education Act of 1965 (20 U.S.C.
14 7713(9)).

15 **SEC. 569E. VERIFICATION OF REPORTING OF ELIGIBLE**
16 **FEDERALLY CONNECTED CHILDREN FOR**
17 **PURPOSES OF FEDERAL IMPACT AID PRO-**
18 **GRAMS.**

19 (a) CERTIFICATION.—On an annual basis, each com-
20 mander of a military installation under the jurisdiction of
21 the Secretary of a military department shall submit to
22 such Secretary a written certification verifying whether
23 the commander has confirmed the information contained
24 in all impact aid source check forms received from local
25 educational agencies as of the date of such certification.

1 (b) REPORT.—Not later June 30 of each year, each
2 Secretary of a military department shall submit to the
3 congressional defense committees a report, based on the
4 information received under subsection (a), that identi-
5 fies—

6 (1) each military installation under the jurisdic-
7 tion of such Secretary that has confirmed the infor-
8 mation contained in all impact aid source check
9 forms received from local educational agencies as of
10 the date of the report; and

11 (2) each military installation that has not con-
12 firmed the information contained in such forms as of
13 such date.

14 (c) DEFINITIONS.—In this section:

15 (1) Term “congressional defense committees”
16 has the meaning given that term in section
17 101(a)(16) of title 10, United States Code.

18 (2) The term “impact aid source check form”
19 means a form submitted to a military installation by
20 a local educational agency to confirm the number
21 and identity of children eligible to be counted for
22 purposes of the Federal impact aid program under
23 section 7003(a) of the Elementary and Secondary
24 Education Act of 1965 (20 U.S.C. 7703(a)).

1 (3) The term “local educational agency” has
2 the meaning given that term in section 8101 of the
3 Elementary and Secondary Education Act of 1965
4 (20 U.S.C. 7801).

5 **Subtitle H—Diversity and** 6 **Inclusion**

7 **SEC. 571. INFORMATION ON FEMALE AND MINORITY PAR-** 8 **TICIPATION IN MILITARY SERVICE ACAD-** 9 **EMIES AND THE SENIOR RESERVE OFFICERS’** 10 **TRAINING CORPS.**

11 Section 113 of title 10, United States Code, is
12 amended—

13 (1) in subsection (c)(2), by inserting before the
14 semicolon the following: “, including the status of di-
15 versity and inclusion in the military service acad-
16 emies and the Senior Reserve Officers’ Training
17 Corps programs of such department”;

18 (2) in subsection (l)(2)—

19 (A) in subparagraph (D), by inserting
20 “(including through the military service acad-
21 emies and the Senior Reserve Officers’ Training
22 Corps)” after “into the armed forces”; and

23 (B) in subparagraph (E), by inserting “,
24 attendance at military service academies, and
25 enrollment in the Senior Reserve Officers’

1 Training Corps that” before “is representa-
2 tive”; and

3 (3) in subsection (m)—

4 (A) by redesignating paragraphs (5)
5 through (7) as paragraphs (6) through (8), re-
6 spectively; and

7 (B) by inserting after paragraph (4) the
8 following new paragraph:

9 “(5) The number of cadets and midshipmen
10 from the Senior Reserve Officers’ Training Corps of
11 each armed force who are expected to be commis-
12 sioned into the armed forces during the fiscal year
13 covered by such report, disaggregated by gender,
14 race, and ethnicity.”.

15 **SEC. 572. SURVEYS ON DIVERSITY, EQUITY, AND INCLUSION**

16 **AND ANNUAL REPORTS ON SEXUAL AS-**

17 **SAULTS AND RACIAL AND ETHNIC DEMO-**

18 **GRAPHICS IN THE MILITARY JUSTICE SYS-**

19 **TEM.**

20 (a) MODIFICATION OF CONTENT OF CERTAIN SUR-
21 VEYS.—

22 (1) ARMED FORCES SURVEYS.—Section 481 of
23 title 10, United States Code, is amended—

24 (A) in subsection (a)—

1 (i) in paragraph (1) by striking the
2 second sentence;

3 (ii) in paragraph (3) by striking
4 “Equal Opportunity” and inserting “Di-
5 versity, Equity, and Inclusion”;

6 (B) in subsection (b)—

7 (i) in the subsection heading, by strik-
8 ing “EQUAL OPPORTUNITY” and inserting
9 “DIVERSITY, EQUITY, AND INCLUSION”;

10 (ii) in the matter preceding paragraph
11 (1), by striking “Equal Opportunity” and
12 inserting “Diversity, Equity, and Inclu-
13 sion”; and

14 (iii) by adding at the end the fol-
15 lowing new paragraphs:

16 “(4) Identifying and assessing the extent of ac-
17 tivity among such members that may be seen as
18 ‘hate group’ activity.

19 “(5) Whether respondents have, in the pre-
20 ceding year—

21 “(A) experienced or witnessed extremist,
22 racist, anti-Semitic, or supremacist activity in
23 the workplace; or

24 “(B) reported such activity.”;

25 (C) in subsection (c)—

1 (i) by redesignating paragraph (5) as
2 paragraph (6); and

3 (ii) by inserting after paragraph (4)
4 the following new paragraph:

5 “(5) Identifying and assessing the extent of ac-
6 tivity among such members that may be seen as
7 ‘hate group’ activity.”;

8 (D) by redesignating subsection (f) as sub-
9 section (g); and

10 (E) by inserting after subsection (e) the
11 following new subsection:

12 “(f) PUBLICATION.—The Secretary of Defense
13 shall—

14 “(1) publish on an appropriate publicly avail-
15 able website of the Department of Defense the re-
16 ports required by subsection (e); and

17 “(2) ensure that any data included with each
18 such report is made available in a machine-readable
19 format that is downloadable, searchable, and sort-
20 able.”.

21 (2) CIVILIAN EMPLOYEE SURVEYS.—Section
22 481a of title 10, United States Code, is amended—

23 (A) in subsection (b)—

24 (i) by redesignating paragraph (5) as
25 paragraph (7); and

1 (ii) by inserting after paragraph (4)
2 the following new paragraphs:

3 “(5) Identifying and assessing the extent (if
4 any) of activity among such employees that may be
5 seen as so-called ‘hate group’ activity.

6 “(6) Whether respondents have, in the pre-
7 ceding year—

8 “(A) experienced or witnessed extremist,
9 racist, anti-Semitic, or supremacist activity in
10 the workplace; or

11 “(B) reported such activity.”; and

12 (B) by adding at the end the following new
13 subsection:

14 “(e) PUBLICATION.—The Secretary of Defense
15 shall—

16 “(1) publish on an appropriate publicly avail-
17 able website of the Department of Defense the re-
18 ports required by subsection (c); and

19 “(2) ensure that any data included with each
20 such report is made available in a machine-readable
21 format that is downloadable, searchable, and sort-
22 able.”.

23 (3) PREVALENCE OF OFFENSES UNDER THE
24 UNIFORM CODE OF MILITARY JUSTICE.—Section
25 481(b) of title 10, United States Code, as amended

1 by paragraph (1) of this subsection, is further
2 amended by adding at the end the following new
3 paragraphs:

4 “(6) An estimate of the total number of of-
5 fenses committed under each punitive article under
6 chapter 47 of this title (the Uniform Code of Mili-
7 tary Justice) over the period covered by the survey.

8 “(7) For each category of offense identified
9 under paragraph (6)—

10 “(A) an estimate of the racial, ethnic, gen-
11 der, age, and rank demographics of principals;
12 and

13 “(B) an estimate of the racial, ethnic, gen-
14 der, age, and rank demographics of victims.”.

15 (4) CONFORMING REPEAL.—Section 593 of the
16 National Defense Authorization Act for Fiscal Year
17 2020 (Public Law 116–92; 133 Stat. 1415; 10
18 U.S.C. 480 note prec.) is repealed.

19 (5) EFFECTIVE DATE.—

20 (A) The amendments made by paragraphs
21 (1) and (2) shall take effect on the day after
22 the date of the enactment of this Act.

23 (B) The amendments made by paragraph
24 (3) shall take effect on January 1, 2023.

1 (b) ANNUAL REPORTS ON RACIAL AND ETHNIC DE-
2 MOGRAPHICS IN THE MILITARY JUSTICE SYSTEM.—

3 (1) IN GENERAL.—Chapter 23 of title 10,
4 United States Code, is amended by inserting after
5 section 485 the following new section:

6 **“§ 486. Annual reports on racial and ethnic demo-**
7 **graphics in the military justice system**

8 “(a) IN GENERAL.—Not later than March 1 of each
9 year, the Secretary of each military department shall sub-
10 mit to the Secretary of Defense a report on racial, ethnic,
11 and gender demographics in the military justice system
12 during the preceding year. In the case of the Secretary
13 of the Navy, separate reports shall be prepared for the
14 Navy and for the Marine Corps. In the case of the Sec-
15 retary of the Air Force, separate reports shall be prepared
16 for the Air Force and for the Space Force.

17 “(b) CONTENTS.—The report of a Secretary of a
18 military department for an armed force under subsection
19 (a) shall contain the following:

20 “(1) Statistics on offenses under chapter 47 of
21 this title (the Uniform Code of Military Justice) dur-
22 ing the year covered by the report, including:

23 “(A) an estimate based on survey data
24 from the armed forces Workplace and Diversity,
25 Equity, and Inclusion Surveys of the number of

1 offenses committed by members of the armed
2 force, disaggregated by—

3 “(i) statistical category as related to
4 the victim; and

5 “(ii) statistical category as related to
6 the principal;

7 “(B) the number of offenses in the armed
8 force that were reported to military officials,
9 disaggregated by—

10 “(i) statistical category as related to
11 the victim; and

12 “(ii) statistical category as related to
13 the principal;

14 “(C) the number of offenses in the armed
15 force that were investigated, disaggregated by
16 statistical category as related to the principal;

17 “(D) the number of offenses in which the
18 evidence supported possible action by the De-
19 partment, disaggregated by statistical category
20 as related to the principal;

21 “(E) the number of offenses in which ad-
22 ministrative action was imposed, disaggregated
23 by statistical category as related to the prin-
24 cipal and each type of administrative action im-
25 posed;

1 “(F) the number of offenses in which non-
2 judicial punishment was imposed under section
3 815 of this title (article 15 of the Uniform Code
4 of Military Justice), disaggregated by statistical
5 category as related to the principal;

6 “(G) the number of offenses in which
7 charges were preferred, disaggregated by statis-
8 tical category as related to the principal;

9 “(H) the number of offenses in which
10 charges were referred to court-martial,
11 disaggregated by statistical category as related
12 to the principal and type of court-martial;

13 “(I) the number of offenses which resulted
14 in conviction at court-martial, disaggregated by
15 statistical category as related to the principal
16 and type of court-martial; and

17 “(J) the number of offenses which resulted
18 in acquittal at court-martial, disaggregated by
19 statistical category as related to the principal
20 and type of court-martial.

21 “(2) An analysis of any disparities among race,
22 gender, and ethnicity in the incidence, reporting, dis-
23 position, and prosecution of offenses by units, com-
24 mands, and installations during the year covered by
25 the report, including trends relating to—

1 “(A) the prosecution of offenses; and

2 “(B) the prevalence of offenses, set forth
3 separately for—

4 “(i) each installation with 5,000 or
5 more servicemembers;

6 “(ii) the major career fields of any in-
7 dividuals involved in such incidents, includ-
8 ing the fields of combat arms, aviation, lo-
9 gistics, maintenance, administration, and
10 medical;

11 “(iii) in the case of the Navy, the
12 operational status (whether sea duty or
13 shore duty) of any individuals involved in
14 such incidents.

15 “(3) The policies, procedures, and processes im-
16 plemented by the Secretary concerned during the
17 year covered by the report in response to any race,
18 gender, or ethnicity disparities involving members of
19 the armed force concerned.

20 “(c) DEFINITIONS.—In this section:

21 “(1) The term ‘statistical category’ means each
22 of the following categories:

23 “(A) race;

24 “(B) gender;

25 “(C) ethnicity;

1 “(D) rank; and

2 “(E) offense enumerated under chapter 47
3 of this title (the Uniform Code of Military Jus-
4 tice).

5 “(2) The term ‘principal’ has the meaning given
6 that term in section 877 of this title (article 77 of
7 the Uniform Code of Military Justice).

8 “(d) SUBMISSION TO CONGRESS.—

9 “(1) IN GENERAL.—Not later than April 30 of
10 each year in which the Secretary of Defense receives
11 reports under subsection (a), the Secretary of De-
12 fense shall forward the reports to the appropriate
13 congressional committees, together with—

14 “(A) an assessment of the information
15 submitted to the Secretary pursuant to sub-
16 section (b)(3);

17 “(B) such other assessments on the re-
18 ports as the Assistant Inspector General estab-
19 lished under section 554 of the William M.
20 (Mac) Thornberry National Defense Authoriza-
21 tion Act for Fiscal Year 2021 (Public Law
22 116–283) considers appropriate; and

23 “(C) such other assessments on the reports
24 as the Secretary of Defense considers appro-
25 priate.

1 “(2) APPROPRIATE CONGRESSIONAL COMMIT-
2 TEES DEFINED.—In this subsection, the term ‘ap-
3 propriate congressional committees’ means—

4 “(A) the Committee on Armed Services,
5 the Committee on Commerce, Science, and
6 Transportation, and the Committee on Vet-
7 erans’ Affairs of the Senate; and

8 “(B) the Committee on Armed Services,
9 the Committee on Transportation and Infra-
10 structure, and the Committee on Veterans’ Af-
11 fairs of the House of Representatives.

12 “(e) PUBLICATION.—The Secretary of Defense
13 shall—

14 “(1) publish on an appropriate publicly avail-
15 able website of the Department of Defense the re-
16 ports required by subsections (a) and (d); and

17 “(2) ensure that any data included with each
18 such report is made available in a machine-readable
19 format that is downloadable, searchable, and sort-
20 able.”.

21 (2) CLERICAL AMENDMENT.—The table of sec-
22 tions at the beginning of chapter 23 of such title is
23 amended by inserting after the item relating to sec-
24 tion 485 the following new item:

 “486. Annual reports on racial and ethnic demographics in the military justice
 system.”.

1 (c) ANNUAL REPORTS ON SEXUAL ASSAULTS.—

2 (1) IN GENERAL.—Chapter 23 of title 10,
3 United States Code, as amended by section 3, is fur-
4 ther amended by inserting after section 486 the fol-
5 lowing new section:

6 **“§ 487. Annual reports on sexual assaults**

7 “(a) IN GENERAL.—Not later than March 1 of each
8 year, the Secretary of each military department shall sub-
9 mit to the Secretary of Defense a report on the sexual
10 assaults involving members of the armed forces under the
11 jurisdiction of that Secretary during the preceding year.
12 In the case of the Secretary of the Navy, separate reports
13 shall be prepared for the Navy and for the Marine Corps.
14 In the case of the Secretary of the Air Force, separate
15 reports shall be prepared for the Air Force and for the
16 Space Force.

17 “(b) CONTENTS.—The report of a Secretary of a
18 military department for an armed force under subsection
19 (a) shall contain the following:

20 “(1) The number of sexual assaults committed
21 against members of the armed force that were re-
22 ported to military officials during the year covered
23 by the report, and the number of the cases so re-
24 ported that were substantiated.

1 “(2) The number of sexual assaults committed
2 by members of the armed force that were reported
3 to military officials during the year covered by the
4 report, and the number of the cases so reported that
5 were substantiated. The information required by this
6 paragraph may not be combined with the informa-
7 tion required by paragraph (1).

8 “(3) A synopsis of each such substantiated
9 case, organized by offense, and, for each such case,
10 the race and ethnicity of the victim and accused, the
11 action taken in the case, including the type of dis-
12 ciplinary or administrative sanction imposed, if any,
13 including courts-martial sentences, nonjudicial pun-
14 ishments administered by commanding officers pur-
15 suant to section 815 of this title (article 15 of the
16 Uniform Code of Military Justice), and administra-
17 tive separations.

18 “(4) The policies, procedures, and processes im-
19 plemented by the Secretary concerned during the
20 year covered by the report in response to incidents
21 of sexual assault involving members of the armed
22 force concerned.

23 “(5) The number of substantiated sexual as-
24 sault cases in which the victim is a deployed member
25 of the armed forces and the assailant is a foreign

1 national, and the policies, procedures, and processes
2 implemented by the Secretary concerned to monitor
3 the investigative processes and disposition of such
4 cases and any actions taken to eliminate any gaps
5 in investigating and adjudicating such cases.

6 “(6) A description of the implementation of the
7 accessibility plan implemented pursuant to section
8 596(b) of the National Defense Authorization Act
9 for Fiscal Year 2006 (Public Law 109–163; 10
10 U.S.C. 1561 note), including a description of the
11 steps taken during that year to ensure that trained
12 personnel, appropriate supplies, and transportation
13 resources are accessible to deployed units in order to
14 provide an appropriate and timely response in any
15 case of reported sexual assault in a deployed unit,
16 location, or environment.

17 “(7) The number of applications submitted
18 under section 673 of title 10, United States Code,
19 during the year covered by the report for a perma-
20 nent change of station or unit transfer for members
21 of the armed forces on active duty who are the vic-
22 tim of a sexual assault or related offense, the num-
23 ber of applications denied, and, for each application
24 denied, a description of the reasons why the applica-
25 tion was denied.

1 “(8) An analysis and assessment of trends in
2 the incidence, disposition, and prosecution of sexual
3 assaults by units, commands, and installations dur-
4 ing the year covered by the report, including trends
5 relating to—

6 “(A) the prosecution of incidents and
7 avoidance of incidents; and

8 “(B) the prevalence of incidents, set forth
9 separately for—

10 “(i) each installation with 5,000 or
11 more servicemembers;

12 “(ii) the major career fields of any in-
13 dividuals involved in such incidents, includ-
14 ing the fields of combat arms, aviation, lo-
15 gistics, maintenance, administration, and
16 medical; and

17 “(iii) in the case of the Navy, the
18 operational status (whether sea duty or
19 shore duty) of any individuals involved in
20 such incidents.

21 “(9) An assessment of the adequacy of sexual
22 assault prevention and response activities carried out
23 by training commands during the year covered by
24 the report.

1 “(10) An analysis of the specific factors that
2 may have contributed to sexual assault during the
3 year covered by the report, an assessment of the role
4 of such factors in contributing to sexual assaults
5 during that year, and recommendations for mecha-
6 nisms to eliminate or reduce the incidence of such
7 factors or their contributions to sexual assaults.

8 “(11) An analysis of the disposition of the most
9 serious offenses occurring during sexual assaults
10 committed by members of the armed force during
11 the year covered by the report, as identified in unre-
12 stricted reports of sexual assault by any members of
13 the armed forces, including the numbers of reports
14 identifying offenses that were disposed of by each of
15 the following:

16 “(A) Conviction by court-martial, including
17 a separate statement of the most serious charge
18 preferred and the most serious charge for which
19 convicted.

20 “(B) Acquittal of all charges at court-mar-
21 tial.

22 “(C) Non-judicial punishment under sec-
23 tion 815 of this title (article 15 of the Uniform
24 Code of Military Justice).

1 “(D) Administrative action, including by
2 each type of administrative action imposed.

3 “(E) Dismissal of all charges, including by
4 reason for dismissal and by stage of pro-
5 ceedings in which dismissal occurred.

6 “(12) Information on each claim of retaliation
7 in connection with a report of sexual assault in the
8 armed force made by or against a member of such
9 armed force as follows:

10 “(A) A narrative description of each com-
11 plaint.

12 “(B) The nature of such complaint, includ-
13 ing whether the complainant claims professional
14 or social retaliation.

15 “(C) The gender of the complainant.

16 “(D) The gender of the individual claimed
17 to have committed the retaliation.

18 “(E) The nature of the relationship be-
19 tween the complainant and the individual
20 claimed to have committed the retaliation.

21 “(F) The nature of the relationship, if any,
22 between the individual alleged to have com-
23 mitted the sexual assault concerned and the in-
24 dividual claimed to have committed the retalia-
25 tion.

1 “(G) The official or office that received the
2 complaint.

3 “(H) The organization that investigated or
4 is investigating the complaint.

5 “(I) The current status of the investiga-
6 tion.

7 “(J) If the investigation is complete, a de-
8 scription of the results of the investigation, in-
9 cluding whether the results of the investigation
10 were provided to the complainant.

11 “(K) If the investigation determined that
12 retaliation occurred, whether the retaliation was
13 an offense under chapter 47 of this title (the
14 Uniform Code of Military Justice).

15 “(13) Information and data collected through
16 formal and informal reports of sexual harassment in-
17 volving members of the armed forces during the year
18 covered by the report, as follows:

19 “(A) The number of substantiated and un-
20 substantiated reports.

21 “(B) A synopsis of each substantiated re-
22 port, including the race and ethnicity of the vic-
23 tim and accused.

24 “(C) The action taken in the case of each
25 substantiated report, including the type of dis-

1 disciplinary or administrative sanction imposed, if
2 any, such as—

3 “(i) conviction and sentence by court-
4 martial;

5 “(ii) imposition of non-judicial punish-
6 ment under section 815 of this title (article
7 15 of the Uniform Code of Military Jus-
8 tice); or

9 “(iii) administrative separation or
10 other type of administrative action im-
11 posed.

12 “(14) Information and data collected during the
13 year covered by the report on each reported incident
14 involving the non-consensual distribution by a person
15 subject to chapter 47 of this title (the Uniform Code
16 of Military Justice), of a private sexual image of an-
17 other person, including the following:

18 “(A) The number of substantiated and un-
19 substantiated reports.

20 “(B) A synopsis of each substantiated re-
21 port.

22 “(C) The action taken in the case of each
23 substantiated report, including the type of dis-
24 ciplinary or administrative sanction imposed, if
25 any, such as—

1 “(i) conviction and sentence by court-
2 martial;

3 “(ii) imposition of non-judicial punish-
4 ment under section 815 this title (article
5 15 of the Uniform Code of Military Jus-
6 tice); or

7 “(iii) administrative separation or
8 other type of administrative action im-
9 posed.

10 “(c) SUBSTANTIATED DEFINED.—In this section, the
11 term ‘substantiated’, when used with respect to the report
12 of an incident or offense, means that the report meets the
13 following criteria:

14 “(1) The victim made an unrestricted report of
15 such incident or offense.

16 “(2) The report was investigated by the Federal
17 Government or a State, local, or Tribal law enforce-
18 ment organization.

19 “(3) The report was provided to the appropriate
20 military command for consideration of action and
21 was found to have sufficient evidence to support the
22 command’s action against the subject.

23 “(d) SUBMISSION TO CONGRESS.—

24 “(1) IN GENERAL.—Not later than April 30 of
25 each year in which the Secretary of Defense receives

1 reports under subsection (a), the Secretary of De-
2 fense shall forward the reports to the appropriate
3 congressional committees, together with—

4 “(A) the results of assessments conducted
5 under the evaluation plan required by section
6 1602(c) of the Ike Skelton National Defense
7 Authorization Act for Fiscal Year 2011 (Public
8 Law 111–383; 10 U.S.C. 1561 note);

9 “(B) an assessment of the information
10 submitted to the Secretary pursuant to sub-
11 section (b)(11); and

12 “(C) such other assessments on the reports
13 as the Secretary of Defense considers appro-
14 priate.

15 “(2) APPROPRIATE CONGRESSIONAL COMMIT-
16 TEES DEFINED.—In this subsection, the term ‘ap-
17 propriate congressional committees’ means—

18 “(A) the Committee on Armed Services,
19 the Committee on Commerce, Science, and
20 Transportation, and the Committee on Vet-
21 erans’ Affairs of the Senate; and

22 “(B) the Committee on Armed Services,
23 the Committee on Transportation and Infra-
24 structure, and the Committee on Veterans’ Af-
25 fairs of the House of Representatives.

1 “(e) PUBLICATION.—The Secretary of Defense
2 shall—

3 “(1) publish on an appropriate publicly avail-
4 able website of the Department of Defense the re-
5 ports required by subsections (a) and (d); and

6 “(2) ensure that any data included with each
7 such report is made available in a machine-readable
8 format that is downloadable, searchable, and sort-
9 able.

10 “(f) ADDITIONAL DETAILS FOR CASE SYNOPSES
11 PORTION OF REPORT.—The Secretary of each military de-
12 partment shall include in the case synopses portion of each
13 report, as described in subsection (b)(3), the following ad-
14 ditional information:

15 “(1) If charges are dismissed following an in-
16 vestigation conducted under section 832 of this title
17 (article 32 of the Uniform Code of Military Justice),
18 the case synopsis shall include the reason for the
19 dismissal of the charges.

20 “(2) If the case synopsis states that a member
21 of the armed forces accused of committing a sexual
22 assault was administratively separated or, in the
23 case of an officer, allowed to resign in lieu of facing
24 a court-martial, the case synopsis shall include the
25 characterization (honorable, general, or other than

1 honorable) given the service of the member upon
2 separation.

3 “(3) The case synopsis shall indicate whether a
4 member of the armed forces accused of committing
5 a sexual assault was ever previously accused of a
6 substantiated sexual assault or was admitted to the
7 armed forces under a moral waiver granted with re-
8 spect to prior sexual misconduct.

9 “(4) The case synopsis shall indicate the branch
10 of the armed forces of each member accused of com-
11 mitting a sexual assault and the branch of the
12 armed forces of each member who is a victim of a
13 sexual assault.

14 “(5) If the case disposition includes non-judicial
15 punishment, the case synopsis shall explicitly state
16 the nature of the punishment.

17 “(6) The case synopsis shall indicate whether
18 alcohol was involved in any way in a substantiated
19 sexual assault incident.

20 “(g) COORDINATION OF RELEASE DATE BETWEEN
21 ANNUAL REPORTS REGARDING SEXUAL ASSAULTS AND
22 FAMILY ADVOCACY REPORT.—The Secretary of Defense
23 shall ensure that the reports required under subsection (a)
24 for a given year are delivered to the Committees on Armed
25 Services of the Senate and House of Representatives si-

1 multaneously with the Family Advocacy Program report
2 for that year regarding child abuse and domestic violence,
3 as required by section 574 of the National Defense Au-
4 thorization Act for Fiscal Year 2017 (Public Law 114-
5 328; 130 Stat. 2141).

6 “(h) INCLUSION OF INFORMATION IN REGARDING
7 SEXUAL ASSAULTS COMMITTED AGAINST A MEMBER’S
8 SPOUSE OR OTHER FAMILY MEMBER.—The Secretary of
9 Defense shall include, in each report under this section,
10 information regarding a sexual assault committed by a
11 member of the armed forces against the spouse or intimate
12 partner of the member or another dependent of the mem-
13 ber in addition to the annual Family Advocacy Program
14 report as required by section 574 of the National Defense
15 Authorization Act for Fiscal Year 2017 (Public Law 114-
16 328; 130 Stat. 2141). The information may be included
17 as an annex to such reports.”.

18 (2) CONFORMING REPEALS.—

19 (A) Section 1631 of the Ike Skelton Na-
20 tional Defense Authorization Act for Fiscal
21 Year 2011 (Public Law 111-383; 10 U.S.C.
22 1561 note) is repealed.

23 (B) Section 538 of the National Defense
24 Authorization Act for Fiscal Year 2018 (Public
25 Law 115-91; 10 U.S.C. 1561 note) is repealed.

1 (3) CLERICAL AMENDMENT.—The table of sec-
2 tions at the beginning of chapter 23 of such title, as
3 amended by this subsection, is further amended by
4 inserting after the item relating to section 486 the
5 following new item:

“487. Annual reports on sexual assaults.”.

6 (d) EFFECTIVE DATES.—

7 (1) IN GENERAL.—Except as provided in para-
8 graph (2), the amendments made by subsections (b)
9 and (c) shall take effect on the day after the date
10 of the enactment of this Act.

11 (2) EXCEPTIONS.—

12 (A) SEPARATE SPACE FORCE REPORTS.—

13 The requirement for the Secretary of the Air
14 Force to submit separate reports for the Space
15 Force under sections 486 and 487 of title 10,
16 United States Code (as added by subsections
17 (b) and (c) of this section) shall take effect on
18 October 1, 2023 and shall apply with respect to
19 reports required to be submitted under such
20 sections after such date.

21 (B) CERTAIN STATISTICAL INFORMA-

22 TION.—The requirement to include the informa-
23 tion described in subparagraphs (A) and (B) of
24 section 486(b)(1) of title 10, United States
25 Code, in the annual reports under such section

1 shall apply with respect to reports required to
2 be submitted after January 1, 2023.

3 **SEC. 573. AMENDMENTS TO ADDITIONAL DEPUTY INSPEC-**
4 **TOR GENERAL OF THE DEPARTMENT OF DE-**
5 **FENSE.**

6 Section 554(a) of the William M. (Mac) Thornberry
7 National Defense Authorization Act for Fiscal Year 2021
8 (Public Law 116–283) is amended—

9 (1) in the section heading, by striking “**DEP-**
10 **UTY**” and inserting “**ASSISTANT**”;

11 (2) in paragraph (1)—

12 (A) in the matter preceding subparagraph

13 (A)—

14 (i) by striking “Secretary of Defense”
15 and inserting “Inspector General of the
16 Department of Defense”; and

17 (ii) by striking “Deputy” and insert-
18 ing “Assistant”;

19 (B) in subparagraph (A), by striking “of
20 the Department”; and

21 (C) in subparagraph (B), by striking “re-
22 port directly to and serve” and inserting “be”;

23 (3) in paragraph (2)—

24 (A) in the matter preceding clause (i) of
25 subparagraph (A)—

1 (i) by striking “Conducting and su-
2 pervising” and inserting “Developing and
3 carrying out a plan for the conduct of com-
4 prehensive oversight, including through the
5 conduct and supervision of”; and

6 (ii) by striking “evaluations” and in-
7 serting “inspections,”;

8 (B) in clause (ii) of subparagraph (A), by
9 striking “, including the duties of the Inspector
10 General under subsection (b)”; and

11 (C) in subparagraph (B), by striking “Sec-
12 retary or”;

13 (4) in paragraph (3)(A) in the matter preceding
14 subparagraph (A), by striking “Deputy” and insert-
15 ing “Assistant”;

16 (5) in paragraph (4)—

17 (A) in subparagraph (A), by striking
18 “Deputy” each place it appears and inserting
19 “Assistant”;

20 (B) in subparagraph (B)—

21 (i) by striking “Deputy” the first
22 place it appears;

23 (ii) by striking “and the Inspector
24 General”;

1 (iii) by striking “Deputy” the second
2 place it appears and inserting “Assistant”;
3 and

4 (iv) by inserting before the period at
5 the end the following: “, for inclusion in
6 the next semiannual report of the Inspec-
7 tor General under section 5 of the Inspec-
8 tor General Act of 1978 (5 U.S.C. App.)”;
9 (C) in subparagraph (C)—

10 (i) by striking “Deputy”; and

11 (ii) by striking “and Inspector Gen-
12 eral”;

13 (D) in subparagraph (D)—

14 (i) by striking “Deputy”;

15 (ii) by striking “and the Inspector
16 General”;

17 (iii) by striking “Secretary or”; and

18 (iv) by striking “direct” and inserting
19 “determine”; and

20 (E) in subparagraph (E)—

21 (i) by striking “Deputy” ; and

22 (ii) by striking “of the Department”

23 and all that follows through “Representa-
24 tives” and inserting “consistent with the

1 requirements of the Inspector General Act
2 of 1978 (5 U.S.C. App.).”.

3 **SEC. 574. EXTENSION OF DEADLINE FOR GAO REPORT ON**
4 **EQUAL OPPORTUNITY AT THE MILITARY**
5 **SERVICE ACADEMIES.**

6 Section 558 of the William M. (Mac) Thornberry Na-
7 tional Defense Authorization Act for Fiscal Year 2021
8 (Public Law 116–283) is amended, in the matter pre-
9 ceding paragraph (1), by striking “one year after the date
10 of the enactment of this Act” and inserting “May 31,
11 2022”.

12 **SEC. 575. GAO REVIEW OF EXTREMIST AFFILIATIONS AND**
13 **ACTIVITY AMONG MEMBERS OF THE ARMED**
14 **FORCES ON ACTIVE DUTY.**

15 (a) REVIEW.—The Comptroller General of the United
16 States shall perform a review to determine the prevalence
17 of extremist affiliations and activity among members of
18 the Armed Forces on active duty. The review shall include
19 the following elements:

20 (1) Sources of information used by the Sec-
21 retary of Defense and Secretaries of the military de-
22 partments to determine extremist affiliations and ac-
23 tivity, including the extent to which—

1 (A) the Armed Forces have established
2 methods for anonymous reporting of suspected
3 extremist affiliations and activity;

4 (B) the Armed Forces have established
5 guidelines to help ensure that commanders
6 properly investigate such reports;

7 (C) reports of violence by members of the
8 Armed Forces have been investigated for rela-
9 tion to extremist affiliations and activity;

10 (D) members of the Armed Forces have
11 been discharged or disciplinary actions because
12 of extremist affiliations or activity; and

13 (E) the Department of Defense tracking
14 cases described in subparagraph (D).

15 (2) The extent to which the Secretary of De-
16 fense and Secretaries of the military departments
17 use information described in paragraph (1) in vet-
18 ting members, including the extent to which—

19 (A) recruiters have identified individuals
20 with suspected extremist affiliations;

21 (B) such individuals have received waivers;
22 and

23 (C) command climate surveys indicate a
24 culture in the Armed Forces that supports ex-
25 tremist affiliations and activity.

1 (3) The extent to which the Secretary of De-
2 fense and Secretaries of the military departments
3 use information described in paragraph (1) in vet-
4 ting members.

5 (4) Procedures of the Department of Defense
6 and the Armed Forces for identifying, responding to,
7 and tracking reported instances of extremist affili-
8 ations and activity.

9 (5) Efforts of the Secretary of Defense and
10 Secretaries of the military departments to train per-
11 sonnel to identify and report members or recruits
12 suspected of extremist affiliations or activity, includ-
13 ing the extent to which—

14 (A) commanders and recruiters trained to
15 identify potential indicators of extremist affili-
16 ations (including tattoos); and

17 (B) members are trained to identify and
18 report indicators of extremist affiliations and
19 activity in the Armed Forces or Department of
20 Defense.

21 (6) Any other matter that the Comptroller Gen-
22 eral determines relevant.

23 (b) REPORT.—Not later than March 31, 2022, the
24 Comptroller General shall submit to the Committees on
25 Armed Services of the Senate and the House of Represent-

1 atives a report containing the results of the review under
2 this section.

3 **Subtitle I—Decorations and**
4 **Awards**

5 **SEC. 581. SEMIANNUAL REPORTS REGARDING REVIEW OF**
6 **SERVICE RECORDS OF CERTAIN VETERANS.**

7 (a) IN GENERAL.— Section 586 of the National De-
8 fense Authorization Act for Fiscal Year 2017 (Public Law
9 114–328; 10 U.S.C. 7271 note) is amended—

10 (1) by redesignating subsection (h) as sub-
11 section (i);

12 (2) by inserting after subsection (g) the fol-
13 lowing new subsection (h):

14 “(h) SEMIANNUAL REPORTS.—

15 “(1) REPORTS REQUIRED.—Not later than Jan-
16 uary 31 and July 31 each year, each Secretary of
17 a military department shall submit to the appro-
18 priate committees of Congress a report regarding
19 the review of service records under the jurisdiction
20 of that Secretary pursuant to subsection (a).

21 “(2) ELEMENTS.—Each report under this sub-
22 section shall include the following:

23 “(A) The number of service records identi-
24 fied for review.

1 “(B) The number of service records re-
2 viewed during the preceding two calendar quar-
3 ters.

4 “(C) The number of service records re-
5 viewed to date.

6 “(D) The number of full-time equivalent
7 employees conducting reviews under subsection
8 (a).

9 “(E) The number of work hours employees
10 described in subparagraph (D) spent reviewing
11 service records during the preceding two cal-
12 endar quarters.

13 “(F) The number of work hours employees
14 described in subparagraph (D) have spent re-
15 viewing service records to date.

16 “(G) A summary of any consultation with
17 or information provided by a veterans service
18 organization under subsection (c) during the
19 preceding two calendar quarters.

20 “(H) A summary of any consultation with
21 or information provided by a veterans service
22 organization under subsection (c) to date.

23 “(3) TERMINATION.—The reporting require-
24 ment under this subsection shall terminate for the
25 Secretary of a military department after that Sec-

1 retary certifies in writing to the appropriate commit-
2 tees of Congress that the Secretary has—

3 “(A) completed the review of the service
4 record of each covered veteran under the juris-
5 diction of that Secretary; and

6 “(B) submitted every recommendation
7 under subsection (d) and every notification
8 under subsection (f) that the Secretary intends
9 to submit.”; and

10 (3) in subsection (i), as redesignated—

11 (A) in the heading, by striking “DEFINI-
12 TION” and inserting “DEFINITIONS”;

13 (B) by striking all that follows “section”
14 and inserting a colon; and

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

16 “(1) The term ‘Native American Pacific Is-
17 lander’ means a Native Hawaiian or Native Amer-
18 ican Pacific Islander, as those terms are defined in
19 section 815 of the Native American Programs Act of
20 1974 (42 U.S.C. 2992c).

21 “(2) The term ‘appropriate committees of Con-
22 gress’ means—

23 “(A) The Committee on Armed Services
24 and the Committee on Veterans’ Affairs of the
25 Senate; and

1 “(B) The Committees on Armed Services
2 and the Committee on Veterans’ Affairs of the
3 House of Representatives.”.

4 (b) DEADLINE.—The first report under subsection
5 (h) of such section 586, as inserted by subsection (a), shall
6 be due not later than July 31, 2022.

7 **SEC. 582. ELIGIBILITY OF VETERANS OF OPERATION END**
8 **SWEEP FOR VIETNAM SERVICE MEDAL.**

9 The Secretary of the military department concerned
10 may, upon the application of an individual who is a vet-
11 eran who participated in Operation End Sweep, award
12 that individual the Vietnam Service Medal.

13 **SEC. 583. ESTABLISHMENT OF THE ATOMIC VETERANS**
14 **SERVICE MEDAL.**

15 (a) SERVICE MEDAL REQUIRED.—The Secretary of
16 Defense shall design and produce a commemorative mili-
17 tary service medal, to be known as the “Atomic Veterans
18 Service Medal”, to honor retired and former members of
19 the Armed Forces who are radiation-exposed veterans (as
20 such term is defined in section 1112(c)(3) of title 38,
21 United States Code).

22 (b) DISTRIBUTION OF MEDAL.—

23 (1) ISSUANCE TO RETIRED AND FORMER MEM-
24 BERS.—At the request of a radiation-exposed vet-

1 eran, the Secretary of Defense shall issue the Atom-
2 ic Veterans Service Medal to the veteran.

3 (2) ISSUANCE TO NEXT-OF-KIN.—In the case of
4 a radiation-exposed veteran who is deceased, the
5 Secretary may provide for issuance of the Atomic
6 Veterans Service Medal to the next-of-kin of the per-
7 son.

8 (3) APPLICATION.—The Secretary shall prepare
9 and disseminate as appropriate an application by
10 which radiation-exposed veterans and their next-of-
11 kin may apply to receive the Atomic Veterans Serv-
12 ice Medal.

13 **SEC. 584. AUTHORIZATION FOR AWARD OF THE MEDAL OF**
14 **HONOR TO MARCELINO SERNA FOR ACTS OF**
15 **VALOR DURING WORLD WAR I.**

16 (a) AUTHORIZATION.—Notwithstanding the time lim-
17 itations specified in section 7274 of title 10, United States
18 Code, or any other time limitation with respect to the
19 awarding of certain medals to persons who served in the
20 Armed Forces, the President may posthumously award the
21 Medal of Honor under section 7272 of such title to
22 Marcelino Serna for the acts of valor described in the sub-
23 section (b).

24 (b) ACTS OF VALOR DESCRIBED.—The acts of valor
25 described in this subsection are the actions of Marcelino

1 Serna as a private in the Army during World War I, for
2 which he was previously awarded the Distinguished-Serv-
3 ice Cross.

4 **Subtitle J—Miscellaneous Reports** 5 **and Other Matters**

6 **SEC. 591. COMMAND CLIMATE ASSESSMENTS: INDE-** 7 **PENDENT REVIEW; REPORTS.**

8 Section 587 of the National Defense Authorization
9 Act for Fiscal Year 2014 (Public Law 113–66; 10 U.S.C.
10 1561 note) is amended by adding at the end the following:

11 “(d) INDEPENDENT REVIEW.—During fiscal year
12 2022 and annually thereafter, the Secretary of a military
13 department shall establish an independent command cli-
14 mate review board (in this section referred to as an
15 ‘ICCRB’) for each Armed Force under the jurisdiction of
16 such Secretary.

17 “(1) DUTIES.—An ICCRB shall review the
18 command climate, at each of no fewer than three
19 military installations of the Armed Force concerned,
20 regarding the following matters:

21 “(A) Command climate survey results.

22 “(B) Crime and other public safety issues.

23 “(C) Prevention of, and responses to,
24 crime at the military installation.

1 “(D) Prevention of, and responses to, sex-
2 ual assault and sexual harassment at the mili-
3 tary installation.

4 “(E) Discrimination and equal opportunity
5 at the military installation.

6 “(F) Suicides and other deaths of mem-
7 bers serving at the military installation.

8 “(G) Any other matter determined appro-
9 priate by the Secretary of the military depart-
10 ment concerned or the ICCRB.

11 “(2) METHODS.—An ICCRB shall conduct such
12 review by means including—

13 “(A) an anonymous survey;

14 “(B) focus groups; and

15 “(C) individual interviews.

16 “(3) MEMBERSHIP.—An ICCRB shall be com-
17 posed of no fewer than six individuals—

18 “(A) appointed by the Secretary of the
19 military department concerned;

20 “(B) with expertise determined to be rel-
21 evant by such Secretary; and

22 “(C) none of whom may be a member of
23 an Armed Force or civilian employee of the De-
24 partment of Defense.

1 “(4) SELECTION OF MILITARY INSTALLA-
2 TIONS.—The Secretary of the military department
3 concerned shall select, for review by an ICCRB, mili-
4 tary installations that have—

5 “(A) lower-than-average results on com-
6 mand climate surveys;

7 “(B) higher-than-average crime rates;

8 “(C) higher-than-average incidence of sui-
9 cide;

10 “(D) higher-than-average incidence of sex-
11 ual assault and sexual harassment; and

12 “(E) higher-than-average number of equal
13 opportunity complaints.

14 “(5) COORDINATION.—The Secretary of De-
15 fense shall direct the Offices of People Analytics,
16 and of Force Resiliency, of the Department of De-
17 fense, to coordinate with an ICCRB.

18 “(6) REPORTS.—

19 “(A) Not later than September 30, 2022,
20 and annually thereafter, an ICCRB shall sub-
21 mit to the Secretary of the military department
22 concerned a report containing the results of the
23 most recent review conducted by the ICCRB
24 and recommendations of the ICCRB to improve

1 the climate command at the military installa-
2 tions reviewed.

3 “(B) Not later than November 30, 2022,
4 and annually thereafter, an ICCRB shall sub-
5 mit to the Committees on Armed Services of
6 the Senate and House of Representatives the
7 report under subparagraph (A).

8 “(e) REPORTS.—Not later than April 30, 2023, and
9 annually thereafter—

10 “(1) the Secretary of a military department
11 shall submit to the Secretary of Defense a report
12 containing, with respect to the most recent climate
13 command assessment for each Armed Force under
14 the jurisdiction of such Secretary of a military de-
15 partment—

16 “(A) an analysis of responses,
17 disaggregated by, with respect to respondents—

18 “(i) military installation;

19 “(ii) unit;

20 “(iii) major organization (at the bri-
21 gade or equivalent level);

22 “(iv) major career fields (including
23 combat arms, aviation, logistics, and med-
24 ical);

1 “(v) ranks, grouped into junior, mid-
2 grade, and senior—

3 “(I) enlisted; and

4 “(II) officers (including warrant
5 officers);

6 “(vi) in the case of the Navy, sea duty
7 and shore duty;

8 “(vii) gender;

9 “(viii) race; and

10 “(ix) ethnicity; and

11 “(B) actions taken and planned by the
12 Secretary of a military department to improve
13 negative responses and promote a positive com-
14 mand climate; and

15 “(2) the Secretary of Defense shall submit to
16 the Committees on Armed Services of the Senate
17 and House of Representatives a report containing,
18 with respect to the most recent climate command as-
19 sessment for each Armed Force—

20 “(A) a summary of responses,
21 disaggregated by, with respect to respondents—

22 “(i) Armed Force;

23 “(ii) military installation at which
24 more than 5,000 members serve;

1 “(iii) major organization (at the bri-
2 gade or equivalent level);

3 “(iv) major career fields (including
4 combat arms, aviation, logistics, and med-
5 ical);

6 “(v) ranks, grouped into junior, mid-
7 grade, and senior—

8 “(I) enlisted; and

9 “(II) officers (including warrant
10 officers);

11 “(vi) in the case of the Navy, sea duty
12 and shore duty;

13 “(vii) gender;

14 “(viii) race; and

15 “(ix) ethnicity; and

16 “(B) actions taken and planned by the
17 Secretary of Defense to improve negative re-
18 sponses and promote a positive command cli-
19 mate.”.

20 **SEC. 592. HEALTHY EATING IN THE DEPARTMENT OF DE-**
21 **FENSE.**

22 (a) AUTHORIZATION OF ELEMENT OF THE DEPART-
23 MENT OF DEFENSE; PLAN.—

24 (1) ESTABLISHMENT.—The Secretary of De-
25 fense may establish an element of the Department of

1 Defense responsible for implementing a plan to im-
2 prove access to healthy food on military installations.

3 If established, such element shall—

4 (A) be modelled on the Healthy Base Ini-
5 tiative of the Department; and

6 (B) include personnel with—

7 (i) expertise in food service oper-
8 ations;

9 (ii) up-to-date knowledge of modern
10 healthy food delivery systems; and

11 (iii) deep understanding of food serv-
12 ice in the Department.

13 (2) PLAN.—If implemented, the plan under
14 paragraph (1) shall include—

15 (A) leading practices from campus dining
16 services at institutions of higher learning and
17 private entities; and

18 (B) lessons learned from previous efforts
19 of the Secretary to make such improvements.

20 (b) PILOT PROGRAM.—

21 (1) ESTABLISHMENT.—The Secretary may
22 carry out a pilot program to develop and test appro-
23 priate business models that increase the availability,
24 affordability, and acceptability of healthy foods in
25 dining facilities of the Department.

1 (2) LOCATIONS.—For each Armed Force under
2 the jurisdiction of the Secretary of a military depart-
3 ment, the Secretary may establish a pilot program
4 location at a military installation, located within the
5 United States, of—

6 (A) the regular component of such Armed
7 Force; and

8 (B) a reserve component of such Armed
9 Force.

10 (3) MEAL CARD.—A pilot program under this
11 subsection shall include—

12 (A) expansion of the use of meal cards by
13 members outside of the primary dining facility
14 at the military installation concerned; and

15 (B) providing access to all personnel of
16 such installation access to all dining venues at
17 such installation.

18 (4) PARTNERSHIPS.—The commander of each a
19 military installation described in paragraph (2) may
20 enter into an agreement with a local entity for the
21 purposes of the pilot.

22 **SEC. 593. PLANT-BASED PROTEIN PILOT PROGRAM OF THE**
23 **NAVY.**

24 (a) ESTABLISHMENT.—Not later than March 1,
25 2022, the Secretary of the Navy shall establish a pilot pro-

1 gram to offer plant-based protein options at forward oper-
2 ating bases for consumption by members of the Navy.

3 (b) LOCATIONS.—Not later than March 1, 2022, the
4 Secretary shall identify not fewer than two naval facilities
5 to participate in the pilot program and shall prioritize fa-
6 cilities (such as Joint Region Marianas, Guam, Navy Sup-
7 port Facility, Diego Garcia, and U.S. Fleet Activities
8 Sasebo, Japan) where livestock-based protein options may
9 be costly to obtain or store.

10 (c) RULE OF CONSTRUCTION.—Nothing in this Act
11 shall be construed to prevent offering livestock-based pro-
12 tein options alongside plant-based protein options at naval
13 facilities identified under subsection (b).

14 (d) TERMINATION.—The requirement to carry out
15 the pilot program established under this section shall ter-
16minate three years after the date on which the Secretary
17 establishes the pilot program required under this section.

18 (e) REPORT.—Not later than one year after the ter-
19mination of the pilot program, the Secretary shall submit
20 to the appropriate congressional committees a report on
21 the pilot program that includes the following:

22 (1) The consumption rate of plant-based pro-
23 tein options by members of the Navy under the pilot
24 program.

1 (2) Effective criteria to increase plant-based
2 protein options at naval facilities not identified
3 under subsection (b).

4 (3) An analysis of the costs of obtaining and
5 storing plant-based protein options compared to the
6 costs of obtaining and storing livestock-based protein
7 options at selected naval facilities.

8 (f) DEFINITIONS.—In this section:

9 (1) APPROPRIATE CONGRESSIONAL COMMIT-
10 TEES.—The term “appropriate congressional com-
11 mittees” means—

12 (A) the Committee on Armed Services of
13 the House of Representatives; and

14 (B) the Committee on Armed Forces of the
15 Senate.

16 (2) PLANT-BASED PROTEIN OPTIONS.—The
17 term “plant-based protein options” means edible
18 products made to approximate the taste and texture
19 of livestock-based protein, or vegan or vegetarian
20 meat alternative products made using plant and
21 other non-livestock-based proteins that are con-
22 sistent with the nutritional properties of meat prod-
23 ucts.

1 **SEC. 594. REPORTS ON MISCONDUCT BY MEMBERS OF SPE-**
2 **CIAL OPERATIONS FORCES.**

3 (a) REPORT REQUIRED.—Not later than 180 days
4 after the date of the enactment of this Act, and every six
5 months thereafter for five years, the Assistant Secretary
6 of Defense for Special Operations and Low Intensity Con-
7 flict shall submit to the Committees on Armed Services
8 of the Senate and House of Representatives a report re-
9 garding misconduct by members of special operations
10 forces during the six months preceding the date of such
11 report.

12 (b) SPECIAL OPERATIONS FORCES DEFINED.—In
13 this section, the term “special operations forces” means
14 forces described in section 167(j) of title 10, United States
15 Code.

16 **SEC. 595. UPDATES AND PRESERVATION OF MEMORIALS TO**
17 **CHAPLAINS AT ARLINGTON NATIONAL CEME-**
18 **TERY.**

19 (a) UPDATES AND PRESERVATION OF MEMORIALS.—

20 (1) PROTESTANT CHAPLAINS MEMORIAL.—The
21 Secretary of the Army may permit NCMAF—

22 (A) to modify the memorial to Protestant
23 chaplains located on Chaplains Hill to include a
24 granite, marble, or other stone base for the
25 bronze plaque of the memorial;

1 (B) to add an additional plaque to the
2 stone base added pursuant to subparagraph (A)
3 to include the name of each chaplain, verified
4 as described in subsection (b), who died while
5 serving on active duty in the Armed Forces
6 after the date on which the original memorial
7 was placed; and

8 (C) to make such other updates and cor-
9 rections to the memorial that may be needed as
10 determined by the Secretary.

11 (2) CATHOLIC AND JEWISH CHAPLAIN MEMO-
12 RIALS.—The Secretary of the Army may permit
13 NCMAF to update and make corrections to the
14 Catholic and Jewish chaplain memorials located on
15 Chaplains Hill that may be needed as determined by
16 the Secretary.

17 (3) NO COST TO FEDERAL GOVERNMENT.—The
18 activities of NCMAF authorized by this subsection
19 shall be carried out at no cost to the Federal Gov-
20 ernment.

21 (b) VERIFICATION OF NAMES.—NCMAF may not in-
22 clude the name of a chaplain on a memorial on Chaplains
23 Hill under subsection (a) unless that name has been
24 verified by the Chief of Chaplains of the Army, Navy, or
25 Air Force or the Chaplain of the United States Marine

1 Corps, depending on the branch of the Armed Forces in
2 which the chaplain served.

3 (c) PROHIBITION ON EXPANSION OF MEMORIALS.—
4 Except as provided in subsection (a)(1)(A), this section
5 may not be construed as authorizing the expansion of any
6 memorial that is located on Chaplains Hill as of the date
7 of the enactment of this Act.

8 (d) DEFINITIONS.—In this section:

9 (1) The term “Chaplains Hill” means the area
10 in Arlington National Cemetery that, as of the date
11 of the enactment of this Act, is generally identified
12 and recognized as Chaplains Hill.

13 (2) The term “NCMAF” means the National
14 Conference on Ministry to the Armed Forces or any
15 successor organization recognized in law for pur-
16 poses of the operation of this section.

17 **TITLE VI—COMPENSATION AND**
18 **OTHER PERSONNEL BENEFITS**

19 **Subtitle A—Pay and Allowances**

20 **SEC. 601. BASIC NEEDS ALLOWANCE FOR LOW-INCOME**
21 **REGULAR MEMBERS.**

22 (a) IN GENERAL.—Chapter 7 of title 37, United
23 States Code, is amended by inserting after section 402a
24 the following new section:

1 **“§ 402b. Basic needs allowance for low-income reg-**
2 **ular members**

3 “(a) ALLOWANCE REQUIRED.—(1) Subject to para-
4 graph (2), the Secretary of Defense shall pay to each cov-
5 ered member a basic needs allowance in the amount deter-
6 mined for such member under subsection (b).

7 “(2) In the event a household contains two or more
8 covered members entitled to receive the allowance under
9 this section in a given year, only one allowance may be
10 paid for that year to a covered member among such cov-
11 ered members whom such covered members shall jointly
12 elect.

13 “(b) AMOUNT OF ALLOWANCE FOR A COVERED
14 MEMBER.—(1) The amount of the monthly allowance pay-
15 able to a covered member under subsection (a) for a year
16 shall be the aggregate amount equal to—

17 “(A) the aggregate amount equal to—

18 “(i) 130 percent of the Federal poverty guide-
19 lines of the Department of Health and Human Serv-
20 ices for the location and number of persons in the
21 household of the covered member for such year;
22 minus

23 “(ii) the gross household income of the covered
24 member during the preceding year; and

25 “(B) divided by 12.

1 “(2) The monthly allowance payable to a covered
2 member for a year shall be payable for each of the 12
3 months following March of such year.

4 “(c) NOTICE OF ELIGIBILITY.—(1)(A) Not later than
5 December 31 each year, the Director of the Defense Fi-
6 nance and Accounting Service shall notify, in writing, each
7 individual whom the Director estimates will be a covered
8 member during the following year of the potential entitle-
9 ment of that individual to the allowance described in sub-
10 section (a) for that following year.

11 “(B) The preliminary notice under subparagraph (A)
12 shall include information regarding financial management
13 and assistance programs administered by the Secretary of
14 Defense for which a covered member is eligible.

15 “(2) Not later than January 31 each year, each indi-
16 vidual who seeks to receive the allowance for such year
17 (whether or not subject to a notice for such year under
18 paragraph (1)) shall submit to the Director such informa-
19 tion as the Director shall require for purposes of this sec-
20 tion in order to determine whether or not such individual
21 is a covered member for such year.

22 “(3) Not later than February 28 each year, the Di-
23 rector shall notify, in writing, each individual the Director
24 determines to be a covered member for such year.

1 “(d) ELECTION NOT TO RECEIVE ALLOWANCE.—(1)
2 A covered member otherwise entitled to receive the allow-
3 ance under subsection (a) for a year may elect, in writing,
4 not to receive the allowance for such year. Any election
5 under this subsection shall be effective only for the year
6 for which made. Any election for a year under this sub-
7 section is irrevocable.

8 “(2) A covered member who does not submit informa-
9 tion described in subsection (d)(2) for a year as otherwise
10 required by that subsection shall be deemed to have elect-
11 ed not to receive the allowance for such year.

12 “(e) DEFINITIONS.—In this section:

13 “(1) The term ‘covered member’ means a reg-
14 ular member of an armed force under the jurisdic-
15 tion of the Secretary of a military department—

16 “(A) who has completed initial entry train-
17 ing;

18 “(B) whose gross household income during
19 the most recent year did not exceed an amount
20 equal to 130 percent of the Federal poverty
21 guidelines of the Department of Health and
22 Human Services for the location and number of
23 persons in the household of the covered member
24 for such year; and

1 “(C) who does not elect under subsection
2 (d) not to receive the allowance for such year.

3 “(2) The term ‘gross household income’ of a
4 covered member for a year for purposes of para-
5 graph (1)(B) does not include any basic allowance
6 for housing received by the covered member (and
7 any dependents of the covered member in the house-
8 hold of the covered member) during such year under
9 section 403 of this title.

10 “(f) REGULATIONS.—The Secretary of Defense shall
11 prescribe regulations for the administration of this section.
12 Subject to subsection (e)(2), such regulations shall specify
13 the income to be included in, and excluded from, the gross
14 household income of individuals for purposes of this sec-
15 tion.”.

16 (b) CLERICAL AMENDMENT.—The table of sections
17 at the beginning of chapter 7 of such title is amended by
18 inserting after the item relating to section 402a the fol-
19 lowing new item:

 “402b. Basic needs allowance for low-income regular members.”.

20 **SEC. 602. EQUAL INCENTIVE PAY FOR MEMBERS OF THE**
21 **RESERVE COMPONENTS OF THE ARMED**
22 **FORCES.**

23 (a) IN GENERAL.—Subchapter II of chapter 5 of title
24 37, United States Code, is amended by adding at the end
25 the following new section:

1 **“§ 357. Incentive pay authorities for members of the**
2 **reserve components of the armed forces**

3 “Notwithstanding section 1004 of this title, the Sec-
4 retary concerned shall pay a member of the reserve compo-
5 nent of an armed force incentive pay in the same monthly
6 amount as that paid to a member in the regular compo-
7 nent of such armed force performing comparable work re-
8 quiring comparable skills.”.

9 (b) TECHNICAL AMENDMENT.—The table of sections
10 at the beginning of such chapter is amended by inserting
11 after the item relating to section 356 the following:

“357. Incentive pay authorities for members of the reserve components of the
armed forces.”.

12 (c) REPORT.—Not later than September 30, 2022,
13 the Secretary of Defense shall submit to the Committees
14 on Armed Services a report regarding the plan of the Sec-
15 retary to implement section 357 of such title, as added
16 by subsection (a), an estimate of the costs of such imple-
17 mentation, and the number of members described in such
18 section.

19 **SEC. 603. EXPANSIONS OF CERTAIN TRAVEL AND TRANS-**
20 **PORTATION AUTHORITIES.**

21 (a) LODGING IN KIND FOR RESERVE COMPONENT
22 MEMBERS PERFORMING TRAINING.—

1 (1) IN GENERAL.—Section 12604 of title 10,
2 United States Code, is amended by adding at the
3 end the following new subsection:

4 “(c) LODGING IN KIND.—(1) In the case of a mem-
5 ber of a reserve component performing active duty for
6 training or inactive-duty training who is not otherwise en-
7 titled to travel and transportation allowances in connec-
8 tion with such duty, the Secretary concerned may reim-
9 burse the member for housing service charge expenses in-
10 curred by the member in occupying transient government
11 housing during the performance of such duty. If transient
12 government housing is unavailable or inadequate, the Sec-
13 retary concerned may provide the member with lodging in
14 kind.

15 “(2) Any payment or other benefit under this sub-
16 section shall be provided in accordance with regulations
17 prescribed by the Secretary concerned.

18 “(3) The Secretary may pay service charge expenses
19 under paragraph (1) and expenses of providing lodging in
20 kind under such paragraph out of funds appropriated for
21 operation and maintenance for the reserve component con-
22 cerned. Use of a Government charge card is authorized
23 for payment of these expenses.

24 “(4) Decisions regarding the availability or adequacy
25 of government housing at a military installation under

1 paragraph (1) shall be made by the installation com-
2 mander.”.

3 (2) CONFORMING AMENDMENT.—Section 474
4 of title 37, United States Code, is amended by strik-
5 ing subsection (i).

6 (b) MANDATORY PET QUARANTINE FEES FOR
7 HOUSEHOLD PETS.—Section 451(b)(8) of title 37, United
8 States Code, is amended by adding at the end the fol-
9 lowing: “Such costs include pet quarantine expenses.”.

10 (c) STUDENT DEPENDENT TRANSPORTATION.—

11 (1) IN GENERAL.—Section 452(b) of title 37,
12 United States Code, is amended by adding at the
13 end the following new paragraphs:

14 “(18) Travel by a dependent child to the United
15 States to obtain formal secondary, undergraduate,
16 graduate, or vocational education, if the permanent
17 duty assignment location of the member of the uni-
18 formed services is outside the continental United
19 States (other than in Alaska or Hawaii).

20 “(19) Travel by a dependent child within the
21 United States to obtain formal secondary, under-
22 graduate, graduate, or vocational education, if the
23 permanent duty assignment location of the member
24 of the uniformed services is in Alaska or Hawaii and

1 the school is located in a State outside of the perma-
2 nent duty assignment location.”.

3 (2) DEFINITIONS.—Section 451 of title 37,
4 United States Code, as amended by subsection (b) of
5 this section, is amended—

6 (A) in subsection (a)(2)(H), by adding at
7 the end the following new clauses:

8 “(vii) Transportation of a dependent
9 child of a member of the uniformed serv-
10 ices to the United States to obtain formal
11 secondary, undergraduate, graduate, or vo-
12 cational education, if the permanent duty
13 assignment location of the member is out-
14 side the continental United States (other
15 than in Alaska or Hawaii).

16 “(viii) Transportation of a dependent
17 child of a member of the uniformed serv-
18 ices within the United States to obtain for-
19 mal secondary, undergraduate, graduate,
20 or vocational education, if the permanent
21 duty assignment location of the member is
22 in Alaska or Hawaii and the school is lo-
23 cated in a State outside of the permanent
24 duty assignment location.”; and

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

3 “(10)(A) The term ‘permanent duty assignment
4 location’ means—

5 “(i) the official station of a member of the
6 uniformed services; or

7 “(ii) the residence of a dependent of a
8 member of the uniformed services.

9 “(B) As used in subparagraph (A)(ii), the resi-
10 dence of a dependent who is a student not living
11 with the member while at school is the permanent
12 duty assignment location of the dependent student.”.

13 (d) DEPENDENT TRANSPORTATION INCIDENT TO
14 SHIP CONSTRUCTION, INACTIVATION, AND OVER-
15 HAULING.—

16 (1) IN GENERAL.—Section 452 of title 37,
17 United States Code, as amended by subsection (c) of
18 this section, is further amended—

19 (A) in subsection (b), by adding at the end
20 the following new paragraph:

21 “(20) Subject to subsection (i), travel by a de-
22 pendent to a location where a member of the uni-
23 formed services is on permanent duty aboard a ship
24 that is overhauling, inactivating, or under construc-
25 tion.”; and

1 (B) by adding at the end the following new
2 subsection:

3 “(i) DEPENDENT TRANSPORTATION INCIDENT TO
4 SHIP CONSTRUCTION, INACTIVATION, AND OVER-
5 HAULING.—The authority under subsection (a) for travel
6 in connection with circumstances described in subsection
7 (b)(19) shall be subject to the following terms and condi-
8 tions:

9 “(1) The Service member must be permanently
10 assigned to the ship for 31 or more consecutive days
11 to be eligible for allowances, and the transportation
12 allowances accrue on the 31st day and every 60 days
13 thereafter.

14 “(2) Transportation in kind, reimbursement for
15 personally procured transportation, or a monetary
16 allowance for mileage in place of the cost of trans-
17 portation may be provided, in lieu of the member’s
18 entitlement to transportation, for the member’s de-
19 pendents from the location that was the home port
20 of the ship before commencement of overhaul or in-
21 activation to the port of overhaul or inactivation.

22 “(3) The total reimbursement for transpor-
23 tation for the member’s dependents may not exceed
24 the cost of one Government-procured commercial
25 round-trip travel.”

1 (2) DEFINITIONS.—Section 451(a)(2)(H) of
2 title 37, United States Code, as amended by sub-
3 section (c) of this section, is further amended by
4 adding at the end the following new clause:

5 “(ix) Transportation of a dependent
6 to a location where a member of the uni-
7 formed services is on permanent duty
8 aboard a ship that is overhauling, inac-
9 tivating, or under construction.”.

10 **SEC. 604. UNREIMBURSED MOVING EXPENSES FOR MEM-**
11 **BERS OF THE ARMED FORCES: REPORT; POL-**
12 **ICY.**

13 (a) REPORT.—Not later than 60 days after the date
14 of the enactment of this Act, the Secretary of Defense
15 shall submit to the Committees on Armed Services of the
16 Senate and House of Representatives a report on unreim-
17 bursed moving expenses incurred by members of the
18 Armed Forces and their families, disaggregated by Armed
19 Force, rank, and military housing area. In such report,
20 the Secretary shall examine the root causes of such unre-
21 imbursed expenses.

22 (b) POLICY.—The Secretary shall establish a uniform
23 policy regarding unreimbursed expenses described in sub-
24 section (a).

1 **SEC. 605. REPORT ON RELATIONSHIP BETWEEN BASIC AL-**
2 **LOWANCE FOR HOUSING AND SIZES OF MILI-**
3 **TARY FAMILIES.**

4 Not later than 60 days after the date of the enact-
5 ment of this Act, the Secretary of Defense shall submit
6 to the Committees on Armed Services of the Senate and
7 House of Representatives a report on whether the basic
8 allowance for housing under section 403 of title 37, United
9 States Code, is sufficient for the average family size of
10 members of the Armed Forces, disaggregated by Armed
11 Force, rank, and military housing area.

12 **SEC. 606. REPORT ON TEMPORARY LODGING EXPENSES IN**
13 **COMPETITIVE HOUSING MARKETS.**

14 Not later than 60 days after the date of the enact-
15 ment of this Act, the Secretary of Defense shall submit
16 to the Committees on Armed Services of the Senate and
17 House of Representatives a report on the appropriateness
18 of the maximum payment period of 10 days under sub-
19 section (c) of section 474a of title 37, United States Code
20 in highly competitive housing markets. Such report shall
21 include how the Secretary educates members of the Armed
22 Forces and their families about their ability to request
23 payment under such section.

24 **SEC. 607. REPORT ON RENTAL PARTNERSHIP PROGRAMS.**

25 (a) REPORT REQUIRED.—Not later than 120 days
26 after the date of the enactment of this Act, the Secretary

1 of Defense shall submit to the appropriate congressional
2 committees a report on the rental partnership programs
3 of the Armed Forces. Such report shall include—

4 (1) the numbers and percentages of members of
5 the Armed Forces who do not live in housing located
6 on military installations who participate in such pro-
7 grams; and

8 (2) the recommendation of the Secretary wheth-
9 er Congress should establish annual funding for
10 such programs and, if so, what in amounts.

11 (b) APPROPRIATE CONGRESSIONAL COMMITTEES
12 DEFINED.—In this section, the term “appropriate con-
13 gressional committees” means the following:

14 (1) The Committee on Armed Services of the
15 House of Representatives.

16 (2) The Committee on Armed Services of the
17 Senate.

18 (3) The Committee on Transportation and In-
19 frastructure of the House of Representatives.

20 (4) The Committee on Commerce, Science, and
21 Transportation of the Senate.

1 **Subtitle B—Bonuses and Incentive**
2 **Pays**

3 **SEC. 611. ONE-YEAR EXTENSION OF CERTAIN EXPIRING**
4 **BONUS AND SPECIAL PAY AUTHORITIES.**

5 (a) AUTHORITIES RELATING TO RESERVE
6 FORCES.—Section 910(g) of title 37, United States Code,
7 relating to income replacement payments for reserve com-
8 ponent members experiencing extended and frequent mo-
9 bilization for active duty service, is amended by striking
10 “December 31, 2021” and inserting “December 31,
11 2022”.

12 (b) TITLE 10 AUTHORITIES RELATING TO HEALTH
13 CARE PROFESSIONALS.—The following sections of title
14 10, United States Code, are amended by striking “Decem-
15 ber 31, 2021” and inserting “December 31, 2022”:

16 (1) Section 2130a(a)(1), relating to nurse offi-
17 cer candidate accession program.

18 (2) Section 16302(d), relating to repayment of
19 education loans for certain health professionals who
20 serve in the Selected Reserve.

21 (c) AUTHORITIES RELATING TO NUCLEAR OFFI-
22 CERS.—Section 333(i) of title 37, United States Code, is
23 amended by striking “December 31, 2021” and inserting
24 “December 31, 2022”.

1 (d) AUTHORITIES RELATING TO TITLE 37 CONSOLI-
2 DATED SPECIAL PAY, INCENTIVE PAY, AND BONUS AU-
3 THORITIES.—The following sections of title 37, United
4 States Code, are amended by striking “December 31,
5 2021” and inserting “December 31, 2022”:

6 (1) Section 331(h), relating to general bonus
7 authority for enlisted members.

8 (2) Section 332(g), relating to general bonus
9 authority for officers.

10 (3) Section 334(i), relating to special aviation
11 incentive pay and bonus authorities for officers.

12 (4) Section 335(k), relating to special bonus
13 and incentive pay authorities for officers in health
14 professions.

15 (5) Section 336(g), relating to contracting
16 bonus for cadets and midshipmen enrolled in the
17 Senior Reserve Officers’ Training Corps.

18 (6) Section 351(h), relating to hazardous duty
19 pay.

20 (7) Section 352(g), relating to assignment pay
21 or special duty pay.

22 (8) Section 353(i), relating to skill incentive
23 pay or proficiency bonus.

1 (9) Section 355(h), relating to retention incen-
2 tives for members qualified in critical military skills
3 or assigned to high priority units.

4 (e) **AUTHORITY TO PROVIDE TEMPORARY INCREASE**
5 **IN RATES OF BASIC ALLOWANCE FOR HOUSING.**—Section
6 403(b)(7)(E) of title 37, United States Code, is amended
7 by striking “December 31, 2021” and inserting “Decem-
8 ber 31, 2022”.

9 **Subtitle C—Family and Survivor**
10 **Benefits**

11 **SEC. 621. EXPANSION OF PARENTAL LEAVE FOR MEMBERS**
12 **OF THE ARMED FORCES.**

13 (a) **EXPANSION.**—Section 701 of title 10, United
14 States Code, is amended—

15 (1) in subsection (i)—

16 (A) in paragraph (1)—

17 (i) in subparagraph (A), by striking
18 “twelve weeks” and inserting “18 weeks”;

19 (ii) in subparagraph (B), by striking
20 “six weeks” and inserting “12 weeks”; and

21 (iii) by adding at the end the fol-
22 lowing new subparagraph:

23 “(C) Under the regulations prescribed for purposes
24 of this subsection, a member of the armed forces described
25 in paragraph (2) who is the primary caregiver in the case

1 of a long-term placement of a foster child is allowed up
2 to 12 weeks of total leave to be used in connection with
3 such placement, subject to limits as determined by the
4 Secretary regarding—

5 “(i) the total number of times that a member
6 of the armed forces may use leave under this section
7 with respect to the placement of a foster child; and

8 “(ii) the frequency with which a member of the
9 armed forces may use leave under this section with
10 respect to the placement of a foster child.”;

11 (B) in paragraph (5), by striking “birth or
12 adoption” and inserting “birth, adoption, or
13 foster child placement”; and

14 (C) in paragraph (6)(A), by striking “birth
15 or adoption” and inserting “birth, adoption, or
16 foster child placement”;

17 (2) in subsection (j)—

18 (A) in paragraph (1), by striking “21
19 days” and inserting “12 weeks”;

20 (B) by redesignating paragraphs (2)
21 through (4) as paragraphs (3) through (5), re-
22 spectively;

23 (C) by inserting, after paragraph (1), the
24 following new paragraph (2):

1 “(2) Under the regulations prescribed for purposes
2 of this subsection, a member of the armed forces described
3 in subsection (i)(2) who is the secondary caregiver in the
4 case of a long-term placement of a foster child is allowed
5 up to 12 weeks of total leave to be used in connection
6 with such placement, subject to limits as determined by
7 the Secretary regarding—

8 “(A) the total number of times that a member
9 of the armed forces may use leave under this section
10 with respect to the placement of a foster child; and

11 “(B) the frequency with which a member of the
12 armed forces may use leave under this section with
13 respect to the placement of a foster child.”;

14 (D) in paragraph (4), as redesignated, by
15 striking “only in one increment in connection
16 with such birth or adoption” and inserting “in
17 more than one increment in connection with
18 such birth, adoption, or foster child placement
19 in accordance with regulations prescribed by the
20 Secretary of Defense”; and

21 (E) by adding at the end the following new
22 paragraph (6):

23 “(6) Under regulations prescribed for purposes of
24 this subsection, the Secretary shall provide a member of
25 the armed forces described in subsection (i)(2), who would

1 have been a secondary caregiver but for a miscarriage,
2 stillbirth, or infant death, with leave—

3 “(A) in addition to leave under subsection (a);
4 and

5 “(B) not to exceed the amount of leave under
6 paragraph (1).”;

7 (3) in subsection (l), by inserting “ordered to
8 temporary duty overnight travel, or ordered to par-
9 ticipate in physically demanding field training exer-
10 cises,” before “during”; and

11 (4) by adding at the end the following new sub-
12 section (m):

13 “(m) A member of the armed forces who gives birth
14 while on active duty may be required to meet body com-
15 position standards or pass a physical fitness test during
16 the period of 12 months beginning on the date of such
17 birth only with the approval of a health care provider em-
18 ployed at a military medical treatment facility and—

19 “(1) at the election of such member; or

20 “(2) in the interest of national security, as de-
21 termined by the Secretary of Defense.”.

22 (b) REGULATIONS; GUIDANCE AND POLICIES.—

23 (1) REGULATIONS.—The Secretary of Defense
24 shall prescribe regulations—

1 (A) for leave under subsection (i)(1)(C)
2 and subsection (j)(2) of section 701 of title 10,
3 United States Code, as amended by subsection
4 (a), not later than one year after the date of
5 the enactment of this Act;

6 (B) that establish leave, consistent across
7 the Armed Forces, under subsection (j)(6) of
8 such section not later than one year after the
9 date of the enactment of this Act; and

10 (C) that establish convalescent leave, con-
11 sistent across the Armed Forces, under sub-
12 section (i)(1) of such section not later than 180
13 days after the date of the enactment of this
14 Act.

15 (2) GUIDANCE AND POLICIES.—Each Secretary
16 of a military department shall prescribe—

17 (A) policies to establish the maximum
18 amount of leave under subsection (i)(1) of sec-
19 tion 701 of title 10, United States Code, as
20 amended by subsection (a), not later than one
21 year after the date of the enactment of this Act;

22 (B) policies to implement leave under sub-
23 section (i)(5) or (j)(4) of such section not later
24 than 180 days after the date of the enactment
25 of this Act;

1 (C) policies to implement not less than 21
2 days of leave pursuant to regulations prescribed
3 under paragraphs (1) and (2) of subsection (j)
4 of such section not later than one year after the
5 date of the enactment of this Act; and

6 (D) policies to implement the maximum
7 amount of leave pursuant to regulations pre-
8 scribed under paragraphs (1) and (2) of sub-
9 section (j) of such section not later than five
10 years after the date of the enactment of this
11 Act.

12 (c) REPORTING.—Not later than January 1, 2023,
13 and annually thereafter, each Secretary of a military de-
14 partment shall submit to the appropriate congressional
15 committees a report containing the following:

16 (1) The use, during the preceding fiscal year, of
17 leave under subsections (i) and (j) of section 701 of
18 title 10, United States Code, as amended by sub-
19 section (a), disaggregated by births, adoptions, and
20 foster placements, including—

21 (A) the number of members in each Armed
22 Force under the jurisdiction of the Secretary
23 who became primary caregivers;

1 (B) the number of members in each Armed
2 Force under the jurisdiction of the Secretary
3 who became secondary caregivers;

4 (C) the number of primary caregivers who
5 used primary caregiver leave;

6 (D) the number of secondary caregivers
7 who used secondary caregiver leave;

8 (E) the number of primary caregivers who
9 used the maximum amount of primary caregiver
10 leave;

11 (F) the number of secondary caregivers
12 who used the maximum amount of secondary
13 caregiver leave;

14 (G) the number of primary caregivers who
15 utilized primary caregiver leave in multiple in-
16 crements;

17 (H) the number of secondary caregivers
18 who utilized primary caregiver leave in multiple
19 increments;

20 (I) the median duration of primary care-
21 giver leave used by primary caregivers;

22 (J) the median duration of secondary care-
23 giver leave used by secondary caregivers; and

24 (K) other information the Secretary deter-
25 mines appropriate.

1 (2) An analysis of the effect of leave described
2 in paragraph (1) on—

3 (A) readiness; and

4 (B) retention.

5 (3) Any actions taken by the Secretary to miti-
6 gate negative effects described in paragraph (2).

7 (4) The number of members deployed under
8 each paragraph of subsection (l) of section 701 of
9 title 10, United States Code, as amended by sub-
10 section (a).

11 (d) APPROPRIATE CONGRESSIONAL COMMITTEES
12 DEFINED.—In this section, the term “appropriate con-
13 gressional committees” means—

14 (1) The Committee on Armed Services of the
15 House of Representatives.

16 (2) The Committee on Armed Services of the
17 Senate.

18 (3) The Committee on Transportation and In-
19 frastructure of the House of Representatives.

20 (4) The Committee on Commerce, Science, and
21 Transportation of the Senate.

1 **SEC. 622. TRANSITIONAL COMPENSATION AND BENEFITS**
2 **FOR THE FORMER SPOUSE OF A MEMBER OF**
3 **THE ARMED FORCES WHO ALLEGEDLY COM-**
4 **MITTED A DEPENDENT-ABUSE OFFENSE DUR-**
5 **ING MARRIAGE.**

6 (a) IN GENERAL.—Section 1059 of title 10, United
7 States Code, is amended—

8 (1) in the heading—

9 (A) by striking “**separated for**” and in-
10 serting “**who commit**”; and

11 (B) by inserting “**; health care**” after
12 “**exchange benefits**”;

13 (2) in subsection (b)—

14 (A) in the heading, by striking “PUNITIVE
15 AND OTHER ADVERSE ACTIONS COVERED” and
16 inserting “COVERED MEMBERS”;

17 (B) in paragraph (2), by striking “of-
18 fense.” and inserting “offense; or”; and

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

21 “(3) who is not described in paragraph (1) or
22 (2) and whose former spouse alleges that the mem-
23 ber committed a dependent-abuse offense—

24 “(A) during the marriage to the former
25 spouse;

1 “(B) for which the applicable statute of
2 limitations has not lapsed; and

3 “(C) that an incident determination com-
4 mittee determines meets the criteria for
5 abuse.”;

6 (3) in subsection (e)(1)—

7 (A) in subparagraph (A)(ii), by striking “;
8 and” and inserting a semicolon;

9 (B) in subparagraph (B), by striking the
10 period at the end and inserting “; and”; and

11 (C) by adding at the end the following new
12 subparagraph:

13 “(C) in the case of a member described in sub-
14 section (b)(3), shall commence upon the date of the
15 final decree of divorce, dissolution, or annulment of
16 that member from the former spouse described in
17 such subsection.”; and

18 (4) by adding at the end the following new sub-
19 section:

20 “(n) HEALTH CARE FOR CERTAIN FORMER
21 SPOUSES.—The Secretary concerned shall treat a former
22 spouse described in subsection (b)(3) as an abused de-
23 pendent described in section 1076(e) of this title.”.

24 (b) TECHNICAL AMENDMENT.—The table of sections
25 at the beginning of chapter 53 of such title is amended

1 by striking the item relating to section 1059 and inserting
2 the following:

“1059. Dependents of members who commit dependent abuse: transitional compensation; commissary and exchange benefits; health care.”.

3 (c) **EFFECTIVE DATE.**—The amendments made by
4 this Act shall apply to a former spouse described in sub-
5 section (b)(3) of such section 1059, as added by subsection
6 (a)(2) of this section, whose final decree of divorce, dis-
7 solution, or annulment described in subsection (e)(1)(C)
8 of such section 1059, as added by subsection (a)(3) of this
9 section, is issued on or after the date of the enactment
10 of this Act.

11 **SEC. 623. CLAIMS RELATING TO THE RETURN OF PER-**
12 **SONAL EFFECTS OF A DECEASED MEMBER**
13 **OF THE ARMED FORCES.**

14 Section 1482(a) of title 10, United States Code, is
15 amended by adding at the end the following new para-
16 graph:

17 “(11)(A) Delivery of personal effects of a dece-
18 dent to the next of kin or other appropriate person.

19 “(B) If the Secretary concerned enters into an
20 agreement with an entity to carry out subparagraph
21 (A), the Secretary concerned shall pursue a claim
22 against such entity that arises from the failure of
23 such entity to substantially perform such subpara-
24 graph.

1 “(C) If an entity described in subparagraph (B)
2 fails to substantially perform subparagraph (A) by
3 damaging, losing, or destroying the personal effects
4 of a decedent, the Secretary concerned shall reim-
5 burse the person designated under subsection (c) the
6 fair market value of the damage, loss, or destruction
7 of such personal effects. The Secretary concerned
8 may request from, the person designated under sub-
9 section (c), proof of fair market value and ownership
10 of the personal effects.”.

11 **SEC. 624. EXPANSION OF PILOT PROGRAM TO PROVIDE FI-**
12 **NANCIAL ASSISTANCE TO MEMBERS OF THE**
13 **ARMED FORCES FOR IN-HOME CHILD CARE.**

14 Section 589(b) of the William M. (Mac) Thornberry
15 National Defense Authorization Act for Fiscal Year 2021
16 (Public Law 116–283) is amended—

17 (1) by inserting “(1)” before “The Secretary”;

18 and

19 (2) by adding at the end the following new
20 paragraph:

21 “(2) The Secretary may carry out the pilot program
22 at other locations the Secretary determines appropriate.”.

1 **SEC. 625. CONTINUATION OF PAID PARENTAL LEAVE FOR A**
2 **MEMBER OF THE ARMED FORCES UPON**
3 **DEATH OF CHILD.**

4 Not later than 180 days after the date of the enact-
5 ment of this Act, the Secretary of Defense shall amend
6 the regulations prescribed pursuant to subsections (i) and
7 (j) of section 701 of title 10, United States Code, to en-
8 sure that paid parental leave that has already been ap-
9 proved for a member of the Armed Forces who is a pri-
10 mary or secondary caregiver (as defined under such regu-
11 lations) may not be terminated upon the death of the child
12 for whom such leave is taken.

13 **SEC. 626. CASUALTY ASSISTANCE PROGRAM: REFORM; ES-**
14 **TABLISHMENT OF WORKING GROUP.**

15 (a) CASUALTY ASSISTANCE REFORM WORKING
16 GROUP.—

17 (1) ESTABLISHMENT.—Not later than 60 days
18 after the date of the enactment of this Act, the Sec-
19 retary of Defense shall establish a working group to
20 be known as the “Casualty Assistance Reform
21 Working Group” (in this section referred to as the
22 “Working Group”).

23 (2) DUTIES.—The Working Group shall per-
24 form the following duties:

25 (A) Create standards and training for
26 CAOs across the military departments.

1 (B) Explore the possibility of establishing
2 a unique badge designation for—

3 (i) CAOs who have performed CAO
4 duty more than five times; or

5 (ii) professional CAOs.

6 (C) Commission a 30-day study that—

7 (i) documents the current workflow of
8 casualty affairs support across the military
9 departments, including administrative
10 processes and survivor engagements; and

11 (ii) performs a gap analysis and solu-
12 tion document that clearly identifies and
13 prioritizes critical changes to modernize
14 and professionalize the casualty experience
15 for survivors.

16 (D) Review the organization of the Office
17 of Casualty, Mortuary Affairs and Military Fu-
18 neral Honors to ensure it is positioned to co-
19 ordinate policy and assist in all matters under
20 its jurisdiction, across the Armed Forces, in-
21 cluding any potential intersections with the De-
22 fense Prisoner of War and Missing in Action
23 Accounting Agency.

24 (E) Explore the establishment of—

1 (i) an annual meeting, led by the Sec-
2 retary of Defense, with gold star families;
3 and

4 (ii) a surviving and gold star family
5 leadership council.

6 (F) Recommend improvements to the fam-
7 ily notification process of Arlington National
8 Cemetery.

9 (G) Explore the redesign of the Days
10 Ahead Binder, including creating an electronic
11 version.

12 (H) Consider the expansion of the DD
13 Form 93 to include more details regarding the
14 last wishes of the deceased member.

15 (I) Assess coordination between the De-
16 partment of Defense and the Office of Sur-
17 vivors Assistance of the Department of Vet-
18 erans Affairs.

19 (3) MEMBERSHIP.—The membership of the
20 Working Group shall be comprised of the following:

21 (A) The Under Secretary of Defense for
22 Personnel and Readiness, who shall serve as
23 Chair of the Working Group.

1 (B) One individual from each Armed
2 Force, appointed by the Secretary of the mili-
3 tary department concerned, who is—

4 (i) a civilian employee in the Senior
5 Executive Service; or

6 (ii) an officer in a grade higher than
7 O-6.

8 (C) One individual from the Joint Staff,
9 appointed by the Secretary of Defense, who
10 is—

11 (i) a civilian employee in the Senior
12 Executive Service; or

13 (ii) an officer in a grade higher than
14 O-6.

15 (D) The Director of the Defense Prisoner
16 of War and Missing in Action Accounting Agen-
17 cy.

18 (E) The Director of the Defense Health
19 Agency (or the designee of such Director).

20 (F) The Chief of Chaplains of each Armed
21 Force.

22 (G) Such other members of the Armed
23 Forces or civilian employees of the Department
24 of Defense whom the Secretary of Defense de-
25 termines to appoint.

1 (4) REPORT.—Not later than September 30,
2 2022, the Working Group shall submit to the Sec-
3 retary of Defense a report containing the determina-
4 tions and recommendations of the Working Group.

5 (5) TERMINATION.—The Working Group shall
6 terminate upon submission of the report under para-
7 graph (4).

8 (b) REPORT REQUIRED.—Not later than November
9 1, 2022, the Secretary of Defense shall submit to the
10 Committees on Armed Services of the Senate and the
11 House of Representatives a report setting forth the results
12 of a review and assessment of the casualty assistance offi-
13 cer program, including the report of the Working Group.

14 (c) ESTABLISHMENT OF CERTAIN DEFINITIONS.—
15 Not later than 90 days after the date of the enactment
16 of this Act, the Secretary of Defense, in coordination with
17 the Secretaries of the military departments, shall prescribe
18 regulations that establish standard definitions, for use
19 across the military departments, of the terms “gold star
20 family” and “gold star survivor”.

21 (d) CAO DEFINED.—In this section, the term
22 “CAO” means a casualty assistance officer of the Armed
23 Forces.

1 **Subtitle D—Defense Resale Matters**

2 **SEC. 631. ADDITIONAL SOURCES OF FUNDS AVAILABLE FOR** 3 **CONSTRUCTION, REPAIR, IMPROVEMENT,** 4 **AND MAINTENANCE OF COMMISSARY** 5 **STORES.**

6 Section 2484(h) of title 10, United States Code, is
7 amended—

8 (1) in paragraph (5), by adding at the end the
9 following new subparagraphs:

10 “(F) Amounts made available for any purpose
11 set forth in paragraph (1) pursuant to an agreement
12 with a host nation.

13 “(G) Amounts appropriated for repair or recon-
14 struction of a commissary store in response to a dis-
15 aster or emergency.”; and

16 (2) by adding at the end the following new
17 paragraph:

18 “(6) Revenues made available under paragraph (5)
19 for the purposes set forth in paragraphs (1), (2), and (3)
20 may be supplemented with additional funds derived
21 from—

22 “(A) improved management practices imple-
23 mented pursuant to sections 2481(c)(3), 2485(b),
24 and 2487(c) of this title; and

1 “(B) the variable pricing program implemented
2 pursuant to subsection (i).”.

3 **Subtitle E—Miscellaneous Rights**
4 **and Benefits**

5 **SEC. 641. ELECTRONIC OR ONLINE NOTARIZATION FOR**
6 **MEMBERS OF THE ARMED FORCES.**

7 Section 1044a of title 10, United States Code, is
8 amended by adding at the end the following new sub-
9 section:

10 “(e)(1) A person named in subsection (b) may exer-
11 cise the powers described in subsection (a) through elec-
12 tronic or online means, including under circumstances
13 where the individual with respect to whom such person
14 is performing the notarial act is not physically present in
15 the same location as such person.

16 “(2) A determination of the authenticity of a notarial
17 act authorized in this section shall be made without regard
18 to whether the notarial act was performed through elec-
19 tronic or online means.

20 “(3) A log or journal of a notarial act authorized in
21 this section shall be considered for evidentiary purposes
22 without regard to whether the log or journal is in elec-
23 tronic or online form.”.

1 **TITLE VII—HEALTH CARE**
2 **PROVISIONS**
3 **Subtitle A—TRICARE and Other**
4 **Health Care Benefits**

5 **SEC. 701. IMPROVEMENT OF POSTPARTUM CARE FOR CER-**
6 **TAIN MEMBERS OF THE ARMED FORCES AND**
7 **DEPENDENTS.**

8 (a) POSTPARTUM CARE FOR CERTAIN MEMBERS AND
9 DEPENDENTS.—

10 (1) POSTPARTUM CARE.—Chapter 55 of title
11 10, United States Code, is amended by inserting
12 after section 1074o the following new section:

13 **“§ 1074p. Postpartum care for certain members and**
14 **dependents**

15 “(a) POSTPARTUM MENTAL HEALTH ASSESS-
16 MENTS.—(1) At the intervals described in paragraph (2),
17 and upon the consent of the covered individual, the Sec-
18 retary shall furnish to a covered individual postpartum
19 mental health assessments, which shall include screening
20 questions related to postpartum anxiety and postpartum
21 depression.

22 “(2) The intervals described in this subparagraph
23 are, with respect to the date on which the covered indi-
24 vidual gives birth, as follows:

25 “(A) One month after such date.

1 “(B) Two months after such date.

2 “(C) Four months after such date.

3 “(D) Six months after such date.

4 “(3) The Secretary may adjust the intervals de-
5 scribed in paragraph (2) as the Secretary determines ap-
6 propriate, taking into account the recommendations of es-
7 tablished professional medical associations such as the
8 American Academy of Pediatrics.

9 “(4) Postpartum mental health assessments fur-
10 nished under paragraph (1) may be provided concurrently
11 with the well-child visits for the infant of the covered indi-
12 vidual, including with respect to the initial well-child visit
13 specified in subsection (c).

14 “(b) PELVIC HEALTH.—(1) Prior to the initial
15 postpartum discharge of a covered individual from the
16 military medical treatment facility at which the covered
17 individual gave birth, the Secretary shall furnish to the
18 covered individual a medical evaluation for pelvic health.

19 “(2) The Secretary shall ensure that if, as the result
20 of an evaluation furnished pursuant to paragraph (1), the
21 health care provider who provided such evaluation deter-
22 mines that physical therapy for pelvic health (including
23 the pelvic floor) is appropriate, a consultation for such
24 physical therapy is provided upon discharge and in connec-
25 tion with a follow-up appointment of the covered individual

1 for postpartum care that occurs during the period that
2 is six to eight weeks after the date on which the covered
3 individual gives birth.

4 “(3) Consultations offered pursuant to paragraph (2)
5 shall be conducted in-person wherever possible, but if the
6 Secretary determines that a covered individual for whom
7 the consultation is offered is located in a geographic area
8 with an inadequate number of physical therapists or
9 health professionals trained in providing such consulta-
10 tions, the consultation may be provided through a tele-
11 health appointment.

12 “(c) CONCURRENT SCHEDULING OF CERTAIN AP-
13 POINTMENTS.—The Secretary shall ensure that there is
14 provided within each military medical treatment facility an
15 option for any covered individual who has given birth at
16 the facility, and who is eligible to receive care at the facil-
17 ity, to schedule a follow-up appointment for postpartum
18 care of the covered individual that is concurrent with the
19 date of the initial well-child visit for the infant of the cov-
20 ered individual.

21 “(d) DEFINITIONS.—In this section:

22 “(1) The term ‘covered individual’ means a
23 member of the armed forces (including the reserve
24 components) performing active service, or a depend-

1 ent of such member, who is entitled to medical care
2 under this chapter.

3 “(2) The term ‘well-child visit’ means a regu-
4 larly scheduled medical appointment with a pediatri-
5 cian for the general health and development of a
6 child, as recommended by the American Academy of
7 Pediatrics or a similarly established professional
8 medical association.”.

9 (2) CLERICAL AMENDMENT.—The table of sec-
10 tions at the beginning of such chapter is amended
11 by inserting after the item relating to section 1074o
12 the following new item:

“1074p. Postpartum care for certain members and dependents.”.

13 (3) EFFECTIVE DATE AND APPLICABILITY.—
14 The amendments made by this subsection shall take
15 effect on the date of the enactment of this Act and
16 shall apply with respect to births that occur on or
17 after the date that is six months after the date of
18 the enactment of this Act.

19 (b) STANDARDIZED POLICIES.—Not later than after
20 180 days after the date of the enactment of this Act, the
21 Secretary of Defense shall—

22 (1) develop a standardized policy under which
23 neither a member of the Armed Forces who gives
24 birth while on active duty, nor a member of the re-
25 serve components who gives birth (regardless of

1 whether such birth occurs while the member of the
2 reserve components is performing active service),
3 may be required to take a physical fitness test until
4 the date that is one year after the date on which
5 such member gave birth;

6 (2) develop a standardized policy for
7 postpartum body composition assessments with re-
8 spect to such members; and

9 (3) ensure the policies developed under para-
10 graphs (1) and (2) are implemented uniformly
11 across each of the Armed Forces.

12 (c) PILOT PROGRAM TO STREAMLINE POSTPARTUM
13 APPOINTMENTS.—

14 (1) PILOT PROGRAM.—The Secretary shall
15 carry out a one-year pilot program to further
16 streamline the process of scheduling postpartum ap-
17 pointments at military medical treatment facilities
18 by reducing the number of distinct visits required
19 for such appointments.

20 (2) STREAMLINING OF APPOINTMENTS.—In
21 carrying out the pilot program under paragraph (1),
22 the Secretary shall ensure that there is provided
23 within each military medical treatment facility se-
24 lected under paragraph (3) an option for covered in-
25 dividuals who have recently given birth at the facil-

1 ity, and who are eligible to receive care at the facil-
2 ity, to receive a physical therapy evaluation in con-
3 nection with each appointment provided by the facil-
4 ity for postpartum care of the covered individual or
5 for care of the infant of the covered individual, in-
6 cluding such appointments provided concurrently
7 pursuant to section 1074p(c) of title 10, United 25
8 States Code (as added by subsection (a)).

9 (3) SELECTION.—The Secretary shall select not
10 fewer than three military medical treatment facilities
11 from each military department at which to carry out
12 the pilot program under paragraph (1). In making
13 such selection—

14 (A) the Secretary may not select a military
15 medical treatment facility that already provides
16 covered individuals with the option to receive a
17 physical therapy evaluation as specified in para-
18 graph (2); and

19 (B) the Secretary shall ensure geographic
20 diversity with respect to the location of the mili-
21 tary medical treatment facilities, including by
22 considering for selection military medical treat-
23 ment facilities located outside of the United
24 States.

1 (4) REPORT.—Not later than one year after the
2 commencement of the pilot program under para-
3 graph (1), the Secretary shall submit to the Com-
4 mittees on Armed Services of the House of Rep-
5 resentatives and the Senate a report on the effective-
6 ness of the pilot program. Such report shall in-
7 clude—

8 (A) a recommendation by the Secretary on
9 whether to expand or extend the pilot program;
10 and

11 (B) a summary of the findings that led to
12 such recommendation.

13 (5) COVERED INDIVIDUAL DEFINED.—In this
14 subsection, the term “covered individual” has the
15 meaning given such term in section 1074p(d) of title
16 10, United States Code (as added by subsection (a)).

17 (d) PELVIC HEALTH AT MILITARY MEDICAL TREAT-
18 MENT FACILITIES.—The Secretary shall take such steps
19 as are necessary to increase the capacity of military med-
20 ical treatment facilities to provide pelvic health rehabilita-
21 tion services, including by increasing the number of phys-
22 ical therapists employed at such facilities who are trained
23 in pelvic health rehabilitation.

24 (e) REVIEW OF PELVIC HEALTH REHABILITATION
25 PROGRAMS.—

1 (1) REVIEW.—The Secretary shall conduct a re-
2 view of any current pelvic health rehabilitation pro-
3 grams of the Department of Defense, including an
4 evaluation of the outcomes of any such programs.

5 (2) REPORT.—Not later than nine months after
6 the date of the enactment of this Act, the Secretary
7 shall submit to the Committees on Armed Services
8 of the House of Representatives and the Senate a
9 report containing the findings of the review under
10 paragraph (1).

11 (f) GUIDANCE ON OBSTETRIC HEMORRHAGE TREAT-
12 MENT.—Not later than 180 days after the date of the en-
13 actment of this Act, the Secretary shall issue guidance on
14 the development and implementation of standard protocols
15 across the military health system for the treatment of ob-
16 stetric hemorrhages, including through the use of patho-
17 gen reduced resuscitative blood products.

18 **SEC. 702. EATING DISORDERS TREATMENT FOR CERTAIN**
19 **MEMBERS OF THE ARMED FORCES AND DE-**
20 **PENDENTS.**

21 (a) EATING DISORDERS TREATMENT FOR CERTAIN
22 DEPENDENTS.—Section 1079 of title 10, United States
23 Code, is amended—

24 (1) in subsection (a), by adding at the end the
25 following new paragraph:

1 “(18) Treatment for eating disorders may be
2 provided in accordance with subsection (r).”; and

3 (2) by adding at the end the following new sub-
4 section:

5 “(r)(1) The provision of health care services for an
6 eating disorder under subsection (a)(18) shall include the
7 following services:

8 “(A) Inpatient services, including residential
9 services.

10 “(B) Outpatient services for in-person or tele-
11 health care, including partial hospitalization services
12 and intensive outpatient services.

13 “(2) A dependent may be provided health care serv-
14 ices for an eating disorder under subsection (a)(18) with-
15 out regard to—

16 “(A) the age of the dependent, except with re-
17 spect to residential services under paragraph (1)(A),
18 which may be provided only to a dependent who is
19 not eligible for hospital insurance benefits under
20 part A of title XVIII of the Social Security Act (42
21 U.S.C. 1395c et seq.); and

22 “(B) whether the eating disorder is the primary
23 or secondary diagnosis of the dependent.

24 “(3) In this section, the term ‘eating disorder’ has
25 the meaning given the term ‘feeding and eating disorders’

1 in the Diagnostic and Statistical Manual of Mental Dis-
2 orders, 5th Edition (or successor edition), published by the
3 American Psychiatric Association.”.

4 (b) LIMITATION WITH RESPECT TO RETIREES.—

5 (1) IN GENERAL.—Section 1086(a) of title 10,
6 United States Code, is amended by inserting “and
7 (except as provided in subsection (i)) treatments for
8 eating disorders” after “eye examinations”.

9 (2) EXCEPTION.—Such section is further
10 amended by adding at the end the following new
11 subsection:

12 “(i) If, prior to October 1, 2022, a category of per-
13 sons covered by this section was eligible to receive a spe-
14 cific type of treatment for eating disorders under a plan
15 contracted for under subsection (a), the general prohibi-
16 tion on the provision of treatments for eating disorders
17 specified in such subsection shall not apply with respect
18 to the provision of the specific type of treatment to such
19 category of persons.”.

20 (c) IDENTIFICATION AND TREATMENT OF EATING
21 DISORDERS FOR MEMBERS OF THE ARMED FORCES.—

22 (1) IN GENERAL.—Section 1090 of title 10,
23 United States Code, is amended—

24 (A) in the heading, by inserting “**eating**
25 **disorders and**” after “**treating**”;

1 (B) by striking “The Secretary of De-
2 fense” and inserting the following:

3 “(a) IDENTIFICATION AND TREATMENT OF EATING
4 DISORDERS AND DRUG AND ALCOHOL DEPENDENCE.—
5 Except as provided in subsection (b), the Secretary of De-
6 fense”;

7 (C) by inserting “have an eating disorder
8 or” before “are dependent on drugs or alcohol”;
9 and

10 (D) by adding at the end the following new
11 subsections:

12 “(b) FACILITIES AVAILABLE TO INDIVIDUALS WITH
13 EATING DISORDERS.—For purposes of this section, ‘nec-
14 essary facilities’ described in subsection (a) shall include,
15 with respect to individuals who have an eating disorder,
16 facilities that provide the services specified in section
17 1079(r)(1) of this title.

18 “(c) EATING DISORDER DEFINED.—In this section,
19 the term ‘eating disorder’ has the meaning given that term
20 in section 1079(r) of this title.”.

21 (2) CLERICAL AMENDMENT.—The table of sec-
22 tions at the beginning of chapter 55 of title 10,
23 United States Code, is amended by striking the item
24 relating to section 1090 and inserting the following
25 new item:

“1090. Identifying and treating eating disorders and drug and alcohol dependence.”.

1 (d) EFFECTIVE DATE.—The amendments made by
2 this section shall take effect on October 1, 2022.

3 **SEC. 703. MODIFICATIONS RELATING TO COVERAGE OF**
4 **TELEHEALTH SERVICES UNDER TRICARE**
5 **PROGRAM AND OTHER MATTERS.**

6 (a) COVERAGE OF TELEHEALTH SERVICES UNDER
7 TRICARE PROGRAM DURING CERTAIN HEALTH EMER-
8 GENCIES.—

9 (1) COVERAGE DURING HEALTH EMER-
10 GENCIES.—Chapter 55 of title 10, United States
11 Code, is amended by inserting after section 1076f
12 the following new section:

13 **“§ 1076g. TRICARE program: coverage of telehealth**
14 **services during certain health emer-**
15 **gencies**

16 “(a) TELEHEALTH COVERAGE REQUIREMENTS.—
17 During a covered health emergency—

18 “(1) no cost sharing amount (including copay-
19 ments and deductibles, as applicable) may be
20 charged under the TRICARE program to a covered
21 beneficiary for a telehealth service;

22 “(2) telehealth appointments that involve audio
23 communication shall be considered to be telehealth
24 appointments for purposes of coverage under the

1 TRICARE program, notwithstanding that such ap-
2 pointments do not involve video communication; and

3 “(3) the Secretary of Defense may reimburse
4 providers of telehealth services under the TRICARE
5 program for the provision of such services to covered
6 beneficiaries regardless of whether the provider is li-
7 censed in the State in which the covered beneficiary
8 is located.

9 “(b) APPLICATION TO OVERSEAS PROVIDERS.—Sub-
10 section (a)(3) shall apply with respect to a provider located
11 in a foreign country if the provider holds a license to prac-
12 tice that is determined by the Secretary to be an equiva-
13 lent to a U.S. license and the provider is authorized to
14 practice by the respective foreign government.

15 “(c) EXTENSION.—The Secretary may extend the
16 coverage requirements under subsection (a) for a period
17 of time after the date on which a covered health emergency
18 terminates, as determined appropriate by the Secretary.

19 “(d) COVERED HEALTH EMERGENCY DEFINED.—In
20 this section, the term ‘covered health emergency’ means
21 a national emergency or disaster related to public health
22 that is declared pursuant to the National Emergencies Act
23 (50 U.S.C. 1601 et seq.), the Robert T. Stafford Disaster
24 Relief and Emergency Assistance Act (42 U.S.C. 5121 et
25 seq.), section 319 of the Public Health Service Act (42

1 U.S.C. 247d), or any other Federal law determined rel-
2 evant by the Secretary.”.

3 (2) CLERICAL AMENDMENT.—Such chapter is
4 further amended in the table of sections by inserting
5 after the item relating to section 1076f the following
6 new item:

“1076g. TRICARE program: coverage of telehealth services during certain
health emergencies.”.

7 (3) APPLICATION AND EXTENSION FOR COVID-
8 19.—

9 (A) APPLICATION.—The amendments
10 made by paragraph (1) shall apply with respect
11 to the emergency declared by the President on
12 March 13, 2020, pursuant to section 501(b) of
13 the Robert T. Stafford Disaster Relief and
14 Emergency Assistance Act (42 U.S.C. 5191(b))
15 with respect to the coronavirus disease 2019
16 (COVID-19).

17 (B) EXTENSION.—The Secretary shall ex-
18 tend the telehealth coverage requirements pur-
19 suant to section 1074g(c) of title 10, United
20 States Code, as added by paragraph (1), until
21 the date that is 180 days after the date on
22 which the emergency specified in subparagraph
23 (A) terminates.

1 (b) PILOT PROGRAM TO PLACE CERTAIN RETIRED
2 MEMBERS OF THE ARMED FORCES IN THE READY RE-
3 SERVE; PAY.—

4 (1) AUTHORITY.—

5 (A) IN GENERAL.—Notwithstanding sec-
6 tion 10145 of title 10, United States Code, the
7 Secretary of a military department may pre-
8 scribe regulations to carry out a pilot program
9 under which a retired member of a regular com-
10 ponent of the Armed Forces entitled to retired
11 pay may be placed in the Ready Reserve if the
12 Secretary concerned—

13 (i) determines that the retired mem-
14 ber has more than 20 years of creditable
15 service in that regular component; and

16 (ii) makes a special finding that the
17 member possesses a skill in which the
18 Ready Reserve of the Armed Force con-
19 cerned has a critical shortage of personnel.

20 (B) LIMITATION ON DELEGATION.—The
21 authority of the Secretary concerned under sub-
22 paragraph (A) may not be delegated—

23 (i) to a civilian officer or employee of
24 the military department concerned below
25 the level of Assistant Secretary; or

1 (ii) to a member of the Armed Forces
2 below the level of the lieutenant general or
3 vice admiral in an Armed Force with re-
4 sponsibility for military personnel policy in
5 that Armed Force.

6 (2) PAY FOR DUTIES PERFORMED IN THE
7 READY RESERVE IN ADDITION TO RETIRED PAY.—
8 Notwithstanding section 12316 of such title 10, a
9 member placed in the Ready Reserve under para-
10 graph (1) may receive—

11 (A) retired pay; and

12 (B) the pay and allowances authorized by
13 law for duty that member performs.

14 (3) TERMINATION.—A pilot program under this
15 subsection shall terminate not later than four years
16 after the date of the enactment of this Act.

17 (4) REPORT.—Not later than 90 days after a
18 pilot program terminates under paragraph (3), the
19 Secretary concerned shall submit to the Committees
20 on Armed Services of the Senate and House of Rep-
21 resentatives a report regarding such pilot program,
22 including the recommendation of the Secretary con-
23 cerned whether such pilot program should be made
24 permanent.

1 (c) SURVIVOR BENEFIT PLAN OPEN ENROLLMENT
2 PERIOD.—

3 (1) PERSONS NOT CURRENTLY PARTICIPATING
4 IN SURVIVOR BENEFIT PLAN.—

5 (A) ELECTION OF SBP COVERAGE.—An eli-
6 gible retired or former member may elect to
7 participate in the Survivor Benefit Plan during
8 the open enrollment period specified in para-
9 graph (4).

10 (B) ELIGIBLE RETIRED OR FORMER MEM-
11 BER.—For purposes of subparagraph (A), an
12 eligible retired or former member is a member
13 or former member of the uniformed services
14 who, on the day before the first day of the open
15 enrollment period, discontinued participation in
16 the Survivor Benefit Plan under section
17 1452(g) of title 10, United States Code, and—

18 (i) is entitled to retired pay; or

19 (ii) would be entitled to retired pay
20 under chapter of title 10, United States
21 Code (or chapter 67 of such title as in ef-
22 fect before October 5, 1994), but for the
23 fact that such member or former member
24 is under 60 years of age.

1 (C) STATUS UNDER SBP OF PERSONS MAK-
2 ING ELECTIONS.—

3 (i) STANDARD ANNUITY.—A person
4 making an election under subparagraph
5 (A) by reason of eligibility under subpara-
6 graph (B)(i) shall be treated for all pur-
7 poses as providing a standard annuity
8 under the Survivor Benefit Plan.

9 (ii) RESERVE-COMPONENT ANNU-
10 ITY.—A person making an election under
11 subparagraph (A) by reason of eligibility
12 under subparagraph (B)(ii) shall be treat-
13 ed for all purposes as providing a reserve-
14 component annuity under the Survivor
15 Benefit Plan.

16 (2) MANNER OF MAKING ELECTIONS.—

17 (A) IN GENERAL.—An election under this
18 subsection must be made in writing, signed by
19 the person making the election, and received by
20 the Secretary concerned before the end of the
21 open enrollment period. Except as provided in
22 subparagraph (B), any such election shall be
23 made subject to the same conditions, and with
24 the same opportunities for designation of bene-
25 ficiaries and specification of base amount, that

1 apply under the Survivor Benefit Plan. A per-
2 son making an election under paragraph (1) to
3 provide a reserve-component annuity shall make
4 a designation described in section 1448(e) of
5 title 10, United States Code.

6 (B) ELECTION MUST BE VOLUNTARY.—An
7 election under this subsection is not effective
8 unless the person making the election declares
9 the election to be voluntary. An election to par-
10 ticipate in the Survivor Benefit Plan under this
11 subsection may not be required by any court.
12 An election to participate or not to participate
13 in the Survivor Benefit Plan is not subject to
14 the concurrence of a spouse or former spouse of
15 the person.

16 (3) EFFECTIVE DATE FOR ELECTIONS.—Any
17 such election shall be effective as of the first day of
18 the first calendar month following the month in
19 which the election is received by the Secretary con-
20 cerned.

21 (4) OPEN ENROLLMENT PERIOD DEFINED.—
22 The open enrollment period is the period beginning
23 on the date of the enactment of this Act and ending
24 on January 1, 2023.

1 (5) APPLICABILITY OF CERTAIN PROVISIONS OF
2 LAW.—The provisions of sections 1449, 1453, and
3 1454 of title 10, United States Code, are applicable
4 to a person making an election, and to an election,
5 under this subsection in the same manner as if the
6 election were made under the Survivor Benefit Plan.

7 (6) PREMIUMS FOR OPEN ENROLLMENT ELEC-
8 TION.—

9 (A) PREMIUMS TO BE CHARGED.—The
10 Secretary of Defense shall prescribe in regula-
11 tions premiums which a person electing under
12 this subsection shall be required to pay for par-
13 ticipating in the Survivor Benefit Plan pursuant
14 to the election. The total amount of the pre-
15 miums to be paid by a person under the regula-
16 tions shall be equal to the sum of—

17 (i) the total amount by which the re-
18 tired pay of the person would have been re-
19 duced before the effective date of the elec-
20 tion if the person had elected to participate
21 in the Survivor Benefit Plan (for the same
22 base amount specified in the election) at
23 the first opportunity that was afforded the
24 member to participate under chapter 73 of
25 title 10, United States Code;

1 (ii) interest on the amounts by which
2 the retired pay of the person would have
3 been so reduced, computed from the dates
4 on which the retired pay would have been
5 so reduced at such rate or rates and ac-
6 cording to such methodology as the Sec-
7 retary of Defense determines reasonable;
8 and

9 (iii) any additional amount that the
10 Secretary determines necessary to protect
11 the actuarial soundness of the Department
12 of Defense Military Retirement Fund
13 against any increased risk for the fund
14 that is associated with the election.

15 (B) PREMIUMS TO BE CREDITED TO RE-
16 TIREMENT FUND.—Premiums paid under the
17 regulations shall be credited to the Department
18 of Defense Military Retirement Fund.

19 (7) DEFINITIONS.—In this subsection:

20 (A) The term “Survivor Benefit Plan”
21 means the program established under sub-
22 chapter II of chapter 73 of title 10, United
23 States Code.

1 (B) The term “retired pay” includes re-
2 tainer pay paid under section 8330 of title 10,
3 United States Code.

4 (C) The terms “uniformed services” and
5 “Secretary concerned” have the meanings given
6 those terms in section 101 of title 37, United
7 States Code.

8 (D) The term “Department of Defense
9 Military Retirement Fund” means the Depart-
10 ment of Defense Military Retirement Fund es-
11 tablished under section 1461(a) of title 10,
12 United States Code.

13 **SEC. 704. MODIFICATIONS TO PILOT PROGRAM ON HEALTH**
14 **CARE ASSISTANCE SYSTEM.**

15 Section 731(d) of the National Defense Authorization
16 Act for Fiscal Year 2018 (10 U.S.C. 1075 note) is amend-
17 ed—

18 (1) in the matter preceding paragraph (1), by
19 striking “January 1, 2021” and inserting “Novem-
20 ber 1, 2022”;

21 (2) in paragraph (1), by striking “; and” and
22 inserting a semicolon;

23 (3) in paragraph (2), by striking the period and
24 inserting “; and”; and

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

3 “(3) input from covered beneficiaries who have
4 participated in the pilot program regarding their
5 satisfaction with, and any benefits attained from,
6 such participation.”.

7 **SEC. 705. TEMPORARY REQUIREMENT FOR CONTRACEP-**
8 **TION COVERAGE PARITY UNDER THE**
9 **TRICARE PROGRAM.**

10 (a) IN GENERAL.—The Secretary of Defense shall
11 ensure that, during the one-year period beginning on the
12 date that is 30 days after the date of the enactment of
13 the Act, the imposition or collection of cost-sharing for
14 certain services is prohibited as follows:

15 (1) PHARMACY BENEFITS PROGRAM.—Notwith-
16 standing subparagraphs (A), (B), and (C), of section
17 1074g(a)(6) of title 10, United States Code, cost-
18 sharing may not be imposed or collected with respect
19 to any eligible covered beneficiary for any prescrip-
20 tion contraceptive on the uniform formulary pro-
21 vided through a retail pharmacy described in section
22 1074(a)(2)(E)(ii) of such title or through the na-
23 tional mail-order pharmacy program of the
24 TRICARE Program.

1 (2) TRICARE SELECT.—Notwithstanding any
2 provision under section 1075 of title 10, United
3 States Code, cost-sharing may not be imposed or
4 collected with respect to any beneficiary under such
5 section for a covered service that is provided by a
6 network provider under the TRICARE program.

7 (3) TRICARE PRIME.—Notwithstanding sub-
8 sections (a), (b), and (c) of section 1075a of title 10,
9 United States Code, cost-sharing may not be im-
10 posed or collected with respect to any beneficiary
11 under such section for a covered service that is pro-
12 vided under TRICARE Prime.

13 (b) DEFINITIONS.—In this section:

14 (1) The term “covered service” means any
15 method of contraception approved by the Food and
16 Drug Administration, any contraceptive care (includ-
17 ing with respect to insertion, removal, and follow
18 up), any sterilization procedure, or any patient edu-
19 cation or counseling service provided in connection
20 with any such method, care, or procedure.

21 (2) The term “eligible covered beneficiary” has
22 the meaning given such term in section 1074g of
23 title 10, United States Code.

24 (3) The terms “TRICARE Program” and
25 “TRICARE Prime” have the meaning given such

1 terms in section 1072 of title 10, United States
2 Code.

3 **Subtitle B—Health Care**
4 **Administration**

5 **SEC. 711. MODIFICATION OF CERTAIN DEFENSE HEALTH**
6 **AGENCY ORGANIZATION REQUIREMENTS.**

7 Section 1073c(e)(5) of title 10, United States Code,
8 is amended by striking “paragraphs (1) through (4)” and
9 inserting “paragraph (3) or (4)”.

10 **SEC. 712. REQUIREMENT FOR CONSULTATIONS RELATED**
11 **TO MILITARY MEDICAL RESEARCH AND DE-**
12 **FENSE HEALTH AGENCY RESEARCH AND DE-**
13 **VELOPMENT.**

14 (a) **CONSULTATIONS REQUIRED.**—Section 1073c of
15 title 10, United States Code, is amended—

16 (1) by redesignating subsections (f) and (g) as
17 subsections (g) and (h); and

18 (2) by inserting after subsection (e) the fol-
19 lowing new subsection:

20 “(f) **CONSULTATIONS ON MEDICAL RESEARCH OF**
21 **MILITARY DEPARTMENTS.**—In implementing subsection
22 (e)(1) (and on an ongoing basis after the establishment
23 of the Defense Health Agency Research and Development
24 pursuant to such subsection), the Secretary of Defense,
25 acting through the Secretaries of the military depart-

1 ments, shall ensure that periodic consultations are carried
2 out within each military department regarding the plans
3 and requirements for military medical research organiza-
4 tions and activities of the military department.”.

5 (b) REQUIREMENTS FOR INITIAL CONSULTATIONS.—

6 The Secretary of Defense shall ensure that initial con-
7 sultations under section 1073c(f) of title 10, United States
8 Code (as added by subsection (a)), are carried out prior
9 to the establishment of the Defense Health Agency Re-
10 search and Development and address—

11 (1) the plans of each military department to en-
12 sure a comprehensive transition of any military med-
13 ical research organizations of the military depart-
14 ment with respect to the establishment of the De-
15 fense Health Agency Research and Development;
16 and

17 (2) any risks involved in such transition that
18 may compromise ongoing medical research and de-
19 velopment activities of the military department.

20 **SEC. 713. AUTHORIZATION OF PROGRAM TO PREVENT**
21 **FRAUD AND ABUSE IN THE MILITARY**
22 **HEALTH SYSTEM.**

23 (a) IN GENERAL.—Chapter 55 of title 10, United
24 States Code, is amended by inserting after section 1073e
25 the following new section:

1 **“§ 1073f. Health care fraud and abuse prevention pro-**
2 **gram**

3 “(a) PROGRAM AUTHORIZED.—(1) The Secretary of
4 Defense may carry out a program under this section to
5 prevent and remedy fraud and abuse in the health care
6 programs of the Department of Defense.

7 “(2) At the discretion of the Secretary, such program
8 may be administered jointly by the Inspector General of
9 the Department of Defense and the Director of the De-
10 fense Health Agency.

11 “(3) In carrying out such program, the authorities
12 granted to the Secretary of Defense and the Inspector
13 General of the Department of Defense under section
14 1128A(m) of the Social Security Act (42 U.S.C. 1320a-
15 7a(m)) shall be available to the Secretary and the Inspec-
16 tor General.

17 “(b) CIVIL MONETARY PENALTIES.—(1) Except as
18 provided in paragraph (2), the provisions of section 1128A
19 of the Social Security Act (42 U.S.C. 1320a-7a) shall
20 apply with respect to any civil monetary penalty imposed
21 in carrying out the program authorized under subsection
22 (a).

23 “(2) Consistent with section 1079a of this title,
24 amounts recovered in connection with any such civil mone-
25 tary penalty imposed—

1 “(A) shall be credited to appropriations avail-
2 able as of the time of the collection for expenses of
3 the health care program of the Department of De-
4 fense affected by the fraud and abuse for which such
5 penalty was imposed; and

6 “(B) may be used to support the administration
7 of the program authorized under subsection (a), in-
8 cluding to support any interagency agreements en-
9 tered into under subsection (d).

10 “(c) INTERAGENCY AGREEMENTS.—The Secretary of
11 Defense may enter into agreements with the Secretary of
12 Health and Human Services, the Attorney General, or the
13 heads of other Federal agencies, for the effective and effi-
14 cient implementation of the program authorized under
15 subsection (a).

16 “(d) RULE OF CONSTRUCTION.—Joint administra-
17 tion of the program authorized under subsection (a) may
18 not be construed as limiting the authority of the Inspector
19 General of the Department of Defense under any other
20 provision of law.

21 “(e) FRAUD AND ABUSE DEFINED.—In this section,
22 the term ‘fraud and abuse’ means any conduct specified
23 in subsection (a) or (b) of section 1128A of the Social
24 Security Act (42 U.S.C. 1320a–7a).”.

1 (b) CLERICAL AMENDMENT.—The table of sections
2 at the beginning of such chapter is amended by inserting
3 after the item relating to section 1073e the following new
4 item:

“1073f. Health care fraud and abuse prevention program.”.

5 **SEC. 714. MANDATORY REFERRAL FOR MENTAL HEALTH**
6 **EVALUATION.**

7 Section 1090a of title 10, United States Code, is
8 amended—

9 (1) by redesignating subsection (e) as sub-
10 section (f); and

11 (2) by inserting after subsection (d) the fol-
12 lowing new subsection:

13 “(e) PROCESS APPLICABLE TO MEMBER DISCLO-
14 SURE.—The regulations required by subsection (a) shall—

15 “(1) establish a phrase that enables a member
16 of the armed forces to trigger a referral of the mem-
17 ber by a commanding officer or supervisor for a
18 mental health evaluation;

19 “(2) require a commanding officer or supervisor
20 to make such referral as soon as practicable fol-
21 lowing disclosure by the member to the commanding
22 officer or supervisor of the phrase established under
23 paragraph (1); and

24 “(3) ensure that the process protects the con-
25 fidentiality of the member in a manner similar to

1 the confidentiality provided for members making re-
2 stricted reports under section 1565b(b) of this
3 title.”.

4 **SEC. 715. INCLUSION OF EXPOSURE TO PERFLUOROALKYL**
5 **AND POLYFLUOROALKYL SUBSTANCES AS**
6 **COMPONENT OF PERIODIC HEALTH ASSESS-**
7 **MENTS.**

8 (a) PERIODIC HEALTH ASSESSMENT.—Each Sec-
9 retary concerned shall ensure that any periodic health as-
10 sessment provided to a member of the Armed Forces in-
11 cludes an evaluation of whether the member has been—

12 (1) based or stationed at a military installation
13 identified by the Secretary concerned as a location
14 with a known or suspected release of perfluoroalkyl
15 substances or polyfluoroalkyl substances during the
16 period in which the member was based or stationed
17 at the military installation; or

18 (2) exposed to such substances, including by
19 evaluating any information in the health record of
20 the member.

21 (b) SEPARATION HISTORY AND PHYSICAL EXAMINA-
22 TIONS.—Section 1145 of title 10, United States Code, is
23 amended—

24 (1) in subsection (a)(5), by adding at the end
25 the following new subparagraph:

1 “(D) The Secretary concerned shall ensure that each
2 physical examination of a member under subparagraph

3 (A) includes an assessment of whether the member was—

4 “(i) based or stationed at a military installation
5 identified by the Secretary concerned as a location
6 with a known or suspected release of perfluoroalkyl
7 substances or polyfluoroalkyl substances during the
8 period in which the member was based or stationed
9 at the military installation; or

10 “(ii) exposed to such substances, including by
11 assessing any information in the health record of the
12 member.”; and

13 (2) by adding at the end the following new sub-
14 section:

15 “(g) SECRETARY CONCERNED DEFINED.—In this
16 section, the term ‘Secretary concerned’ has the meaning
17 given such term in section 101 of this title (and otherwise
18 includes the Secretary of the department in which the
19 Coast Guard is operating).”.

20 (c) DEPLOYMENT ASSESSMENTS.—Section 1074f of
21 title 10, United States Code, is amended—

22 (1) in subsection (b)(2), by adding at the end
23 the following new subparagraph:

24 “(E) An assessment of whether the member
25 was—

1 “(i) based or stationed at a military instal-
2 lation identified by the Secretary concerned as
3 a location with a known or suspected release of
4 perfluoroalkyl substances or polyfluoroalkyl sub-
5 stances during the period in which the member
6 was based or stationed at the military installa-
7 tion; or

8 “(ii) exposed to such substances, including
9 by assessing any information in the health
10 record of the member.”; and

11 (2) by adding at the end the following new sub-
12 section:

13 “(h) SECRETARY CONCERNED DEFINED.—In this
14 section, the term ‘Secretary concerned’ has the meaning
15 given such term in section 101 of this title (and otherwise
16 includes the Secretary of the department in which the
17 Coast Guard is operating).”.

18 (d) PROVISION OF BLOOD TESTING TO DETERMINE
19 EXPOSURE TO PERFLUOROALKYL SUBSTANCES OR
20 POLYFLUOROALKYL SUBSTANCES.—

21 (1) PROVISION OF BLOOD TESTING.—

22 (A) IN GENERAL.—If a covered evaluation
23 of a member of the Armed Forces results in a
24 positive determination of potential exposure to
25 perfluoroalkyl substances or polyfluoroalkyl sub-

1 stances, the Secretary concerned shall provide
2 to that member, during the covered evaluation,
3 blood testing to determine and document poten-
4 tial exposure to such substances.

5 (B) INCLUSION IN HEALTH RECORD.—The
6 results of blood testing of a member of the
7 Armed Forces conducted under subparagraph
8 (A) shall be included in the health record of the
9 member.

10 (2) DEFINITIONS.—In this section:

11 (A) The term “covered evaluation”
12 means—

13 (i) a periodic health assessment con-
14 ducted in accordance with subsection (a);

15 (ii) a separation history and physical
16 examination conducted under section
17 1145(a)(5) of title 10, United States Code,
18 as amended by subsection (b); or

19 (iii) a deployment assessment con-
20 ducted under section 1074f(b)(2) of such
21 title, as amended by subsection (c).

22 (B) The term “Secretary concerned” has
23 the meaning given such term in section 101 of
24 title 10, United States Code (and otherwise in-

1 cludes the Secretary of the department in which
2 the Coast Guard is operating).

3 **SEC. 716. PROHIBITION ON ADVERSE PERSONNEL ACTIONS**
4 **TAKEN AGAINST CERTAIN MEMBERS OF THE**
5 **ARMED FORCES BASED ON DECLINING**
6 **COVID-19 VACCINE.**

7 (a) FINDINGS.—Congress finds the following:

8 (1) The Secretary of Defense has announced a
9 COVID-19 vaccine mandate will take effect for the
10 Department of Defense

11 (2) Many Americans have reservations about
12 taking a vaccine that has only been available for less
13 than a year.

14 (3) Reports of adverse actions being taken, or
15 threatened, by military leadership at all levels are
16 antithetical to our fundamental American values.

17 (4) Any discharge other than honorable denotes
18 a dereliction of duty or a failure to serve the United
19 States and its people to the best of the ability of an
20 individual.

21 (b) PROHIBITION.—Chapter 55 of title 10, United
22 States Code, is amended by inserting after section 1107a
23 the following new section:

1 **“§ 1107b. Prohibition on certain adverse personnel**
2 **actions related to COVID–19 vaccine re-**
3 **quirement**

4 “(a) PROHIBITION.—Notwithstanding any other pro-
5 vision of law, a member of an Armed Force under the ju-
6 risdiction of the Secretary of a military department sub-
7 ject to discharge on the basis of the member choosing not
8 to receive the COVID–19 vaccine may only receive an hon-
9 orable discharge.

10 “(b) MEMBER OF AN ARMED FORCE DEFINED.—In
11 this section, the term ‘member of an Armed Force’ means
12 a member of the Army, Navy, Air Force, Marine Corps,
13 or the Space Force.”.

14 (c) CLERICAL AMENDMENT.—The table of sections
15 for such chapter is amended by inserting after the item
16 relating to section 1107a the following new item:

“1107b. Prohibition on certain adverse personnel actions related to COVID–19
vaccine requirement”.

17 **SEC. 717. ESTABLISHMENT OF DEPARTMENT OF DEFENSE**
18 **SYSTEM TO TRACK AND RECORD INFORMA-**
19 **TION ON VACCINE ADMINISTRATION.**

20 (a) ESTABLISHMENT OF SYSTEM.—Section 1110 of
21 title 10, United States Code, is amended—

22 (1) by redesignating subsections (a) and (b) as
23 subsections (b) and (c), respectively; and

1 (2) by inserting after the heading the following
2 new subsection:

3 “(a) SYSTEM TO TRACK AND RECORD VACCINE IN-
4 FORMATION.—(1) The Secretary of Defense, in coordina-
5 tion with the Secretaries of the military departments, shall
6 establish a system to track and record the following infor-
7 mation:

8 “(A) Each vaccine administered by a health
9 care provider of the Department of Defense to a
10 member of an armed force under the jurisdiction of
11 the Secretary of a military department.

12 “(B) Any adverse reaction of the member re-
13 lated to such vaccine.

14 “(C) Each refusal of a vaccine by such a mem-
15 ber on the basis that the vaccine is being adminis-
16 tered by a health care provider of the Department
17 pursuant to an emergency use authorization granted
18 by the Commissioner of Food and Drugs under sec-
19 tion 564 of the Federal Food, Drug, and Cosmetic
20 Act (21 U.S.C. 360bbb–3).

21 “(2) In carrying out paragraph (1), the Secretary of
22 Defense shall ensure that—

23 “(A) any electronic health record maintained by
24 the Secretary for a member of an armed force under
25 the jurisdiction of the Secretary of a military depart-

1 ment is updated with the information specified in
2 such paragraph with respect to the member; and

3 “(B) any collection, storage, or use of such in-
4 formation is conducted through means involving
5 such cyber protections as the Secretary determines
6 necessary to safeguard the personal information of
7 the member.”.

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

10 (1) in the heading by striking “**Anthrax vac-**
11 **cine immunization program; procedures**
12 **for exemptions and monitoring reac-**
13 **tions**” and inserting “**System for tracking**
14 **and recording vaccine information; an-**
15 **thrax vaccine immunization program**”;
16 and

17 (2) in subsection (b), as redesignated by sub-
18 section (a)(1), by striking “Secretary of Defense”
19 and inserting “Secretary”.

20 (c) CLERICAL AMENDMENT.—The table of sections
21 for chapter 55 of title 10, United States Code, is amended
22 by striking the item relating to section 1110 and inserting
23 the following new item:

 “1110. System for tracking and recording vaccine information; anthrax vaccine
 immunization program.”.

1 (d) DEADLINE FOR ESTABLISHMENT OF SYSTEM.—

2 The Secretary of Defense shall establish the system under
3 section 1110 of title 10, United States Code. as added by
4 subsection (a), by not later than January 1, 2023.

5 (e) REPORT.—Not later than 180 days after the date
6 of the enactment of this Act, the Secretary of Defense
7 shall submit to the Committees on Armed Services of the
8 House of Representatives and the Senate a report on the
9 administration of vaccines to members of the Armed
10 Forces under the jurisdiction of the Secretary of a military
11 department and on the status of establishing the system
12 under section 1110(a) of title 10, United States Code (as
13 added by subsection (a)). Such report shall include infor-
14 mation on the following:

15 (1) The process by which such members receive
16 vaccines, and the process by which the Secretary
17 tracks, records, and reports on, vaccines received by
18 such members (including with respect to any trans-
19 fers by a non-Department provider to the Depart-
20 ment of vaccination records or other medical infor-
21 mation of the member related to the administration
22 of vaccines by the non-Department provider).

23 (2) The storage of information related to the
24 administration of vaccines in the electronic health
25 records of such members, and the cyber protections

1 involved in such storage, as required under such sec-
2 tion 1110(a)(2) of title 10, United States Code.

3 (3) The general process by which medical infor-
4 mation of beneficiaries under the TRICARE pro-
5 gram is collected, tracked, and recorded, including
6 the process by which medical information from pro-
7 viders contracted by the Department or from a State
8 or local department of health is transferred to the
9 Department and associated with records maintained
10 by the Secretary.

11 (4) Any gaps or challenges relating to the vac-
12 cine administration process of the Department and
13 any legislative or budgetary recommendations to ad-
14 dress such gaps or challenges.

15 (f) DEFINITIONS.—In this section:

16 (1) The term “military departments” has the
17 meaning given such term in section 101 of title 10,
18 United States Code.

19 (2) The term “TRICARE program” has the
20 meaning given such term in section 1072 of such
21 title.

1 **SEC. 718. AUTHORIZATION OF PROVISION OF INSTRUCTION**
2 **AT UNIFORMED SERVICES UNIVERSITY OF**
3 **THE HEALTH SCIENCES TO CERTAIN FED-**
4 **ERAL EMPLOYEES.**

5 Section 2114(h) of title 10, United States Code, is
6 amended—

7 (1) by striking “The Secretary of Defense” and
8 inserting “(1) The Secretary of Defense, in coordi-
9 nation with the Secretary of Health and Human
10 Services and the Secretary of Veterans Affairs,”;
11 and

12 (2) by adding at the end the following new
13 paragraph:

14 “(2)(A) A covered employee whose employment or
15 service with the Department of Veterans Affairs, Public
16 Health Service, or Coast Guard (as applicable) is in a posi-
17 tion relevant to national security or health sciences may
18 receive instruction at the University within the scope of
19 such employment or service.

20 “(B) If a covered employee receives instruction at the
21 University pursuant to subparagraph (A), the head of the
22 Federal agency concerned shall reimburse the University
23 for the cost of providing such instruction to the covered
24 employee. Amounts received by the University under this
25 subparagraph shall be retained by the University to defray
26 the costs of such instruction.

1 “(C) Notwithstanding subsections (b) through (e)
2 and subsection (i), the head of the Federal agency con-
3 cerned shall determine the service obligations of the cov-
4 ered employee receiving instruction at the University pur-
5 suant to subparagraph (A) in accordance with applicable
6 law.

7 “(D) In this paragraph—

8 “(i) the term ‘covered employee’ means an em-
9 ployee of the Department of Veterans Affairs, a ci-
10 vilian employee of the Public Health Service, a mem-
11 ber of the commissioned corps of the Public Health
12 Service, a member of the Coast Guard, or a civilian
13 employee of the Coast Guard; and

14 “(ii) the term ‘head of the Federal agency con-
15 cerned’ means the head of the Federal agency that
16 employs, or has jurisdiction over the uniformed serv-
17 ice of, a covered employee permitted to receive in-
18 struction at the University under subparagraph (A)
19 in the relevant position described in such subpara-
20 graph.”.

21 **SEC. 719. MANDATORY TRAINING ON HEALTH EFFECTS OF**
22 **BURN PITS.**

23 The Secretary of Defense shall provide to each med-
24 ical provider of the Department of Defense mandatory

1 training with respect to the potential health effects of burn
2 pits.

3 **SEC. 720. DEPARTMENT OF DEFENSE PROCEDURES FOR**
4 **EXEMPTIONS FROM MANDATORY COVID-19**
5 **VACCINES.**

6 (a) EXEMPTIONS.—The Secretary of Defense shall
7 establish uniform procedures under which covered mem-
8 bers may be exempted from receiving an otherwise man-
9 dated COVID-19 vaccine for administrative, medical, or
10 religious reasons, including on the basis of possessing an
11 antibody test result demonstrating previous COVID-19
12 infection.

13 (b) DEFINITIONS.—In this section:

14 (1) The term “covered member” means a mem-
15 ber of an Armed Force under the jurisdiction of the
16 Secretary of a military department.

17 (2) The term “COVID-19 vaccine” means any
18 vaccine for the coronavirus disease 2019 (COVID-
19 19), including any subsequent booster shot for
20 COVID-19.

21 **SEC. 721. MODIFICATIONS AND REPORT RELATED TO RE-**
22 **DUCTION OR REALIGNMENT OF MILITARY**
23 **MEDICAL MANNING AND MEDICAL BILLETS.**

24 (a) MODIFICATIONS TO LIMITATION ON REDUCTION
25 OR REALIGNMENT.—Section 719 of the National Defense

1 Authorization Act for Fiscal Year 2020 (Public Law 116–
2 92; 133 Stat. 1454), as amended by section 717 of the
3 William M. (Mac) Thornberry National Defense Author-
4 ization Act for Fiscal Year 2021 (Public Law 116–283),
5 is further amended—

6 (1) in subsection (a), by striking “180 days fol-
7 lowing the date of the enactment of the William M.
8 (Mac) Thornberry National Defense Authorization
9 Act for Fiscal Year 2021” and inserting “the year
10 following the date of the enactment of the National
11 Defense Authorization Act for Fiscal Year 2022”;
12 and

13 (2) in subsection (b)(1), by inserting “, includ-
14 ing any billet validation requirements determined
15 pursuant to estimates provided in the joint medical
16 estimate under section 732 of the John S. McCain
17 National Defense Authorization Act for Fiscal Year
18 2019 (Public Law 115–232),” after “requirements
19 of the military department of the Secretary”.

20 (b) GAO REPORT ON REDUCTION OR REALIGNMENT
21 OF MILITARY MEDICAL MANNING AND MEDICAL BIL-
22 LETS.—

23 (1) REPORT.—Not later than one year after the
24 date of the enactment of this Act, the Comptroller
25 General of the United States shall submit to the

1 Committees on Armed Services of the House of Rep-
2 resentatives and the Senate a report on the analyses
3 used to support any reduction or realignment of
4 military medical manning, including any reduction
5 or realignment of medical billets of the military de-
6 partments.

7 (2) ELEMENTS.—The report under paragraph
8 (1) shall include the following:

9 (A) An analysis of the use of the joint
10 medical estimate under section 732 of the John
11 S. McCain National Defense Authorization Act
12 for Fiscal Year 2019 (Public Law 115–232;
13 132 Stat. 1817) and wartime scenarios to de-
14 termine military medical manpower require-
15 ments, including with respect to pandemic influ-
16 enza and homeland defense missions.

17 (B) An assessment of whether the Secre-
18 taries of the military departments have used the
19 processes under section 719(b) of the National
20 Defense Authorization Act for Fiscal Year 2020
21 (Public Law 116–92; 133 Stat. 1454) to ensure
22 that a sufficient combination of skills, special-
23 ties, and occupations are validated and filled
24 prior to the transfer of any medical billets of a

1 military department to fill other military med-
2 ical manpower needs.

3 (C) An assessment of the effect of the re-
4 duction or realignment of such billets on local
5 health care networks and whether the Director
6 of the Defense Health Agency has conducted
7 such an assessment in coordination with the
8 Secretaries of the military departments.

9 **SEC. 722. CROSS-FUNCTIONAL TEAM FOR EMERGING**
10 **THREAT RELATING TO ANOMALOUS HEALTH**
11 **INCIDENTS.**

12 (a) ESTABLISHMENT.—Using the authority provided
13 under section 911(c) of the National Defense Authoriza-
14 tion Act for Fiscal Year 2017 (Public Law 114–328; 10
15 U.S.C. 111 note), the Secretary of Defense shall establish
16 a cross-functional team to address national security chal-
17 lenges posed by anomalous health incidents (as defined by
18 the Secretary) and ensure that individuals affected by
19 anomalous health incidents receive timely and comprehen-
20 sive health care and treatment pursuant to title 10, United
21 States Code, or other provisions of law administered by
22 the Secretary, for symptoms consistent with an anomalous
23 health incident.

24 (b) DUTIES.—The duties of the cross-functional team
25 established under subsection (a) shall be—

1 (1) to assist the Secretary of Defense with ad-
2 dressing the challenges posed by anomalous health
3 incidents and any other efforts regarding such inci-
4 dents that the Secretary determines necessary; and

5 (2) to integrate the efforts of the Department
6 of Defense regarding anomalous health incidents
7 with the efforts of other departments or agency of
8 the Federal Government regarding such incidents.

9 (c) **TEAM LEADER.**—The Secretary shall select an
10 Under Secretary of Defense to lead the cross-functional
11 team and a senior military officer to serve as the deputy
12 to the Under Secretary so selected.

13 (d) **DETERMINATION OF ORGANIZATIONAL ROLES**
14 **AND RESPONSIBILITIES.**—The Secretary, in coordination
15 with the Director of National Intelligence and acting
16 through the cross-functional team established under sub-
17 section (a), shall determine the roles and responsibilities
18 of the organizations and elements of the Department of
19 Defense with respect to addressing anomalous health inci-
20 dents, including the roles and responsibilities of the Office
21 of the Secretary of Defense, the intelligence components
22 of the Department, Defense agencies, and Department of
23 Defense field activities, the military departments, combat-
24 ant commands, and the Joint Staff.

25 (e) **BRIEFINGS.**—

1 (1) INITIAL BRIEFING.—Not later than 30 days
2 after the date of the enactment of this Act, the Sec-
3 retary shall provide to the appropriate congressional
4 committees a briefing on—

5 (A) the progress of the Secretary in estab-
6 lishing the cross-functional team; and

7 (B) the progress the team has made in—

8 (i) determining the roles and respon-
9 sibilities of the organizations and elements
10 of the Department of Defense with respect
11 the cross-functional team; and

12 (ii) carrying out the duties under sub-
13 section (b).

14 (2) UPDATES.—Not later than 75 days after
15 the date of the enactment of this Act, and once
16 every 45 days thereafter during the one-year period
17 following such date of enactment, the Secretary shall
18 provide to the appropriate congressional committees
19 a briefing containing updates with respect to the ef-
20 forts of the Department regarding anomalous health
21 incidents.

22 (f) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
23 FINED.—In this section, the term “appropriate congres-
24 sional committees” means—

25 (1) the congressional defense committees; and

1 (2) the Permanent Select Committee on Intel-
2 ligence of the House of Representatives and the Se-
3 lect Committee on Intelligence of the Senate.

4 **SEC. 723. IMPLEMENTATION OF INTEGRATED PRODUCT**
5 **FOR MANAGEMENT OF POPULATION HEALTH**
6 **ACROSS MILITARY HEALTH SYSTEM.**

7 (a) INTEGRATED PRODUCT.—The Secretary of De-
8 fense shall develop and implement an integrated product
9 for the management of population health across the mili-
10 tary health system. Such integrated product shall serve
11 as a repository for the health care, demographic, and other
12 relevant data of all covered beneficiaries, including with
13 respect to data on health care services furnished to such
14 beneficiaries through the purchased care and direct care
15 components of the TRICARE program, and shall—

16 (1) be compatible with the electronic health
17 record system maintained by the Secretary for mem-
18 bers of the Armed Forces;

19 (2) enable the coordinated case management of
20 covered beneficiaries with respect to health care
21 services furnished to such beneficiaries at military
22 medical treatment facilities and at private sector fa-
23 cilities through health care providers contracted by
24 the Department of Defense;

1 (3) enable the collection and stratification of
2 data from multiple sources to measure population
3 health goals, facilitate disease management pro-
4 grams of the Department, improve patient edu-
5 cation, and integrate wellness services across the
6 military health system; and

7 (4) enable predictive modeling to improve
8 health outcomes for patients and to facilitate the
9 identification and correction of medical errors in the
10 treatment of patients, issues regarding the quality of
11 health care services provided, and gaps in health
12 care coverage.

13 (b) DEFINITIONS.—In this section:

14 (1) The terms “covered beneficiary” and
15 “TRICARE program” have the meanings given such
16 terms in section 1072 of title 10, United States
17 Code.

18 (2) The term “integrated product” means an
19 electronic system of systems (or solutions or prod-
20 ucts) that provides for the integration and sharing
21 of data to meet the needs of an end user in a timely
22 and cost effective manner.

23 **SEC. 724. DIGITAL HEALTH STRATEGY OF DEPARTMENT OF**
24 **DEFENSE.**

25 (a) DIGITAL HEALTH STRATEGY.—

1 (1) STRATEGY.—Not later than April 1, 2022,
2 the Secretary of Defense shall develop a digital
3 health strategy of the Department of Defense to in-
4 corporate new and emerging technologies and meth-
5 ods (including three-dimensional printing, virtual re-
6 ality, wearable devices, big data and predictive ana-
7 lytics, and other innovative methods that leverage
8 new or emerging technologies) in the provision of
9 clinical care within the military health system.

10 (2) ELEMENTS.—The strategy under paragraph
11 (1) shall address, with respect to future use within
12 the military health system, the following:

13 (A) Emerging technology to improve the
14 delivery of clinical care and health services.

15 (B) Design thinking to improve the deliv-
16 ery of clinical care and health services.

17 (C) Advanced clinical decision support sys-
18 tems.

19 (D) Simulation technologies for clinical
20 training (including through simulation
21 immersive training) and clinical education, and
22 for the training of health care personnel in the
23 adoption of emerging technologies for clinical
24 care delivery.

25 (E) Wearable devices.

1 (F) Three-dimensional printing and related
2 technologies.

3 (G) Data-driven decision making, including
4 through the use of big data and predictive ana-
5 lytics, in the delivery of clinical care and health
6 services.

7 (b) REPORT.—Not later than July 1, 2022, the Sec-
8 retary shall submit to the Committees on Armed Services
9 of the House of Representatives and the Senate a report
10 setting forth—

11 (1) the strategy under subsection (a); and

12 (2) a plan to implement such strategy, includ-
13 ing the estimated timeline and cost for such imple-
14 mentation.

15 **SEC. 725. DEVELOPMENT AND UPDATE OF CERTAIN POLI-**
16 **CIES RELATING TO MILITARY HEALTH SYS-**
17 **TEM AND INTEGRATED MEDICAL OPER-**
18 **ATIONS.**

19 (a) IN GENERAL.—By not later than October 1,
20 2022, the Secretary of Defense, in coordination with the
21 Secretaries of the military departments and the Chairman
22 of the Joint Chiefs of Staff, shall develop and update cer-
23 tain policies relating to the military health system and in-
24 tegrated medical operations of the Department of Defense
25 as follows:

1 (1) UPDATED PLAN ON INTEGRATED MEDICAL
2 OPERATIONS IN CONTINENTAL UNITED STATES.—

3 The Secretary of Defense shall develop an updated
4 plan on integrated medical operations in the conti-
5 nental United States and update the Department of
6 Defense Instruction 6010.22, titled “National Dis-
7 aster Medical System (NDMS)” (or such successor
8 instruction) accordingly. Such updated plan shall—

9 (A) be informed by the operational plans of
10 the combatant commands and by the joint med-
11 ical estimate under section 732 of the John S.
12 McCain National Defense Authorization Act for
13 Fiscal Year 2019 (Public Law 115–232; 132
14 Stat. 1817);

15 (B) include a determination as to whether
16 combat casualties should receive medical care
17 under the direct care or purchased care compo-
18 nent of the military health system and a risk
19 analysis in support of such determination;

20 (C) identify the manning levels required to
21 furnish medical care under the updated plan,
22 including with respect to the levels of military
23 personnel, civilian employees of the Depart-
24 ment, and contractors of the Department; and

1 (D) include a cost estimate for the
2 furnishment of such medical care.

3 (2) UPDATED PLAN ON GLOBAL PATIENT
4 MOVEMENT.—The Secretary of Defense shall develop
5 an updated plan on global patient movement and up-
6 date the Department of Defense Instruction
7 5154.06, relating to medical military treatment fa-
8 cilities and patient movement (or such successor in-
9 struction) accordingly. Such updated plan shall—

10 (A) be informed by the operational plans of
11 the combatant commands and by the joint med-
12 ical estimate under section 732 of the John S.
13 McCain National Defense Authorization Act for
14 Fiscal Year 2019 (Public Law 115–232; 132
15 Stat. 1817);

16 (B) include a risk assessment with respect
17 to patient movement compared against overall
18 operational plans;

19 (C) include a description of any capabili-
20 ties-based assessment of the Department that
21 informed the updated plan or that was in
22 progress during the time period in which the
23 updated plan was developed; and

1 (D) identify the manning levels, equipment
2 and consumables, and funding levels, required
3 to carry out the updated plan.

4 (3) ASSESSMENT OF BIOSURVEILLANCE AND
5 MEDICAL RESEARCH CAPABILITIES.—The Secretary
6 of Defense shall conduct an assessment of biosurveil-
7 lance and medical research capabilities of the De-
8 partment of Defense. Such assessment shall include
9 the following:

10 (A) An identification of the location and
11 strategic value of the overseas medical labora-
12 tories and overseas medical research programs
13 of the Department.

14 (B) An assessment of the current capabili-
15 ties of such laboratories and programs with re-
16 spect to force health protection and evidence-
17 based medical research.

18 (C) A determination as to whether such
19 laboratories and programs have the capabilities,
20 including as a result of the geographic location
21 of such laboratories and programs, to provide
22 force health protection and evidence-based med-
23 ical research, including by actively monitoring
24 for future pandemics, infectious diseases, and

1 other potential health threats to members of the
2 Armed Forces.

3 (D) The current capabilities, with respect
4 to biosurveillance and medical research, of the
5 following entities:

6 (i) The Army Medical Research Devel-
7 opment Command.

8 (ii) The Navy Medical Research Com-
9 mand.

10 (iii) The Air Force Medical Readiness
11 Agency.

12 (iv) The Walter Reed Army Institute
13 of Research.

14 (v) The United States Army Medical
15 Research Institute of Infectious Disease.

16 (vi) The Armed Forces Health Sur-
17 veillance Branch (including the Global
18 Emerging Infectious Surveillance pro-
19 gram).

20 (vii) Such other entities as the Sec-
21 retary may determine appropriate.

22 (E) A determination as to whether the en-
23 tities specified in subparagraph (D) have the
24 capabilities, including as a result of the geo-
25 graphic location of the entity, to provide force

1 health protection and evidence-based medical
2 research, including by actively monitoring for
3 future pandemics, infectious diseases, and other
4 potential health threats to members of the
5 Armed Forces.

6 (F) The current manning levels of the enti-
7 ties specified in subparagraph (D), including an
8 assessment of whether such entities are manned
9 at a level necessary to support the missions of
10 the combatant commands (including with re-
11 spect to missions related to pandemic influenza
12 or homeland defense).

13 (G) The current funding levels of the enti-
14 ties specified in subparagraph (D), including a
15 risk assessment as to whether such funding is
16 sufficient to sustain the manning levels nec-
17 essary to support missions as specified in sub-
18 paragraph (F).

19 (4) ANALYSIS OF MILITARY HEALTH SYSTEM
20 ORGANIZATION.—The Secretary of Defense shall
21 conduct an analysis to determine whether the cur-
22 rent organizational structure of the military health
23 system allows for the implementation of the updated
24 plans under paragraphs (1) and (2) and of any rec-
25 ommendations made by the Secretary as a result of

1 the assessment under paragraph (3). Such analysis
2 shall include—

3 (A) an assessment of how the Secretary
4 may leverage TRICARE Regional Offices,
5 TRICARE managed care support contractors,
6 and local or regional health care systems, to ad-
7 dress any potential gaps in the provision of
8 medical care under the military health system
9 that may limit the progress of such implemen-
10 tation or may arise as the result of such imple-
11 mentation; and

12 (B) recommendations on any organiza-
13 tional changes to the military health system
14 that would be necessary for such implementa-
15 tion.

16 (b) INTERIM BRIEFING.—Not later than April 1,
17 2022, the Secretary of Defense, in coordination with the
18 Secretaries of the military departments and the Chairman
19 of the Joint Chiefs of Staff, shall provide to the Commit-
20 tees on Armed Services of the House of Representatives
21 and the Senate an interim briefing on the progress of im-
22 plementation of the plans, assessment, and analysis re-
23 quired under subsection (a).

24 (c) REPORT.—Not later than December 1, 2022, the
25 Secretary of Defense shall submit to the Committees on

1 Armed Services of the House of Representatives and the
2 Senate a report describing each updated plan, assessment,
3 and analysis required under subsection (a).

4 **SEC. 726. STANDARDIZATION OF DEFINITIONS USED BY**
5 **THE DEPARTMENT OF DEFENSE FOR TERMS**
6 **RELATED TO SUICIDE.**

7 (a) STANDARDIZATION OF DEFINITIONS.—Not later
8 than 90 days after the date of the enactment of this Act,
9 the Secretary of Defense, in coordination with the Secre-
10 taries of the military departments, shall develop standard-
11 ized definitions for the following terms:

- 12 (1) “Suicide”.
- 13 (2) “Suicide attempt”.
- 14 (3) “Suicidal ideation”.

15 (b) REQUIRED USE OF STANDARDIZED DEFINI-
16 TIONS.—Not later than 180 days after the date of the en-
17 actment of this Act, the Secretary shall issue policy guid-
18 ance requiring the exclusive and uniform use across the
19 Department of Defense and within each military depart-
20 ment of the standardized definitions developed under sub-
21 section (a) for the terms specified in such subsection.

22 (c) REPORT.—Not later than 180 days after the date
23 of the enactment of this Act, the Secretary shall submit
24 to the Committees on Armed Services of the House of
25 Representatives and the Senate a report that sets forth

1 the standardized definitions developed under subsection
2 (a) and includes—

3 (1) a description of the process that was used
4 to develop such definitions;

5 (2) a description of the methods by which data
6 shall be collected on suicide, suicide attempts, and
7 suicidal ideations (as those terms are defined pursu-
8 ant to such definitions) in a standardized format
9 across the Department and within each military de-
10 partment; and

11 (3) an implementation plan to ensure the use of
12 such definitions as required pursuant to subsection
13 (b).

14 **Subtitle C—Reports and Other** 15 **Matters**

16 **SEC. 731. GRANT PROGRAM FOR INCREASED COOPERA-** 17 **TION ON POST-TRAUMATIC STRESS DIS-** 18 **ORDER RESEARCH BETWEEN UNITED STATES** 19 **AND ISRAEL.**

20 (a) SENSE OF CONGRESS.—It is the sense of Con-
21 gress that the Secretary of Defense, acting through the
22 Psychological Health and Traumatic Brain Injury Re-
23 search Program, should seek to explore scientific collabo-
24 ration between American academic institutions and non-
25 profit research entities, and Israeli institutions with exper-

1 tise in researching, diagnosing, and treating post-trau-
2 matic stress disorder.

3 (b) GRANT PROGRAM.—The Secretary of Defense, in
4 coordination with the Secretary of State, shall award
5 grants to eligible entities to carry out collaborative re-
6 search between the United States and Israel with respect
7 to post-traumatic stress disorders. The Secretary of De-
8 fense shall carry out the grant program under this section
9 in accordance with the agreement titled “Agreement Be-
10 tween the Government of the United States of America
11 and the Government of Israel on the United States-Israel
12 Binational Science Foundation”, dated September 27,
13 1972.

14 (c) ELIGIBLE ENTITIES.—To be eligible to receive a
15 grant under this section, an entity shall be an academic
16 institution or a nonprofit entity located in the United
17 States.

18 (d) AWARD.—The Secretary shall award grants
19 under this section to eligible entities that—

20 (1) carry out a research project that—

21 (A) addresses a requirement in the area of
22 post-traumatic stress disorders that the Sec-
23 retary determines appropriate to research using
24 such grant; and

1 (B) is conducted by the eligible entity and
2 an entity in Israel under a joint research agree-
3 ment; and

4 (2) meet such other criteria that the Secretary
5 may establish.

6 (e) APPLICATION.—To be eligible to receive a grant
7 under this section, an eligible entity shall submit an appli-
8 cation to the Secretary at such time, in such manner, and
9 containing such commitments and information as the Sec-
10 retary may require.

11 (f) GIFT AUTHORITY.—The Secretary may accept,
12 hold, and administer, any gift of money made on the con-
13 dition that the gift be used for the purpose of the grant
14 program under this section. Such gifts of money accepted
15 under this subsection shall be deposited in the Treasury
16 in the Department of Defense General Gift Fund and shall
17 be available, subject to appropriation, without fiscal year
18 limitation.

19 (g) REPORTS.—Not later than 180 days after the
20 date on which an eligible entity completes a research
21 project using a grant under this section, the Secretary
22 shall submit to Congress a report that contains—

23 (1) a description of how the eligible entity used
24 the grant; and

1 (2) an evaluation of the level of success of the
2 research project.

3 (h) **TERMINATION.**—The authority to award grants
4 under this section shall terminate on the date that is seven
5 years after the date on which the first such grant is
6 awarded.

7 **SEC. 732. PILOT PROGRAM ON CARDIAC SCREENING AT**
8 **CERTAIN MILITARY SERVICE ACADEMIES.**

9 (a) **PILOT PROGRAM.**—The Secretary of Defense
10 shall establish a pilot program to furnish mandatory elec-
11 trocardiograms to candidates who are seeking admission
12 to a covered military service academy in connection with
13 the military accession screening process, at no cost to such
14 candidates.

15 (b) **SCOPE.**—The scope of the pilot program under
16 subsection (a) shall include at least 25 percent of the in-
17 coming class of candidates who are seeking admission to
18 a covered military service academy during the first fall se-
19 mester that follows the date of the enactment of this Act,
20 and the pilot program shall terminate on the date on
21 which the Secretary determines the military accession
22 screening process for such class has concluded.

23 (c) **FACILITIES.**—In carrying out the pilot program
24 under subsection (a), the Secretary shall furnish each
25 mandatory electrocardiogram under the pilot program in

1 a facility of the Department of Defense, to the extent
2 practicable, but may furnish such electrocardiograms in
3 a non-Department facility as determined necessary by the
4 Secretary.

5 (d) REPORT.—Not later than 180 days after the date
6 on which the pilot program under subsection (a) termi-
7 nates, the Secretary shall submit to the Committees on
8 Armed Services of the Senate and the House of Represent-
9 atives a report on the pilot program. Such report shall
10 include the following:

11 (1) The results of all electrocardiograms fur-
12 nished to candidates under the pilot program,
13 disaggregated by military service academy, race, and
14 gender.

15 (2) The rate of significant cardiac issues de-
16 tected pursuant to electrocardiograms furnished
17 under the pilot program, disaggregated by military
18 service academy, race, and gender.

19 (3) The cost of carrying out the pilot program.

20 (4) The number of candidates, if any, who were
21 disqualified from admission based solely on the re-
22 sult of an electrocardiogram furnished under the
23 pilot program.

24 (e) COVERED MILITARY SERVICE ACADEMY DE-
25 FINED.—In this section, the term “covered military serv-

1 ice academy” does not include the United States Coast
2 Guard Academy or the United States Merchant Marine
3 Academy.

4 **SEC. 733. PILOT PROGRAM ON CRYOPRESERVATION AND**
5 **STORAGE.**

6 (a) PILOT PROGRAM.—The Secretary of Defense
7 shall establish a pilot program to provide not more than
8 1,000 members of the Armed Forces serving on active
9 duty with the opportunity to cryopreserve and store their
10 gametes prior to deployment to a combat zone.

11 (b) PERIOD.—

12 (1) IN GENERAL.—The Secretary shall provide
13 for the cryopreservation and storage of gametes of
14 a participating member of the Armed Forces under
15 subsection (a), at no cost to the member, in a facil-
16 ity of the Department of Defense or at a private en-
17 tity pursuant to a contract under subsection (d)
18 until the date that is one year after the retirement,
19 separation, or release of the member from the
20 Armed Forces.

21 (2) CONTINUED CRYOPRESERVATION AND
22 STORAGE.—At the end of the one-year period speci-
23 fied in paragraph (1), the Secretary shall authorize
24 an individual whose gametes were cryopreserved and
25 stored in a facility of the Department as described

1 in that paragraph to select, including pursuant to an
2 advance medical directive or military testamentary
3 instrument completed under subsection (c), one of
4 the following options:

5 (A) To continue such cryopreservation and
6 storage in such facility with the cost of such
7 cryopreservation and storage borne by the indi-
8 vidual.

9 (B) To transfer the gametes to a private
10 cryopreservation and storage facility selected by
11 the individual.

12 (C) To authorize the Secretary to dispose
13 of the gametes of the individual not earlier than
14 the date that is 90 days after the end of the
15 one-year period specified in paragraph (1) with
16 respect to the individual.

17 (c) ADVANCE MEDICAL DIRECTIVE AND MILITARY
18 TESTAMENTARY INSTRUMENT.—A member of the Armed
19 Forces who elects to cryopreserve and store their gametes
20 under this section shall complete an advance medical di-
21 rective described in section 1044c(b) of title 10, United
22 States Code, and a military testamentary instrument de-
23 scribed in section 1044d(b) of such title, that explicitly
24 specifies the use of their cryopreserved and stored gametes

1 if such member dies or otherwise loses the capacity to con-
2 sent to the use of their cryopreserved and stored gametes.

3 (d) AGREEMENTS.—To carry out this section, the
4 Secretary may enter into agreements with private entities
5 that provide cryopreservation and storage services for
6 gametes.

7 **SEC. 734. PILOT PROGRAM ON ASSISTANCE FOR MENTAL**
8 **HEALTH APPOINTMENT SCHEDULING AT**
9 **MILITARY MEDICAL TREATMENT FACILITIES.**

10 (a) PILOT PROGRAM.—The Secretary of Defense
11 shall carry out a pilot program to provide direct assistance
12 for mental health appointment scheduling at military med-
13 ical treatment facilities and clinics selected by the Sec-
14 retary for participation in the pilot program in a number
15 determined by the Secretary.

16 (b) REPORT.—Not later than 90 days after the date
17 on which the pilot program terminates, the Secretary shall
18 submit to the Committees on Armed Services of the House
19 of Representatives and the Senate a report on the pilot
20 program. Such report shall include an assessment of—

21 (1) the effectiveness of the pilot program with
22 respect to improved access to mental health appoint-
23 ments; and

24 (2) any barriers to scheduling mental health ap-
25 pointments under the pilot program observed by

1 health care professionals or other individuals in-
2 volved in scheduling such appointments.

3 (c) **TERMINATION.**—The authority to carry out the
4 pilot program under subsection (a) shall terminate on the
5 date that is one year after the commencement of the pilot
6 program.

7 **SEC. 735. PILOT PROGRAM ON ORAL REHYDRATION SOLU-**
8 **TIONS.**

9 (a) **PILOT PROGRAM.**—The Secretary of Defense may
10 carry out a pilot program under which the Secretary shall
11 furnish medically approved oral rehydration solutions to
12 members of the Armed Forces.

13 (b) **DISTRIBUTION.**—Oral rehydration solutions fur-
14 nished under the pilot program carried out pursuant to
15 subsection (a) shall be distributed to members of the
16 Armed Forces at the brigade level, through the Airborne
17 and Ranger Training Brigade, the Maneuver Center of
18 Excellence of the Army, and the United States Army
19 Training and Doctrine Command. Such distribution shall
20 be carried out during a period of summer months, as de-
21 termined by the Secretary.

22 (c) **REPORT.**—Not later than 60 after the date of the
23 conclusion of the pilot program carried out pursuant to
24 subsection (a), the Secretary shall submit to the Commit-
25 tees on Armed Services of the House of Representatives

1 and the Senate a report on the effectiveness of the oral
2 rehydration solutions furnished under the pilot program.

3 Such report shall include—

4 (1) all data tracking the prevention of heat cas-
5 ualties and hyponatremia among participants under
6 the pilot program; and

7 (2) any other benefits realized under the pilot
8 program, including benefits related to cost savings,
9 readiness, or wellness of members of the Armed
10 Forces.

11 **SEC. 736. AUTHORIZATION OF PILOT PROGRAM TO SURVEY**
12 **ACCESS TO MENTAL HEALTH CARE UNDER**
13 **MILITARY HEALTH SYSTEM.**

14 (a) FINDINGS; SENSE OF CONGRESS.—

15 (1) FINDINGS.—Congress finds that—

16 (A) there is a connection between stigma,
17 mental health care access, and death by suicide;
18 and

19 (B) current command climate surveys lack
20 sufficient questions regarding mental health
21 stigma.

22 (2) SENSE OF CONGRESS.—It is the sense of
23 Congress that—

24 (A) military research and research of the
25 Department of Veterans Affairs significantly

1 contribute to overall health care research useful
2 for all individuals; and

3 (B) command climate surveys provide an
4 important function for ensuring safe command
5 environments.

6 (b) AUTHORIZATION OF PILOT PROGRAM TO SURVEY
7 ACCESS TO MENTAL HEALTH CARE UNDER MILITARY
8 HEALTH SYSTEM.—

9 (1) PILOT PROGRAM AUTHORIZED.—The Sec-
10 retary of Defense may carry out a pilot program to
11 survey access to mental health care under the mili-
12 tary health system.

13 (2) ELEMENTS.—In carrying out a pilot pro-
14 gram pursuant to paragraph (1), the Secretary shall
15 ensure that an adequate number of command cli-
16 mate surveys that include questions on access to
17 mental health care under the military health system
18 are administered to a representative sample of active
19 duty members of the Armed Forces across each mili-
20 tary department. Such questions shall be developed
21 by the survey administrator of the Defense Organi-
22 zational Climate Survey and shall address, at a min-
23 imum, the following matters:

1 (A) The perceived ability of the respondent
2 to access mental health care under the military
3 health system.

4 (B) Whether the respondent has previously
5 been prohibited from, or advised against, ac-
6 cessing such care.

7 (C) Any overall stigma perceived by the re-
8 spondent with respect to such care.

9 (D) The belief of the respondent that re-
10 ceiving care from a mental health care provider
11 may harm the career, or the ability to obtain a
12 security clearance, of the respondent.

13 (E) The belief of the respondent that re-
14 ceiving a mental health diagnosis may harm the
15 career, or the ability to obtain a security clear-
16 ance, of the respondent.

17 (3) TERMINATION.—The authority to carry out
18 a pilot program under paragraph (1) shall terminate
19 on September 1, 2023.

20 (4) REPORT.—Not later than 90 days after the
21 date on which a pilot program carried out pursuant
22 to paragraph (1) terminates, the Secretary shall sub-
23 mit to the Committees on Armed Services of the
24 House of Representatives and the Senate a report on

1 the results of the updated surveys administered pur-
2 suant to the pilot program.

3 (c) DEFINITIONS.—In this section, the terms “active
4 duty”, “Armed Forces”, and “military departments” have
5 the meanings given those terms in section 101 of title 10,
6 United States Code.

7 **SEC. 737. PROHIBITION ON AVAILABILITY OF FUNDS FOR**
8 **RESEARCH CONNECTED TO CHINA.**

9 (a) PROHIBITION.—None of the funds authorized to
10 be appropriated by this Act or otherwise made available
11 for fiscal year 2022 for the Department of Defense may
12 be obligated or expended—

13 (1) to conduct research in China, including bio-
14 medical, infectious disease, gene editing, genetics,
15 virus, or military medical research, whether directly
16 or through a third-party entity; or

17 (2) to provide funds for research, including bio-
18 medical, infectious disease, gene editing, genetics,
19 virus, or military medical research, to any entity de-
20 termined by the Secretary of Defense to be owned
21 or controlled, directly or indirectly, by China;

22 (b) WAIVER.—The Secretary of Defense may waive
23 a prohibition under subsection (a) if the Secretary—

24 (1) determines that the waiver is in the national
25 security interests of United States; and

1 (2) not later than 14 days after granting the
2 waiver, submits to the congressional defense commit-
3 tees a detailed justification for the waiver, includ-
4 ing—

5 (A) an identification of the Department of
6 Defense entity obligating or expending the
7 funds;

8 (B) an identification of the amount of such
9 funds;

10 (C) an identification of the intended pur-
11 pose of such funds;

12 (D) an identification of the recipient or
13 prospective recipient of such funds (including
14 any third-party entity recipient, as applicable);

15 (E) an explanation for how the waiver is in
16 the national security interests of the United
17 States; and

18 (F) any other information the Secretary
19 determines appropriate.

20 **SEC. 738. INDEPENDENT ANALYSIS OF DEPARTMENT OF**
21 **DEFENSE COMPREHENSIVE AUTISM CARE**
22 **DEMONSTRATION PROGRAM.**

23 (a) AGREEMENT.—

24 (1) IN GENERAL.—The Secretary of Defense
25 shall seek to enter into an agreement with the Na-

1 tional Academies of Sciences, Engineering, and Med-
2 icine (in this section referred to as the “National
3 Academies”) for the National Academies to carry
4 out the activities described in subsections (b) and
5 (c).

6 (2) TIMING.—The Secretary shall seek to enter
7 into the agreement described in paragraph (1) not
8 later than 60 days after the date of the enactment
9 of this Act.

10 (b) ANALYSIS BY THE NATIONAL ACADEMIES.—

11 (1) ANALYSIS.—Under an agreement between
12 the Secretary and the National Academies entered
13 into pursuant to subsection (a), the National Acad-
14 emies shall conduct an analysis of the effectiveness
15 of the Department of Defense Comprehensive Au-
16 tism Care Demonstration program (in this section
17 referred to as the “demonstration program”) and
18 develop recommendations for the Secretary based on
19 such analysis.

20 (2) ELEMENTS.—The analysis conducted and
21 recommendations developed under paragraph (1)
22 shall include the following:

23 (A) An assessment of the Pervasive Devel-
24 opmental Disabilities Behavior Inventory as a
25 measure to assist in the assessment of domains

1 related to autism spectrum disorder, and a de-
2 termination as to whether the Secretary is ap-
3 plying such inventory appropriately under the
4 demonstration project.

5 (B) An assessment of the methods used
6 under the demonstration project to measure the
7 effectiveness of applied behavior analysis in the
8 treatment of autism spectrum disorder.

9 (C) A review of any guidelines or industry
10 standards of care adhered to in the provision of
11 applied behavior analysis services under the
12 demonstration program, including a review of
13 the effects of such adherence with respect to
14 dose-response or expected health outcomes for
15 an individual who has received such services.

16 (D) A review of the expected health out-
17 comes for an individual who has received ap-
18 plied behavior analysis treatments over time.

19 (E) An analysis of the increased utilization
20 of the demonstration program by beneficiaries
21 under the TRICARE program, to improve un-
22 derstanding of such utilization.

23 (F) Such other analyses to measure the ef-
24 fectiveness of the demonstration program as

1 may be determined appropriate by the National
2 Academies.

3 (G) An analysis on whether the incidence
4 of autism is higher among the children of mili-
5 tary families.

6 (H) The development of a list of findings
7 and recommendations related to the measure-
8 ment, effectiveness, and increased under-
9 standing of the demonstration program and its
10 effect on beneficiaries under the TRICARE pro-
11 gram.

12 (c) REPORT.—Under an agreement entered into be-
13 tween the Secretary and the National Academies under
14 subsection (a), the National Academies, not later than
15 nine months after the date of the execution of the agree-
16 ment, shall—

17 (1) submit to the congressional defense commit-
18 tees a report on the findings of the National Acad-
19 emies with respect to the analysis conducted and
20 recommendations developed under subsection (b);
21 and

22 (2) make such report available on a public
23 website in unclassified form.

1 **SEC. 739. INDEPENDENT REVIEW OF SUICIDE PREVENTION**
2 **AND RESPONSE AT MILITARY INSTALLA-**
3 **TIONS.**

4 (a) ESTABLISHMENT OF COMMITTEE.—Not later
5 than 90 days after the date of the enactment of this Act,
6 the Secretary of Defense shall establish an independent
7 suicide prevention and response review committee.

8 (b) MEMBERSHIP.—The committee established under
9 subsection (a) shall be composed of not fewer than five
10 individuals—

11 (1) designated by the Secretary;

12 (2) with expertise determined to be relevant by
13 the Secretary, including at least one individual who
14 is an experienced provider of mental health services
15 and at least one individual who is an experienced
16 criminal investigator;

17 (3) none of whom may be a member of an
18 Armed Force or a civilian employee of the Depart-
19 ment of Defense.

20 (c) SELECTION OF MILITARY INSTALLATIONS.—The
21 Secretary shall select, for review by the committee estab-
22 lished under subsection (a), not fewer than three military
23 installations that have a higher-than-average incidence of
24 suicide by members of the Armed Forces serving at the
25 installation. The Secretary shall ensure that at least one
26 of the installations selected under this subsection is a re-

1 mote installation of the Department of Defense located
2 outside the contiguous United States.

3 (d) DUTIES.—The committee established under sub-
4 section (a) shall review the suicide prevention and re-
5 sponse programs and other factors that may contribute
6 to the incidence or prevention of suicide at the military
7 installations selected for review pursuant to subsection (c).
8 Such review shall be conducted through means includ-
9 ing—

10 (1) a confidential survey;

11 (2) focus groups; and

12 (3) individual interviews.

13 (e) COORDINATION.—In carrying out this section, the
14 Secretary shall ensure that the Director of the Office of
15 People Analytics of the Department of Defense and the
16 Director of the Office of Force Resiliency of the Depart-
17 ment of Defense coordinate and cooperate with the com-
18 mittee established under subsection (a).

19 (f) REPORTS.—

20 (1) INITIAL REPORT.—Not later than 270 days
21 after the establishment of the committee under sub-
22 section (a), the committee shall submit to the Sec-
23 retary a report containing the results of the reviews
24 conducted by the committee and recommendations of

1 the committee to reduce the incidence of suicide at
2 the military installations reviewed.

3 (2) REPORT TO CONGRESS.—Not later than
4 330 days after the establishment of the committee
5 under subsection (a), the committee shall submit to
6 the Committees on Armed Services of the House of
7 Representatives and the Senate the report under
8 paragraph (1).

9 **SEC. 740. FEASIBILITY AND ADVISABILITY STUDY ON ES-**
10 **TABLISHMENT OF AEROMEDICAL SQUADRON**
11 **AT JOINT BASE PEARL HARBOR-HICKAM.**

12 (a) STUDY.—Not later than April 1, 2022, the Sec-
13 retary of Defense, in consultation with the Chief of the
14 National Guard Bureau and the Director of the Air Na-
15 tional Guard, shall complete a study on the feasibility and
16 advisability of establishing at Joint Base Pearl Harbor-
17 Hickam an aeromedical squadron of the Air National
18 Guard in Hawaii to support the aeromedical mission needs
19 of the State of Hawaii and the United States Indo-Pacific
20 Command.

21 (b) ELEMENTS.—The study under subsection (a)
22 shall assess the following:

23 (1) The manpower required for the establish-
24 ment of an aeromedical squadron of the Air Na-

1 tional Guard in Hawaii as specified in subsection
2 (a).

3 (2) The overall cost of such establishment.

4 (3) The length of time required for such estab-
5 lishment.

6 (4) The mission requirements for such estab-
7 lishment.

8 (5) Such other matters as may be determined
9 relevant by the Secretary.

10 (c) SUBMISSION TO CONGRESS.—Not later than April
11 1, 2022, the Secretary shall submit to the Committees on
12 Armed Services of the House of Representatives and the
13 Senate a report containing the findings of the feasibility
14 and advisability study under subsection (a), including with
15 respect to each element specified in subsection (b).

16 **SEC. 741. PLAN TO ADDRESS FINDINGS RELATED TO AC-**
17 **CESS TO CONTRACEPTION FOR MEMBERS OF**
18 **THE ARMED FORCES.**

19 (a) PLAN REQUIRED.—The Secretary of Defense (in
20 coordination with the Secretaries of the military depart-
21 ments) shall develop and implement a plan to address the
22 findings of the report of the Department of Defense on
23 the status of implementation of guidance for ensuring ac-
24 cess to contraception published in response to pages 155
25 through 156 of the report of the Committee on Armed

1 Services of the House of Representatives accompanying
2 H.R. 6395 of the 116th Congress (H. Rept. 116-617).

3 (b) ELEMENTS.—The plan under subsection (a) shall
4 address—

5 (1) the barriers and challenges to implementa-
6 tion identified in the report of the Department speci-
7 fied in such subsection; and

8 (2) the inability of certain members of the
9 Armed Forces to access their preferred method of
10 contraception and have ongoing access during de-
11 ployment.

12 (c) REPORT.—Not later than 180 days after the date
13 of the enactment of this Act, the Secretary shall submit
14 to the appropriate congressional committees a report on
15 the plan under subsection (a) and any progress made pur-
16 suant to such plan.

17 (d) APPROPRIATE CONGRESSIONAL COMMITTEES
18 DEFINED.—In this section, the term “appropriate con-
19 gressional committees” means—

20 (1) the Committee on Armed Services and the
21 Committee on Transportation and Infrastructure of
22 the House of Representatives; and

23 (2) the Committee on Armed Services and the
24 Committee on Commerce, Science, and Transpor-
25 tation of the Senate.

1 **SEC. 742. GAO BIENNIAL STUDY ON INDIVIDUAL LONGITU-**
2 **DINAL EXPOSURE RECORD PROGRAM.**

3 (a) STUDIES AND REPORTS REQUIRED.—Not later
4 than December 31, 2022, and once every two years there-
5 after until December 31, 2030, the Comptroller General
6 of the United States shall—

7 (1) conduct a study on the implementation and
8 effectiveness of the Individual Longitudinal Expo-
9 sure Record program of the Department of Defense
10 and the Department of Veterans Affairs; and

11 (2) submit to the appropriate congressional
12 committees a report containing the findings of the
13 most recently conducted study.

14 (b) ELEMENTS.—The biennial studies under sub-
15 section (a) shall include an assessment of elements as fol-
16 lows:

17 (1) INITIAL STUDY.—The initial study con-
18 ducted under subsection (a) shall assess, at a min-
19 imum, the following:

20 (A) Statistics relating to use of the Indi-
21 vidual Longitudinal Exposure Record program,
22 including the total number of individuals the
23 records of whom are contained therein and the
24 total number of records accessible under the
25 program.

1 (B) Costs associated with the program, in-
2 cluding any cost overruns associated with the
3 program.

4 (C) The capacity to expand the program to
5 include the medical records of veterans who
6 served prior to the establishment of the pro-
7 gram.

8 (D) Any illness recently identified as relat-
9 ing to a toxic exposure (or any guidance relat-
10 ing to such an illness recently issued) by either
11 the Secretary of Defense or the Secretary of
12 Veterans Affairs, including any such illness or
13 guidance that relates to open burn pit exposure.

14 (E) How the program has enabled (or
15 failed to enable) the discovery, notification, and
16 medical care of individuals affected by an illness
17 described in subparagraph (D).

18 (F) Physician and patient feedback on the
19 program, particularly feedback that relates to
20 ease of use.

21 (G) Cybersecurity and privacy protections
22 of patient data stored under the program, in-
23 cluding whether any classified or restricted data
24 has been stored under the program (such as

1 data relating to deployment locations or duty
2 stations).

3 (H) Any technical or logistical impedi-
4 ments to the implementation or expansion of
5 the program, including any impediments to the
6 inclusion in the program of databases or mate-
7 rials originally intended to be included.

8 (I) Any issues relating to read-only access
9 to data under the program by veterans.

10 (J) Any issues relating to the interoper-
11 ability of the program between the Department
12 of Defense and the Department of Veterans Af-
13 fairs.

14 (2) SUBSEQUENT STUDIES.—Except as pro-
15 vided in paragraph (3), each study conducted under
16 subsection (a) following the initial study specified in
17 paragraph (1) shall assess—

18 (A) statistics relating to use of the Indi-
19 vidual Longitudinal Exposure Record program,
20 including the total number of individuals the
21 records of whom are contained therein and the
22 total number of records accessible under the
23 program; and

24 (B) such other elements as the Comptroller
25 General determines appropriate, which may in-

1 clude any other element specified in paragraph
2 (1).

3 (3) FINAL STUDY.—The final study conducted
4 under subsection (a) shall assess—

5 (A) the elements specified in subpara-
6 graphs (A), (B), (D), (E), (F), and (H) of
7 paragraph (1); and

8 (B) such other elements as the Comptroller
9 General determines appropriate, which may in-
10 clude any other element specified in paragraph
11 (1).

12 (c) ACCESS BY COMPTROLLER GENERAL.—

13 (1) INFORMATION AND MATERIALS.—Upon re-
14 quest of the Comptroller General, the Secretary of
15 Defense and the Secretary of Veterans Affairs shall
16 make available to the Comptroller General any infor-
17 mation or other materials necessary for the conduct
18 of each biennial study under subsection (a).

19 (2) INTERVIEWS.—In addition to such other au-
20 thorities as are available, the Comptroller General
21 shall have the right to interview officials and em-
22 ployees of the Department of Defense and the De-
23 partment of Veterans Affairs (including clinicians,
24 claims adjudicators, and researchers) as necessary

1 for the conduct of each biennial study under sub-
2 section (a).

3 (3) INFORMATION FROM PATIENTS AND
4 FORMER PATIENTS.—

5 (A) DEVELOPMENT OF QUESTIONNAIRE.—

6 In carrying out each biennial study under sub-
7 section (a), the Comptroller General may de-
8 velop a questionnaire for individuals the records
9 of whom are contained in the Individual Longi-
10 tudinal Exposure Record, to obtain the infor-
11 mation necessary for the conduct of the study.

12 (B) DISTRIBUTION.—The Secretary con-
13 cerned shall ensure that any questionnaire de-
14 veloped pursuant to subparagraph (A) is dis-
15 tributed to individuals the records of whom are
16 contained in the Individual Longitudinal Expo-
17 sure Record.

18 (d) DEFINITIONS.—In this Act:

19 (1) The term “appropriate congressional com-
20 mittees” means—

21 (A) the Committee on Armed Services and
22 the Committee on Veterans’ Affairs of the
23 House of Representatives; and

1 (B) the Committee on Armed Services and
2 the Committee on Veterans' Affairs of the Sen-
3 ate.

4 (2) The term "Secretary concerned" means—

5 (A) the Secretary of Defense, with respect
6 to matters concerning the Department of De-
7 fense; and

8 (B) the Secretary of Veterans Affairs, with
9 respect to matters concerning the Department
10 of Veterans Affairs.

11 **SEC. 743. GAO STUDY ON EXCLUSION OF CERTAIN REMAR-**
12 **RIED INDIVIDUALS FROM MEDICAL AND DEN-**
13 **TAL COVERAGE UNDER TRICARE PROGRAM.**

14 (a) GAO STUDY.—

15 (1) STUDY.—The Comptroller General of the
16 United States shall conduct a study on the purpose
17 and effects of limiting medical and dental coverage
18 under the TRICARE program to exclude remarried
19 widows, widowers, and former spouses of members
20 or former members of the uniformed services.

21 (2) ELEMENTS.—The study under paragraph
22 (1) shall include the following:

23 (A) A census of the widows and widowers
24 who currently qualify as a dependent under the
25 TRICARE program pursuant to subparagraph

1 (B) or (C) of section 1072(2) of title 10,
2 United States Code.

3 (B) A census of the former spouses who
4 currently qualify as a dependent under the
5 TRICARE program pursuant to subparagraph
6 (F), (G), or (H) of such section.

7 (C) An identification of the number of
8 such widows, widowers, and former spouses who
9 intend to remarry, and an assessment of wheth-
10 er potential loss of coverage under the
11 TRICARE program has affected the decisions
12 of such individuals to remarry or remain
13 unremarried.

14 (D) An assessment of the effect, if any, on
15 the military and local communities of an indi-
16 vidual who formerly qualified as a dependent
17 under the TRICARE program by reason of
18 being an unremarried widow, widower, or
19 former spouse, as specified in section 1072(2)
20 of title 10, United States Code, when the indi-
21 vidual remarries and loses such coverage.

22 (E) A cost analysis of the expansion of
23 medical and dental coverage under the
24 TRICARE program to include remarried indi-
25 viduals who, but for their remarried status,

1 would otherwise qualify as a dependent under
2 such program.

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 House
6 of Representatives and the Senate a report containing—

7 (1) the findings and conclusions of the study
8 under subsection (a); and

9 (2) recommendations based on such findings
10 and conclusions to improve the dependent categories
11 specified in section 1072(2) of title 10, United
12 States Code, including with respect to whether re-
13 married widows, widowers, and former spouses of
14 members or former members of the uniformed serv-
15 ices should remain excluded from coverage under the
16 TRICARE program pursuant to such section.

17 (c) DEFINITIONS.—In this section, the terms “de-
18 pendent” and “TRICARE program” have the meanings
19 given such terms in section 1072 of title 10, United States
20 Code.

1 **SEC. 744. STUDY ON JOINT FUND OF THE DEPARTMENT OF**
2 **DEFENSE AND THE DEPARTMENT OF VET-**
3 **ERANS AFFAIRS FOR FEDERAL ELECTRONIC**
4 **HEALTH RECORD MODERNIZATION OFFICE.**

5 (a) STUDY.—The Secretary of Defense, in coordina-
6 tion with the Secretary of Veterans Affairs, shall conduct
7 a study on—

8 (1) the development of a joint fund of the De-
9 partment of Defense and the Department of Vet-
10 erans Affairs for the Federal Electronic Health
11 Record Modernization Office; and

12 (2) the operations of the Federal Electronic
13 Health Record Modernization Office since its estab-
14 lishment, including how the Office has supported the
15 implementation of the Individual Longitudinal Expo-
16 sure Record program of the Department of Defense
17 and the Department of Veterans Affairs.

18 (b) ELEMENTS.—The study under subsection (a)
19 shall assess the following:

20 (1) Justifications for the development of the
21 joint fund.

22 (2) Options for the governance structure of the
23 joint fund, including how accountability would be di-
24 vided between the Department of Defense and the
25 Department of Veterans Affairs.

1 (3) An estimated timeline for implementation of
2 the joint fund.

3 (4) The anticipated contents of the joint fund,
4 including the anticipated process for annual trans-
5 fers to the joint fund from the Department of De-
6 fense and the Department of Veterans Affairs, re-
7 spectively.

8 (5) The progress and accomplishments of the
9 Federal Electronic Health Record Modernization Of-
10 fice during fiscal year 2021 in fulfilling the purposes
11 specified in subparagraphs (C) through (R) of sec-
12 tion 1635(b)(2) of the Wounded Warrior Act (title
13 XVI of Public Law 110–181; 10 U.S.C. 1071 note).

14 (6) The role and contributions of the Federal
15 Electronic Health Record Modernization Office with
16 respect to—

17 (A) the current implementation of the
18 Electronic Health Record Modernization Pro-
19 gram at the Mann-Grandstaff Department of
20 Veterans Affairs Medical Center located in Spo-
21 kane, Washington; and

22 (B) the strategic review of the Electronic
23 Health Record Modernization Program con-
24 ducted by the Department of Veterans Affairs.

1 (7) How dedicated funding for the Federal
2 Electronic Health Record Modernization Office
3 would have affected or altered the role and contribu-
4 tions specified in paragraph (6).

5 (8) An estimated timeline for the completion of
6 the implementation milestones under section 1635(e)
7 of the Wounded Warrior Act (title XVI of Public
8 Law 110–181; 10 U.S.C. 1071 note), taking into ac-
9 count delays in the implementation of the Electronic
10 Health Record Modernization Program.

11 (c) REPORT.—Not later than April 1, 2022, the Sec-
12 retary of Defense, in coordination with the Secretary of
13 Veterans Affairs, shall submit to the appropriate congres-
14 sional committees a report on the findings of the study
15 under subsection (a), including recommendations on the
16 development of the joint fund specified in such subsection.
17 Such recommendations shall address—

18 (1) the purpose of the joint fund; and

19 (2) requirements related to the joint fund.

20 (d) DEFINITIONS.—In this section:

21 (1) The term “appropriate congressional com-
22 mittees” means—

23 (A) the Committees on Armed Services of
24 the House of Representatives and the Senate;
25 and

1 (B) the Committees on Veterans' Affairs of
2 the House of Representatives and the Senate.

3 (2) The term "Electronic Health Record Mod-
4 ernization Program" has the meaning given such
5 term in section 503(e) of the Veterans Benefits and
6 Transition Act of 2018 (Public Law 115-407; 132
7 Stat. 5376).

8 (3) The term "Federal Electronic Health
9 Record Modernization Office" means the Office es-
10 tablished under section 1635(b) of the Wounded
11 Warrior Act (title XVI of Public Law 110-181; 10
12 U.S.C. 1071 note).

13 **SEC. 745. BRIEFING ON DOMESTIC PRODUCTION OF CRIT-**
14 **ICAL ACTIVE PHARMACEUTICAL INGREDI-**
15 **ENTS.**

16 Not later than April 1, 2022, the Secretary of De-
17 fense shall provide to the Committees on Armed Services
18 of the House of Representatives and the Senate a briefing
19 on the development of a domestic production capability for
20 critical active pharmaceutical ingredients and drug prod-
21 ucts in finished dosage form. Such briefing shall include
22 a description of the following:

23 (1) The anticipated cost over the period covered
24 by the most recent future-years defense program
25 submitted under section 221 of title 10, United

1 States Code (as of the date of the briefing), to de-
2 velop a domestic production capability for critical ac-
3 tive pharmaceutical ingredients.

4 (2) The cost of producing critical active phar-
5 maceutical ingredients through such a domestic pro-
6 duction capability, as compared with the cost of
7 standard manufacturing processes used by the phar-
8 maceutical industry.

9 (3) The average time to produce critical active
10 pharmaceutical ingredients through such a domestic
11 production capability, as compared with the average
12 time to produce such ingredients through standard
13 manufacturing processes used by the pharmaceutical
14 industry.

15 (4) Any intersections between the development
16 of such a domestic production capability, the mili-
17 tary health system, and defense-related medical re-
18 search or operational medical requirements.

19 (5) Lessons learned from the progress made in
20 developing such a domestic production capability as
21 of the date of the briefing, including from any con-
22 tracts entered into by the Secretary with respect to
23 such a domestic production capability.

24 (6) Any critical active pharmaceutical ingredi-
25 ents that are under consideration by the Secretary

1 for future domestic production as of the date of the
2 briefing.

3 (7) The plan of the Secretary regarding the fu-
4 ture use of domestic production capability for critical
5 active pharmaceutical ingredients.

6 **SEC. 746. BRIEFING ON ANOMALOUS HEALTH INCIDENTS**
7 **INVOLVING MEMBERS OF THE ARMED**
8 **FORCES.**

9 (a) BRIEFING.—Not later than March 1, 2022, the
10 Secretary of Defense shall provide to the appropriate con-
11 gressional committees a briefing on anomalous health inci-
12 dents affecting members of the Armed Forces and civilian
13 employees of the Department of Defense, any ongoing ef-
14 forts carried out by the Secretary to protect such members
15 and employees from the effects of anomalous health inci-
16 dents, and the extent and nature of engagement by the
17 Secretary with the heads of other Federal departments
18 and agencies regarding anomalous health incidents affect-
19 ing the employees of such other departments and agencies.

20 (b) MATTERS.—The briefing provided under sub-
21 section (a) shall include, at a minimum, the following:

22 (1) Information on cases of confirmed or sus-
23 pected anomalous health incidents affecting mem-
24 bers of the Armed Forces or civilian employees of
25 the Department.

1 (2) An update on the strategy of the Depart-
2 ment to protect such members and employees from
3 the effects of anomalous health incidents, including
4 any efforts carried out by the Secretary to ensure
5 that—

6 (A) suspected anomalous health incidents
7 are promptly reported; and

8 (B) victims of anomalous health incidents
9 are provided immediate and long-term medical
10 treatment.

11 (3) The current efforts of the Department to
12 contribute to the overall approach of the U.S. Gov-
13 ernment to address, prevent, and respond to, anoma-
14 lous health incidents, including such contributed ef-
15 forts of the Department to defend against anoma-
16 lous health incident attacks against personnel of the
17 U.S. Government and United States citizens.

18 (4) The current efforts of the Department to
19 prepare members of the Armed Forces and civilian
20 employees of the Department for the effects of
21 anomalous health incidents, including prior to de-
22 ployment.

23 (5) Recommendations on how to improve the
24 identification and reporting of anomalous health in-
25 cidents affecting such members and employees, in-

1 including a recommendation on whether to conduct a
2 health assessment prior to the deployment of such
3 members or employees if the prospective deployment
4 is to an embassy of the United States (or to another
5 location that the Secretary determines may present
6 a heightened risk of anomalous health incidents), to
7 establish a medical baseline against which medical
8 data of the member or employee may be compared
9 following a suspected anomalous health incident.

10 (6) An identification by the Secretary of a sen-
11 ior official of the Department who has been des-
12 igned by the Secretary as the official with prin-
13 cipal responsibility for leading the efforts of the De-
14 partment regarding anomalous health incidents (and
15 related issues within the Department) and for co-
16 ordinating with the heads of other Federal depart-
17 ments and agencies regarding such incidents and re-
18 lated issues.

19 (c) SENATE CONFIRMATION OF RESPONSIBLE INDI-
20 VIDUAL.—If the designated senior official identified pur-
21 suant to subsection (b)(6) has not been appointed by and
22 with the advice and consent of the Senate, the Secretary
23 shall ensure that the principal responsibility for the ac-
24 tions specified in such subsection is transferred to a senior
25 official of the Department who has been so appointed.

1 (d) APPROPRIATE CONGRESSIONAL COMMITTEES
2 DEFINED.—In this section, the term “appropriate con-
3 gressional committees” means—

4 (1) the Committee on Armed Services, the
5 Committee on Oversight and Reform, and the Com-
6 mittee on Transportation and Infrastructure of the
7 House of Representatives; and

8 (2) the Committee on Armed Services, the
9 Committee on Homeland Security and Governmental
10 Affairs, and the Committee on Commerce, Science,
11 and Transportation of the Senate.

12 **SEC. 747. SENSE OF CONGRESS ON NATIONAL WARRIOR**

13 **CALL DAY.**

14 (a) FINDINGS.—Congress finds the following:

15 (1) Establishing an annual “National Warrior
16 Call Day” will draw attention to those members of
17 the Armed Forces whose connection to one another
18 is key to our veterans and first responders who may
19 be dangerously disconnected from family, friends,
20 and support systems.

21 (2) The number of suicides of members of the
22 Armed Forces serving on active duty increased to
23 377 in 2020, a figure up from 348 the previous
24 year.

1 (3) The epidemic of veteran suicide has steadily
2 increased since 2014 with 6,435 veterans taking
3 their own lives in 2018.

4 (4) After adjusting for sex and age, the rate of
5 veteran suicide in 2018 was 27.5 per 100,000 indi-
6 viduals, higher than the rate among all United
7 States adults at 18.3.

8 (5) More veterans have died by suicide in the
9 last 10 years than members of the Armed Forces
10 who died from combat in Vietnam.

11 (6) Roughly two-thirds of these veterans who
12 take their own lives have had no contact with the
13 Department of Veterans Affairs.

14 (7) The COVID-19 pandemic has only in-
15 creased isolation and disconnection, further exacer-
16 bating mental and physical ailments such as post-
17 traumatic stress disorder and traumatic brain in-
18 jury.

19 (8) The Centers for Disease Control and Pre-
20 vention note that law enforcement officers and fire-
21 fighters are more likely to die by suicide than in the
22 line of duty, and emergency medical services pro-
23 viders are 1.39 times more likely to die by suicide
24 than members of the general public.

1 (9) Invisible wounds linked to an underlying
2 and undiagnosed traumatic brain injury can mirror
3 many mental health conditions, a problem that can
4 be addressed through connections to members of the
5 Armed Forces and veterans who can better identify
6 and address these wounds.

7 (10) Urgent research is needed to highlight the
8 connection between traumatic brain injury as a root
9 cause of invisible wounds and suicide by members of
10 the Armed Forces and veterans.

11 (b) SENSE OF CONGRESS.—It is the sense of Con-
12 gress that Congress—

13 (1) supports the designation of a “National
14 Warrior Call Day”;

15 (2) encourages all Americans, especially mem-
16 bers of the Armed Forces serving on active duty and
17 veterans, to call up a warrior, have an honest con-
18 versation, and connect them with support, under-
19 standing that making a warrior call could save a life;
20 and

21 (3) implores all Americans to recommit them-
22 selves to engaging with members of the Armed
23 Forces through “National Warrior Call Day” and
24 constructive efforts that result in solutions and
25 treatment for the invisible scars they carry.

1 **TITLE VIII—ACQUISITION POL-**
2 **ICY, ACQUISITION MANAGE-**
3 **MENT, AND RELATED MAT-**
4 **TERS**

5 **Subtitle A—Acquisition Policy and**
6 **Management**

7 **SEC. 801. ACQUISITION WORKFORCE EDUCATIONAL PART-**
8 **NERSHIPS.**

9 (a) IN GENERAL.—Subchapter IV of chapter 87 of
10 title 10, United States Code, is amended by inserting after
11 section 1746 the following new section:

12 **“§ 1746a. Acquisition workforce educational partner-**
13 **ships**

14 “(a) ESTABLISHMENT.—The Secretary of Defense,
15 acting through the Under Secretary of Defense for Acqui-
16 sition and Sustainment, shall establish a program within
17 Defense Acquisition University to—

18 “(1) facilitate the engagement of experts in in-
19 structional design from participants in the acquisi-
20 tion research organization established under section
21 2361a with the faculty of the Defense Acquisition
22 University to organize and adjust the curriculum of
23 the Defense Acquisition University, as appropriate,
24 to ensure that—

1 “(A) the curriculum accords with the edu-
2 cational framework commonly known as
3 Bloom’s taxonomy;

4 “(B) classes are composed of students
5 from diverse positions in the acquisition work-
6 force; and

7 “(C) higher level classes require students
8 to create solutions to operational challenges re-
9 lated to acquisition policy reform through
10 human-centered design projects;

11 “(2) in coordination with the Office of Human
12 Capital Initiatives, facilitate the retention of critical
13 members of the acquisition workforce by providing
14 academic advising with respect to classes offered by
15 the Defense Acquisition University to both members
16 of the acquisition workforce and the supervisors of
17 the members to ensure that each member takes the
18 classes that are suited to the experience level, posi-
19 tion, and professional development of such member;

20 “(3) partner with extramural institutions to
21 offer training to all members of the acquisition
22 workforce addressing operational challenges that af-
23 fect procurement decision-making, including training
24 on—

1 “(A) intellectual property and data rights
2 negotiations;

3 “(B) the effects of climate change and the
4 need to invest in mitigating such effects
5 throughout the full life cycle of a project;

6 “(C) partnering with contractors and other
7 suppliers to attract new companies with emerg-
8 ing technologies and to ensure supply chain re-
9 siliency; and

10 “(D) enabling rapid and efficient procure-
11 ment of technologies in a manner that permits
12 quick response to technological changes;

13 “(4) support the partnerships between the De-
14 partment of Defense and extramural institutions
15 with missions relating to the training and develop-
16 ment of members of the acquisition workforce;

17 “(5) accelerate the adoption of flexible con-
18 tracting techniques by the acquisition workforce by
19 expanding the availability of training on such tech-
20 niques and incorporating such training into the cur-
21 riculum of the Defense Acquisition University, in-
22 cluding partnering with extramural institutions to
23 expand the availability of training related to trans-
24 action authorities under sections 2371 and 2371b to
25 attorneys and technical specialists; and

1 “(6) enhance the reputation of the faculty of
2 the Defense Acquisition University by—

3 “(A) building partnerships between the
4 faculty of the Defense Acquisition University
5 and participants in the activity established
6 under section 2361a; and

7 “(B) supporting the preparation and draft-
8 ing of the reports required under subsection
9 (f)(2).

10 “(b) CURRICULUM ADJUSTMENTS.—Not later than
11 the date that is one year after the date of the enactment
12 of this section, the President of the Defense Acquisition
13 University shall reorganize and adjust the curriculum of
14 the Defense Acquisition University, as appropriate, to
15 comply with the criteria described in subparagraphs (A),
16 (B), and (C) of subsection (a)(1).

17 “(c) PROGRAM DIRECTOR OF STRATEGIC PARTNER-
18 SHIPS.—

19 “(1) ESTABLISHMENT.—There is established in
20 the Office of the President of the Defense Acquisi-
21 tion University the position of Program Director of
22 Strategic Partnerships.

23 “(2) DUTIES.—The Program Director of Stra-
24 tegic Partnerships shall establish, develop, and

1 maintain partnerships between the Defense Acquisi-
2 tion University and extramural institutions.

3 “(3) APPOINTMENT.—

4 “(A) IN GENERAL.—The President of the
5 Defense Acquisition University shall appoint the
6 Program Director of Strategic Partnerships.

7 “(B) INITIAL APPOINTMENT.—Not later
8 than 180 days after the enactment of this sec-
9 tion, the President of the Defense Acquisition
10 University shall appoint a Program Director of
11 Strategic Partnerships.

12 “(d) IMPLEMENTATION.—

13 “(1) SUPPORT FROM OTHER DEPARTMENT OF
14 DEFENSE ORGANIZATIONS.—The Secretary of De-
15 fense may direct other elements of the Department
16 of Defense to provide personnel, resources, and other
17 support to the program established under this sec-
18 tion, as the Secretary determines appropriate.

19 “(2) IMPLEMENTATION PLAN.—

20 “(A) IN GENERAL.—Not later than one
21 year after the date of the enactment of this sec-
22 tion, the President of the Defense Acquisition
23 University shall submit to the congressional de-
24 fense committees a plan for implementing the
25 program established under this section.

1 “(B) ELEMENTS.—The plan required
2 under subparagraph (A) shall include the fol-
3 lowing:

4 “(i) Plans that describe any support
5 that will be provided for the program by
6 other elements of the Department of De-
7 fense under paragraph (1).

8 “(ii) Plans for the implementation of
9 the program, including plans for—

10 “(I) future funding and adminis-
11 trative support of the program;

12 “(II) integration of the program
13 into the programming, planning,
14 budgeting, and execution process of
15 the Department of Defense;

16 “(III) integration of the program
17 with the other programs and initia-
18 tives within the Department relating
19 to innovation and outreach to the aca-
20 demic and the private sector; and

21 “(IV) performance indicators by
22 which the program will be assessed
23 and evaluated.

24 “(iii) A description of any additional
25 authorities the Secretary of Defense may

1 require to carry out the responsibilities
2 under this section.

3 “(e) FUNDING.—Subject to the availability of appro-
4 priations, the Under Secretary of Defense for Acquisition
5 and Sustainment may use amounts available in the De-
6 fense Acquisition Workforce and Development Account (as
7 established under section 1705) to carry out the require-
8 ments of this section.

9 “(f) ANNUAL REPORTS.—

10 “(1) IN GENERAL.—Not later than September
11 30, 2022, and annually thereafter, the President of
12 the Defense Acquisition University shall submit to
13 the Secretary of Defense and the congressional de-
14 fense committees a report describing the activities
15 conducted under this section during the one-year pe-
16 riod ending on the date on which such report is sub-
17 mitted.

18 “(2) FACULTY REPORTS.—

19 “(A) IN GENERAL.—Except as provided in
20 subparagraph (C), not later than six months
21 after the date of the enactment of this section,
22 and not later than March 1 of each year there-
23 after, each individual employed by the Defense
24 Acquisition University as a full-time professor,
25 instructor, or lecturer and each group created

1 under subparagraph (B) shall submit to the
2 congressional defense committees a report on
3 the area of Federal acquisition expertise of such
4 individual or group, including—

5 “(i) developments in such area during
6 the one-year ending on the date on which
7 the report is submitted; and

8 “(ii) suggested legislative and regu-
9 latory reforms.

10 “(B) GROUP DETERMINATIONS.—The
11 President of the Defense Acquisition University
12 may group together individuals described in
13 subparagraph (A) that the President of the De-
14 fense Acquisition University determines to be
15 experts in the same or substantially overlapping
16 areas of Federal acquisition.

17 “(C) INDIVIDUAL REPORT EXCEPTION.—
18 Subparagraph (A) shall not apply with respect
19 to an individual that is a member of a group
20 created under subparagraph (B) for any year in
21 which such group submits a report under this
22 paragraph to which such individual contributed
23 as a member of such group.

24 “(g) EXEMPTION TO REPORT TERMINATION RE-
25 QUIREMENTS.—Section 1080(a) of the National Defense

1 Authorization Act for Fiscal Year 2016 (Public Law 114–
2 92; 129 Stat. 1000; 10 U.S.C. 111 note), as amended by
3 section 1061(j) of the National Defense Authorization Act
4 for Fiscal Year 2017 (Public Law 114–328; 130 Stat.
5 2405; 10 U.S.C. 111 note), does not apply with respect
6 to the reports required to be submitted to Congress under
7 this section.

8 “(h) DEFINITIONS.—In this section:

9 “(1) ACQUISITION WORKFORCE.—The term ‘ac-
10 quisition workforce’ has the meaning given such
11 term in section 1705(g).

12 “(2) EXTRAMURAL INSTITUTIONS.—The term
13 ‘extramural institutions’ means participants in an
14 activity established under section 2361a, public sec-
15 tor organizations, and nonprofit credentialing orga-
16 nizations.

17 “(3) HUMAN-CENTERED DESIGN.—The term
18 ‘human-centered design’ means a solution to a prob-
19 lem that is based on a problem-solving approach
20 under which the individual or entity seeking to solve
21 the problem—

22 “(A) develops an understanding of the
23 problem primarily by interacting with individ-
24 uals who are experiencing the problem;

1 “(B) creates solutions to the problem that
2 are based on such understanding and which are
3 designed to address the needs of such individ-
4 uals with respect to the problem; and

5 “(C) involves such individuals in the devel-
6 opment and testing of such solutions.

7 “(4) NONPROFIT CREDENTIALING ORGANIZA-
8 TION.—The term ‘nonprofit credentialing organiza-
9 tion’ means a nonprofit organization that offers a
10 credentialing program that—

11 “(A) is accredited by a nationally-recog-
12 nized, third-party personnel certification pro-
13 gram accreditor;

14 “(B)(i) is sought or accepted by employers
15 within the industry or sector involved as a rec-
16 ognized, preferred, or required credential for re-
17 cruitment, screening, hiring, retention, or ad-
18 vancement purposes; and

19 “(ii) where appropriate, is endorsed
20 by a nationally-recognized trade association
21 or organization representing a significant
22 part of the industry or sector; or

23 “(C) meets credential standards of a Fed-
24 eral agency.

1 “(5) TECHNICAL SPECIALIST.—The term ‘tech-
2 nical specialist’ means an individual who is author-
3 ized by the Secretary of Defense or a Secretary of
4 a military department to enter into agreements
5 under the authority of section 2371 or 2371b and is
6 not otherwise authorized to enter into procurement
7 contracts or cooperative agreements.”.

8 (b) CLERICAL AMENDMENT.—The table of sections
9 for subchapter IV of chapter 87 of title 10, United States
10 Code, is amended by inserting after the item relating to
11 section 1746 the following new item:

“1746a. Acquisition workforce educational partnerships.”.

12 **SEC. 802. SPECIAL EMERGENCY REIMBURSEMENT AUTHOR-**
13 **ITY.**

14 (a) IN GENERAL.—Subchapter II of chapter 134 of
15 title 10, United States Code, is amended by adding at the
16 end the following new section:

17 **“§ 2265. Special emergency reimbursement authority**

18 “(a) SPECIAL EMERGENCY REIMBURSEMENT AU-
19 THORITY.—

20 “(1) IN GENERAL.—Notwithstanding any other
21 provision of law, the Secretary of Defense may, in
22 accordance with paragraph (2) and subsection (c),
23 modify the terms and conditions of a covered con-
24 tract, without consideration, to reimburse a con-
25 tractor for the cost of any paid leave, including sick

1 leave, that such contractor provides to the employees
2 of such contractor or employees of subcontractors
3 (at any tier) of such contractor in response to a cov-
4 ered emergency to keep such employees or sub-
5 contractors in a ready state with respect to such cov-
6 ered contract.

7 “(2) REIMBURSEMENT REQUIREMENTS.—

8 “(A) ELIGIBLE EMPLOYEE AND SUB-
9 CONTRACT COSTS.—Reimbursements under this
10 subsection may be made only with respect to
11 employees of a contractor or employees of sub-
12 contractors (at any tier) of a contractor which,
13 for the relevant covered contract—

14 “(i) are unable to perform work on a
15 covered site due to facility closures or
16 other restrictions; and

17 “(ii) cannot telework because the du-
18 ties of such employee or contractor cannot
19 be performed remotely.

20 “(B) AVERAGE HOURS.—The number of
21 hours of paid leave for which the cost may be
22 reimbursement under this subsection may not
23 exceed an average of 40 hours per week per em-
24 ployee described in subparagraph (A).

1 “(C) BILL RATE.—The minimum applica-
2 ble contract billing rate under the relevant cov-
3 ered contract shall be used to calculate reim-
4 bursements under this subsection.

5 “(b) ENHANCED REIMBURSEMENT FOR SMALL BUSI-
6 NESS CONTRACTORS.—

7 “(1) IN GENERAL.—In addition to any reim-
8 bursement under subsection (a), the Secretary of
9 Defense may, in accordance with paragraph (2) and
10 subsection (c), modify the terms and conditions of a
11 covered contract, without consideration, to reimburse
12 a small business contractor for costs, other than
13 costs reimbursable under subsection (a), that are di-
14 rect costs of a covered emergency with respect to
15 which reimbursement is permitted under subsection
16 (a).

17 “(2) LIMITATIONS.—The Secretary of Defense
18 may reimburse a small business contractor under
19 this subsection to the extent that the relevant con-
20 tracting officer determines in writing that—

21 “(A) such reimbursement is necessary to
22 ensure the continuation of contractor perform-
23 ance during, or the resumption of contractor
24 performance after, the covered emergency;

1 “(B) the small business contractor miti-
2 gated the costs that may be reimbursed under
3 this subsection to the extent practicable; and

4 “(C) it is in the best interest of the United
5 States to reimburse such costs.

6 “(c) REIMBURSEMENT CONDITIONS.—

7 “(1) COST IDENTIFICATION.—A cost is eligible
8 for reimbursement under subsection (a) or (b) only
9 if the relevant contracting officer determines that
10 the records of the contractor to identify such cost as
11 a cost described in either such subsection such that
12 such contracting officer may audit such cost.

13 “(2) OTHER FEDERAL BENEFIT OFFSET.—

14 “(A) IN GENERAL.—Any reimbursement
15 under subsection (a) or (b) shall be reduced by
16 an amount equal to the total amount of any
17 other Federal payment, allowance, or tax or
18 other credit received for a cost that is reimburs-
19 able under such subsection.

20 “(B) NOTIFICATION.—A contractor that
21 receives a payment, allowance, or credit de-
22 scribed in subparagraph (A) for a cost which
23 such contractor seeks reimbursement under
24 subsection (a) or (b) shall submit to the rel-

1 evant contracting officer a notice of the receipt
2 of such payment, allowance, or credit—

3 “(i) prior to the execution of a con-
4 tract modification providing such reim-
5 bursement; and

6 “(ii) not later than 30 days after such
7 receipt.

8 “(C) POST REIMBURSEMENT.—A con-
9 tractor that receives a payment, allowance, or
10 credit described in subparagraph (A) for a cost
11 after the execution of a contract modification
12 under subsection (a) or (b) reimbursing such
13 cost, or that is unable to provide the notice re-
14 quired under subparagraph (B) in accordance
15 with clause (i) of such subparagraph, shall—

16 “(i) not later than 30 days after the
17 receipt of the payment, allowance, or cred-
18 it, notify the relevant contracting officer in
19 writing of such receipt; and

20 “(ii) agree to execute a contract modi-
21 fication to reduce the amount reimbursed
22 under subsections (a) and (b) by the
23 amount of such payment, allowance, or
24 credit.

1 “(3) APPROPRIATIONS AVAILABILITY.—Reim-
2 bursements under subsections (a) and (b) shall be
3 subject to the availability of appropriations.

4 “(d) COST ACCOUNTING STANDARDS.—For the pur-
5 poses of this section, a cognizant Federal agency official
6 shall provide a contractor subject to the cost accounting
7 standards issued pursuant to section 1502 of title 41 and
8 required to submit one or more disclosure statements, a
9 reasonable opportunity to amend any such disclosure
10 statements to reflect any costs that are reimbursable
11 under subsection (a).

12 “(e) DEFINITIONS.—In this section:

13 “(1) COGNIZANT FEDERAL AGENCY OFFI-
14 CIAL.—The term ‘cognizant Federal agency official’
15 has the meaning given such term in section 30.001
16 of title 48, Code of Federal Regulations.

17 “(2) COVERED CONTRACT.—The term ‘covered
18 contract’ means any contract, including a fixed-price
19 or cost-reimbursement contract, or any other agree-
20 ment for the procurement of goods or services by or
21 for the Department of Defense.

22 “(3) COVERED EMERGENCY.—The term ‘cov-
23 ered emergency’ means a declared pandemic which
24 prevents the employees of a contractor of the De-
25 partment of Defense or the employees of a subcon-

1 tractor (at any tier) of such a contractor from per-
2 forming work under a covered contract, as deter-
3 mined by the Secretary.

4 “(4) COVERED SITE.—The term ‘covered site’
5 means any government-owned, government-leased,
6 contractor-owned, or contractor-leased facility ap-
7 proved by the Federal Government for contract per-
8 formance.

9 “(5) DISCLOSURE STATEMENT.—The term ‘dis-
10 closure statement’ means a Disclosure Statement de-
11 scribed in section 9903.202–1(a) of title 48, Code of
12 Federal Regulations.

13 “(6) MINIMUM APPLICABLE CONTRACT BILLING
14 RATE.—The term ‘minimum applicable contract bill-
15 ing rate’ means a rate capturing the financial im-
16 pact incurred as a consequence of keeping the em-
17 ployees of a contractor or employees of subcontrac-
18 tors (at any tier) of a contractor in a ready state,
19 including the base hourly pay rate of such employees
20 and employees of such subcontractors, indirect costs,
21 general and administrative expenses, and other rel-
22 evant costs.

23 “(7) READY STATE.—The term ‘ready state’
24 means able to mobilize in a timely manner to per-
25 form under a covered contract.

1 “(8) SMALL BUSINESS CONTRACTOR.—The
2 term ‘small business contractor’ means a contractor
3 for a covered contract that is a small business con-
4 cern (as such term is defined under section 3 of the
5 Small Business Act (15 U.S.C. 632).”.

6 (b) CLERICAL AMENDMENT.—The table of sections
7 for subchapter II of chapter 134 of title 10, United States
8 Code, is amended by adding at the end the following new
9 item:

 “2265. Special emergency reimbursement authority.”.

10 **SEC. 803. PROHIBITION ON PROCUREMENT OF PERSONAL**
11 **PROTECTIVE EQUIPMENT FROM NON-ALLIED**
12 **FOREIGN NATIONS.**

13 (a) PROHIBITION.—

14 (1) IN GENERAL.—Chapter 137 of title 10,
15 United States Code, is amended by adding at the
16 end the following new section:

17 **“§ 2339d. Prohibition on procurement of personal**
18 **protective equipment and certain other**
19 **items from non-allied foreign nations**

20 “(a) IN GENERAL.—Except as provided in subsection
21 (c), the Secretary of Defense may not procure any covered
22 item from any covered nation.

23 “(b) APPLICABILITY.—Subsection (a) shall apply to
24 prime contracts and subcontracts at any tier.

25 “(c) EXCEPTIONS.—

1 “(1) IN GENERAL.—Subsection (a) does not
2 apply under the following circumstances:

3 “(A) If the Secretary of Defense deter-
4 mines that covered materials of satisfactory
5 quality and quantity, in the required form, can-
6 not be procured as and when needed from na-
7 tions other than covered nations to meet re-
8 quirements at a reasonable price.

9 “(B) The procurement of a covered item
10 for use outside of the United States.

11 “(C) Purchases for amounts not greater
12 than \$150,000.

13 “(2) LIMITATION.—A proposed purchase or
14 contract for an amount greater than \$150,000 may
15 not be divided into several purchases or contracts for
16 lesser amounts in order to qualify for this exception.

17 “(d) DEFINITIONS.—In this section:

18 “(1) COVERED ITEM.—The term ‘covered item’
19 means an article or item of—

20 “(A) personal protective equipment for use
21 in preventing spread of communicable disease,
22 such as by exposure to infected individuals or
23 contamination or infection by infectious mate-
24 rial (including surgical masks, respirator masks
25 and electric-powered air purifying respirators

1 and required filters, face shields and protective
2 eyewear, surgical and isolation gowns, and head
3 and foot coverings) or clothing, and the mate-
4 rials and components thereof, other than sen-
5 sors, electronics, or other items added to and
6 not normally associated with such personal pro-
7 tective equipment or clothing; or

8 “(B) sanitizing and disinfecting wipes,
9 testing swabs, gauze, and bandages.

10 “(2) COVERED NATION.—The term ‘covered na-
11 tion’ means—

12 “(A) the Democratic People’s Republic of
13 North Korea;

14 “(B) the People’s Republic of China;

15 “(C) the Russian Federation; and

16 “(D) the Islamic Republic of Iran.”.

17 (2) CLERICAL AMENDMENT.—The table of sec-
18 tions at the beginning of such chapter is amended
19 by inserting after the item relating to section 2339c
20 the following:

“2339d. Prohibition on procurement of personal protective equipment and cer-
tain other items from non-allied foreign nations.”.

21 (b) FUTURE TRANSFER.—

22 (1) TRANSFER AND REDESIGNATION.—Section
23 2339d of title 10, United States Code, as added by
24 subsection (a), is transferred to subchapter I of

1 chapter 283 of such title, added after section 3881,
2 as transferred and redesignated by section 1837(b)
3 of the William M. (Mac) Thornberry National De-
4 fense Authorization Act for Fiscal Year 2021 (Pub-
5 lic Law 116–283), and redesignated as section 3882.

6 (2) CLERICAL AMENDMENTS.—

7 (A) TARGET CHAPTER TABLE OF SEC-
8 TIONS.—The table of sections at the beginning
9 of chapter 283 of title 10, United States Code,
10 as added by section 1837(a) of the William M.
11 (Mac) Thornberry National Defense Authoriza-
12 tion Act for Fiscal Year 2021 (Public Law
13 116–283), is amended by inserting after the
14 item related to section 3881 the following new
15 item:

“3882. Prohibition on procurement of personal protective equipment and certain
other items from non-allied foreign nations.”.

16 (B) ORIGIN CHAPTER TABLE OF SEC-
17 TIONS.—The table of sections at the beginning
18 of chapter 137 of title 10, United States Code,
19 as amended by subsection (a), is further
20 amended by striking the item relating to section
21 2339d.

22 (3) EFFECTIVE DATE.—The transfer, redesign-
23 nation, and amendments made by this subsection
24 shall take effect on January 1, 2022.

1 (4) REFERENCES; SAVINGS PROVISION; RULE
2 OF CONSTRUCTION.—Sections 1883 through 1885 of
3 the William M. (Mac) Thornberry National Defense
4 Authorization Act for Fiscal Year 2021 (Public Law
5 116–283) shall apply with respect to the transfers,
6 redesignations, and amendments made under this
7 subsection as if such transfers, redesignations, and
8 amendments were made under title XVIII of such
9 Act.

10 **SEC. 804. MINIMUM WAGE FOR EMPLOYEES OF DEPART-**
11 **MENT OF DEFENSE CONTRACTORS.**

12 (a) IN GENERAL.—

13 (1) MINIMUM WAGE FOR EMPLOYEES OF DE-
14 PARTMENT OF DEFENSE CONTRACTORS.—Chapter
15 141 of title 10, United States Code is amended by
16 inserting after section 2402 the following new sec-
17 tion:

18 **“§ 2403. Minimum wage for employees of Department**
19 **of Defense contractors**

20 “(a) IN GENERAL.—Notwithstanding section 6 of the
21 Fair Labor Standards Act of 1938 (29 U.S.C. 206), an
22 employee of a Department of Defense contractor per-
23 forming a covered contract who is paid at an hourly rate
24 shall be paid a minimum wage as follows:

1 “(1) Beginning January 30, 2022, \$15.00 an
2 hour.

3 “(2) Beginning January 1, 2023, at a minimum
4 wage determined annually by the Secretary, except
5 such wage may not be less than \$15.00 an hour.

6 “(b) COVERED CONTRACT DEFINED.—In this sec-
7 tion, the term ‘covered contract’ means a contract or other
8 agreement entered into on or after January 30, 2022,
9 that—

10 “(1) is for the procurement of services or con-
11 struction; and

12 “(2) with respect to which wages under such
13 contract or other agreement are subject to—

14 “(A) the Fair Labor Standards Act of
15 1938 (29 U.S.C. 201 et seq.);

16 “(B) section 6702 of title 41; or

17 “(C) subchapter IV of chapter 31 of title
18 40 (known as the ‘Davis-Bacon Act’).”.

19 “(2) CLERICAL AMENDMENT.—The table of sec-
20 tions at the beginning of such chapter is amended
21 by inserting after the item relating to section 2042
22 the following new item:

 “2403. Minimum wage for employees of Department of Defense contractors.”.

23 “(b) RULEMAKING.—Not later than January 30,
24 2022, the Secretary of Defense shall issue rules to carry

1 out the requirement of section 2403 of title 10, United
2 States Code, as added by subsection (a).

3 **SEC. 805. DIVERSITY AND INCLUSION REPORTING RE-**
4 **QUIREMENTS FOR COVERED CONTRACTORS.**

5 (a) IN GENERAL.—Subchapter V of chapter 325 of
6 title 10, United States Code, is amended by inserting after
7 section 4892 the following new section:

8 **“§ 4893. Diversity and inclusion reporting require-**
9 **ments for covered contractors**

10 **“(a) COVERED CONTRACTOR REPORTS.—**

11 **“(1) IN GENERAL.—**The Secretary of Defense
12 shall require each covered contractor awarded a
13 major contract to submit to the Secretary of Defense
14 by the last day of each full fiscal year that occurs
15 during the period of performance of any major con-
16 tract a report on diversity and inclusion.

17 **“(2) ELEMENTS.—**Each report under para-
18 graph (1) shall include, for the fiscal year covered by
19 the report—

20 **“(A)** a description of each major contract
21 with a period of performance during the fiscal
22 year covered by the report, including the period
23 of performance, expected total value, and value
24 to date of each major contract;

1 “(B) the total value of payments received
2 under all major contracts of each covered con-
3 tractor during such fiscal year;

4 “(C) the total number of participants in
5 the board of directors of each covered con-
6 tractor, nominees for the board of directors of
7 the covered contractor, and the senior leaders of
8 the covered contractor, disaggregated by demo-
9 graphic classifications;

10 “(D) with respect to employees of each
11 covered contractor—

12 “(i) the total number of such employ-
13 ees; and

14 “(ii) the number of such employees
15 (expressed as a numeral and as a percent-
16 age of the total number), identified by
17 membership in demographic classification
18 and major occupational group;

19 “(E) the value of first-tier subcontracts
20 under each major contract entered into during
21 such fiscal year;

22 “(F) with respect to employees of each cov-
23 ered subcontractor—

24 “(i) the total number of such employ-
25 ees;

1 “(ii) the number of such employees
2 (expressed as a numeral and as a percent-
3 age of the total number), identified by
4 membership in demographic classification
5 and major occupational group;

6 “(G) whether the board of directors of the
7 covered contractor has, as of the date on which
8 the covered contractor submits a report under
9 this section, adopted any policy, plan, or strat-
10 egy to promote racial, ethnic, and gender diver-
11 sity among the members of the board of direc-
12 tors of the covered contractor, nominees for the
13 board of directors of the covered contractor, or
14 the senior leaders of the covered contractor; and

15 “(H) a description of participation by the
16 contractor in diversity programs, to include
17 hours spent, funds expended in support of, and
18 the number of unique relationships established
19 by each such diversity program.

20 “(b) ANNUAL SUMMARY REPORT.—

21 “(1) REPORT REQUIRED.—Not later than 60
22 days after the first day of each fiscal year, the Sec-
23 retary shall submit to the congressional defense com-
24 mittees a report summarizing the reports submitted
25 pursuant to subsection (a).

1 “(2) ELEMENTS.—Each report under para-
2 graph (1) shall include—

3 “(A) an index of the reports submitted
4 pursuant to subsection (a);

5 “(B) a compilation of the data described in
6 such subsection, disaggregated as described in
7 such subsection;

8 “(C) an aggregation of the data provided
9 in such reports; and

10 “(D) a narrative that analyzes the infor-
11 mation disclosed in such reports and identifies
12 any year-to-year trends in such information.

13 “(c) PUBLIC AVAILABILITY.—Each report required
14 under this subsection shall be posted on a single publicly
15 available website of the Department of Defense and made
16 available in a machine-readable format that is
17 downloadable, searchable, and sortable.

18 “(d) DEFINITIONS.—In this section:

19 “(1) COVERED CONTRACTOR.—The term ‘cov-
20 ered contractor’ means a contractor awarded a
21 major contract.

22 “(2) COVERED SUBCONTRACTOR.—The term
23 ‘covered subcontractor’ means a subcontractor per-
24 forming a subcontract that is one of the 10 highest

1 aggregate value subcontracts under a major con-
2 tract.

3 “(3) DEMOGRAPHIC CLASSIFICATIONS.—The
4 term ‘demographic classifications’ means classifica-
5 tions by race, gender, veteran status, or ethnicity.

6 “(4) DIVERSITY PROGRAM.—The term ‘diver-
7 sity program’ means—

8 “(A) a program conducted under section
9 3904 of this title;

10 “(B) a mentor-protege relationship estab-
11 lished under section 831 of the National De-
12 fense Authorization Act for Fiscal Year 1991;

13 “(C) a program conducted under section
14 2192a of this title; or

15 “(D) any other program designated by the
16 Secretary of Defense as designed to increase
17 the diversity of the workforce of the defense in-
18 dustrial base.

19 “(5) MAJOR CONTRACT.—The term ‘major con-
20 tract’ has the meaning given the term in section
21 2432 of this title.

22 “(6) MAJOR OCCUPATIONAL GROUP.—The term
23 ‘major occupational group’ means a major occupa-
24 tional group as defined by the Bureau of Labor Sta-
25 tistics.

1 “(7) SENIOR LEADER.—The term ‘senior lead-
2 er’ means—

3 “(A) the president of a covered contractor;

4 “(B) any vice president in charge of a
5 principal business unit, division, or function of
6 a covered contractor;

7 “(C) any other officer of a covered con-
8 tractor who performs a policy-making function;
9 or

10 “(D) an individual responsible for the di-
11 rect or indirect management of more than 200
12 individuals.”.

13 (b) CLERICAL AMENDMENT.—The table of sections
14 for subchapter V of chapter 325 of title 10, United States
15 Code, is amended by adding after the item related to sec-
16 tion 4892 the following:

 “4893. Diversity and inclusion reporting requirements for covered contractors.”.

17 (c) EFFECTIVE DATE AND APPLICABILITY.—The
18 amendments made by this section shall take effect on July
19 1, 2022, and shall apply with respect to contracts entered
20 into on or after July 1, 2022.

21 **SEC. 806. WEBSITE FOR CERTAIN DOMESTIC PROCURE-**
22 **MENT WAIVERS.**

23 (a) IN GENERAL.—Section 4814 of title 10, United
24 States Code, as transferred and redesignated by section
25 1867(b) of the National Defense Authorization Act for

1 Fiscal Year 2021 (Public Law 116–283), is amended by
2 adding at the end the following new subsection:

3 “(c) WEBSITE REQUIRED.—Not later than 18
4 months after the date of the enactment of this subsection,
5 the Secretary of Defense shall establish and maintain a
6 single publicly available website for the purpose of pub-
7 lishing the information required by subsection (a)(5).”.

8 (b) EFFECTIVE DATE.—The amendments made by
9 this section shall take effect on January 1, 2022.

10 **SEC. 807. SUSPENSION OR DEBARMENT REFERRAL FOR**
11 **EGREGIOUS VIOLATIONS OF CERTAIN DO-**
12 **MESTIC PREFERENCE LAWS.**

13 (a) IN GENERAL.—A contracting officer shall refer
14 to the appropriate suspension or debarment official any
15 current or former contractor of the Department of De-
16 fense if such contracting officer reasonably believes that
17 such contractor has egregiously violated any covered do-
18 mestic preference law.

19 (b) EGREGIOUS VIOLATION DETERMINATION.—For
20 the purposes of this section, a contractor egregiously vio-
21 lates a covered domestic preference law when—

22 (1) such contractor knowingly or willfully uses
23 or provides goods, articles, materials, or supplies in
24 violation of a covered domestic preference law; and

1 (2) such violation, individually or in the aggre-
2 gate with other violations of domestic preference
3 laws by such contractor, is severe (including through
4 the effects, dollar value, or frequency, or any com-
5 bination thereof, of such violations).

6 (c) DEBARMENT OR SUSPENSION BASIS.—An egre-
7 gious violation of a covered domestic preference law by a
8 contractor may be a basis for suspension or debarment
9 of the contractor.

10 (d) SAFE HARBOR.—The use or provision of goods,
11 articles, materials, or supplies by a contractor in violation
12 of a covered domestic preference law may not be consid-
13 ered such a violation for the purposes of a determining
14 whether such contractor has egregiously violated any cov-
15 ered domestic preference law if such contractor reasonably
16 acted in good-faith reliance on—

17 (1) a written waiver from an individual who is
18 permitted by law or regulation to waive the covered
19 domestic preference law; or

20 (2) a representation by a third party about the
21 origin of such goods, articles, materials, or supplies.

22 (e) COVERED DOMESTIC PREFERENCE LAW DE-
23 FINED.—In this section, the term “covered domestic pref-
24 erence law” means any provision of section 2533a or
25 2533b of title 10, United States Code, or chapter 83 of

1 title 41 of such Code that requires or creates a preference
2 for the procurement of goods, articles, materials, or sup-
3 plies, that are grown, mined, reprocessed, reused, manu-
4 factured, or produced in the United States.

5 **Subtitle B—Amendments to Gen-**
6 **eral Contracting Authorities,**
7 **Procedures, and Limitations**

8 **SEC. 811. EXTENSION OF AUTHORIZATION FOR THE DE-**
9 **FENSE CIVILIAN ACQUISITION WORKFORCE**
10 **PERSONNEL DEMONSTRATION PROJECT.**

11 Section 1762(g) of title 10, United States Code, is
12 amended by striking “2023” and inserting “2025”.

13 **SEC. 812. MODIFICATIONS TO CONTRACTS SUBJECT TO**
14 **COST OR PRICING DATA CERTIFICATION.**

15 Section 2306a(a)(6) of title 10, United States Code,
16 is amended—

17 (1) by striking “Upon the request” and all that
18 follows through “paragraph (1)” and inserting
19 “Under paragraph (1),”; and

20 (2) by striking “modify the contract” and all
21 that follows through “consideration.” and inserting
22 “modify the contract as soon as practicable to reflect
23 subparagraphs (B) and (C) of such paragraph, with-
24 out requiring consideration.”.

1 **SEC. 813. OFFICE OF CORROSION POLICY AND OVERSIGHT**
2 **EMPLOYEE TRAINING REQUIREMENTS.**

3 Section 2228 of title 10, United States Code, is
4 amended—

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

7 “(6) To the greatest extent practicable, the Di-
8 rector shall ensure that contractors of the Depart-
9 ment of Defense carrying out activities for the pre-
10 vention and mitigation of corrosion of the military
11 equipment and infrastructure of the Department of
12 Defense employ for such activities a substantial
13 number of individuals who have completed, or who
14 are currently enrolled in, a qualified training pro-
15 gram that meets industry-wide recognized corrosion
16 control standards.”;

17 (2) in subsection (c)—

18 (A) in paragraph (2), by striking “; and”
19 and inserting a semicolon;

20 (B) in paragraph (3), by striking the pe-
21 riod at the end and inserting “; and” ; and

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

24 “(4) require that any training or professional
25 development activities for military personnel or civil-
26 ian employees of the Department of Defense for the

1 prevention and mitigation of corrosion of the mili-
2 tary equipment and infrastructure of the Depart-
3 ment of Defense be under a qualified training pro-
4 gram such that, to the greatest extent practicable,
5 the military personnel or civilian employees partici-
6 pating in such qualified training program are
7 trained and certified by the qualified training pro-
8 gram as meeting industry-wide recognized corrosion
9 control standards.”; and

10 (3) in subparagraph (f), by adding at the end
11 the following new paragraph:

12 “(6) The term ‘qualified training program’
13 means a training program in corrosion control, miti-
14 gation, and prevention that is either—

15 “(A) offered or accredited by an organiza-
16 tion that sets industry corrosion standards; or

17 “(B) an industrial coatings applicator
18 training program registered under the Act of
19 August 16, 1937 (popularly known as the ‘Na-
20 tional Apprenticeship Act’; 29 U.S.C. 50 et
21 seq.).”.

1 **SEC. 814. STANDARD GUIDELINES FOR EVALUATION OF RE-**
2 **QUIREMENTS FOR SERVICES CONTRACTS.**

3 (a) INCLUSION OF INVENTORY AND STANDARD
4 GUIDELINES IN BUDGET REQUEST.—Section 2329 of title
5 10, United States Code, is amended—

6 (1) in subsection (b)—

7 (A) in the matter preceding paragraph (1),
8 by striking “Effective October 1, 2021,” and
9 inserting “Effective February 1, 2022,”;

10 (B) by amending paragraph (4) to read as
11 follows:

12 “(4) be informed by the review the inventory re-
13 quired by section 2330a(c) using standard guidelines
14 developed under subsection (d).”; and

15 (C) in paragraph (5), by inserting “, ex-
16 cept with respect to information on services
17 contracts in support of contingency operations,
18 humanitarian assistance, disaster relief, in sup-
19 port of a national security emergency declared
20 with respect to a named operation, or entered
21 into pursuant to an international agreement
22 shall be excluded from such submission” before
23 the period at the end;

24 (2) by striking subsection (f); and

25 (3) redesignating subsection (g) as subsection
26 (f).

1 (b) STANDARD GUIDELINES.—Section 2329(d) of
2 title 10, United States Code, is amended—

3 (1) by striking “Each Services Requirements
4 Review Board” and inserting “(1) Each Services Re-
5 quirements Review Board”; and

6 (2) by adding at the end the following new
7 paragraph:

8 “(2) The Secretary of Defense shall establish and
9 issue standard guidelines within the Department of De-
10 fense for the evaluation of requirements for services con-
11 tracts. Any such guidelines issued—

12 “(A) shall be based on the checklist relating to
13 services contract approval established and in use by
14 the Department of the Army (as set forth in the re-
15 quest for services contract approval form updated as
16 of August 2012, or any successor form); and

17 “(B) shall be updated as necessary to incor-
18 porate applicable statutory changes to total force
19 management policies and procedures and any other
20 guidelines or procedures relating to the use Depart-
21 ment of Defense civilian employees to perform new
22 functions and functions that are performed by con-
23 tractors.

24 “(3) A general or flag officer, or a civilian employee
25 of the Department of Defense in the Senior Executive

1 Service, with responsibility for supervising requirements
2 owners shall certify—

3 “(A) that a task order or statement of work
4 being submitted to a contracting office is in compli-
5 ance with the standard guidelines;

6 “(B) that all appropriate statutory risk mitiga-
7 tion efforts have been made; and

8 “(C) that such task order or statement of work
9 does not include requirements formerly performed by
10 Department of Defense civilian employees.

11 “(4) A general or flag officer, or a civilian employee
12 of the Department of Defense in the Senior Executive
13 Service may not delegate the duties described in para-
14 graph (3) to an officer in a grade below O–7 (or a civilian
15 employee of the Department of Defense at or below grade
16 GS–15 of the General Schedule) without authorization
17 from the Assistant Secretary of the Department of De-
18 fense concerned.

19 “(5) The Inspector General of the Department of De-
20 fense may conduct annual audits to ensure compliance
21 with this section.”.

22 (c) REPEALS.—

23 (1) Section 235 of title 10, United States Code,
24 is repealed.

1 (2) Section 852 of the National Defense Au-
2 thorization Act for Fiscal Year 2018 (Public Law
3 115–91; 131 Stat. 1492; 10 U.S.C. 2329 note) is re-
4 pealed.

5 **SEC. 815. EXTENSION OF REQUIREMENT TO SUBMIT SE-**
6 **LECTED ACQUISITION REPORTS.**

7 (a) REPEAL OF TERMINATION.—Section 2432 of title
8 10, United States Code, is amended by striking subsection
9 (j).

10 (b) REPEAL OF TERMINATION OF CERTAIN ADDI-
11 TIONAL REPORTS.—Section 1051(x) of the National De-
12 fense Authorization Act for Fiscal Year 2018 (Public Law
13 115–91; 131 Stat. 1567; 10 U.S.C. 111 note) is amended
14 by striking paragraph (4).

15 **SEC. 816. LIMITATION ON PROCUREMENT OF WELDED**
16 **SHIPBOARD ANCHOR AND MOORING CHAIN**
17 **FOR NAVAL VESSELS.**

18 Section 2534 of title 10, United States Code, is
19 amended—

20 (1) in subsection (a)(2), by adding at the end
21 the following new subparagraph:

22 “(F) Welded shipboard anchor and moor-
23 ing chain.”; and

24 (2) in subsection (b)—

1 (A) by striking “A manufacturer” and in-
2 serting “(1) Except as provided in paragraph
3 (2), a manufacturer”; and

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

6 “(2) A manufacturer of welded shipboard anchor and
7 mooring chain for naval vessels meets the requirements
8 of this subsection if the manufacturer is part of the na-
9 tional technology and industrial base.”.

10 **SEC. 817. COMPETITION REQUIREMENTS FOR PURCHASES**
11 **FROM FEDERAL PRISON INDUSTRIES.**

12 (a) COMPETITION REQUIREMENTS FOR PURCHASES
13 FROM FEDERAL PRISON INDUSTRIES.—Section 3905 of
14 title 10, United States Code, as transferred and redesign-
15 nated by section 1838(b) of the National Defense Author-
16 ization Act for Fiscal Year 2021 (Public Law 116–283),
17 is amended by striking subsections (a) and (b) and insert-
18 ing the following new sections:

19 “(a) MARKET RESEARCH.—Before purchasing a
20 product listed in the latest edition of the Federal Prison
21 Industries catalog published under section 4124(d) of title
22 18, the Secretary of Defense shall conduct market re-
23 search to determine whether such product—

24 “(1) is comparable to products available from
25 the private sector; and

1 “(2) best meets the needs of the Department of
2 Defense in terms of price, quality, and time of deliv-
3 ery.

4 “(b) COMPETITION REQUIREMENT.—If the Secretary
5 determines that a Federal Prison Industries product is not
6 comparable to products available from the private sector
7 and does not best meet the needs of the Department of
8 Defense in terms of price, quality, or time of delivery, the
9 Secretary shall use competitive procedures or make an in-
10 dividual purchase under a multiple award contract for the
11 procurement of the product. In conducting such a competi-
12 tion or making such a purchase, the Secretary shall con-
13 sider a timely offer from Federal Prison Industries.”.

14 (b) EFFECTIVE DATE.—The amendment made by
15 subsection (a) shall take effect on February 1, 2022.

16 **SEC. 818. REPEAL OF PREFERENCE FOR FIXED-PRICE CON-**
17 **TRACTS.**

18 (a) REPEAL.—Section 829 of the National Defense
19 Authorization Act for Fiscal Year 2017 (10 U.S.C. 2306
20 note) is repealed.

21 (b) CONFORMING AMENDMENT.—Chapter 242 of
22 title 10, United States Code, as amended by section
23 1817(a) of the William M. (Mac) Thornberry National De-
24 fense Authorization Act for Fiscal Year 2021 (Public Law
25 116–283) is amended—

1 (1) in table of contents for such chapter, by
2 striking the item relating to section 3324; and

3 (2) by striking the enumerator, section heading,
4 and subsequent matter relating to section 3324.

5 **SEC. 819. MODIFICATION TO THE PILOT PROGRAM FOR**
6 **STREAMLINING AWARDS FOR INNOVATIVE**
7 **TECHNOLOGY PROJECTS.**

8 (a) EXTENSION.—Section 873(f) of the National De-
9 fense Authorization Act for Fiscal Year 2016 (Public Law
10 114–92; 10 U.S.C. 2306a note) is amended by striking
11 “October 1, 2022” and inserting “October 1, 2024”.

12 (b) RECOMMENDATION ON EXTENSION.—

13 (1) IN GENERAL.—Not later than April 1,
14 2023, the Secretary of Defense shall submit to the
15 congressional defense committees a recommendation
16 regarding the extension of the pilot program for
17 streamlining awards for innovative technology
18 projects established under section 873(f) of the Na-
19 tional Defense Authorization Act for Fiscal Year
20 2016 (Public Law 114–92; 10 U.S.C. 2306a note),
21 and if applicable, the duration of any such extension.

22 (2) DATA ON EXTENSION.—If the Secretary of
23 Defense recommends an extension of the pilot pro-
24 gram under paragraph (1), not later than 60 days
25 after making such recommendation, the Secretary

1 shall submit to the congressional defense committees
2 a report on the outcomes of the pilot program, in-
3 cluding—

4 (A) the number of small business concerns
5 (as defined under section 3 of the Small Busi-
6 ness Act (15 U.S.C. 632)) or nontraditional de-
7 fense contractors (as defined under section
8 2302 of title 10, United States Code) that ben-
9 efit from the implementation of the pilot
10 program;

11 (B) the number of small business concerns
12 that would not have entered into a contract
13 with the Department of Defense but for the im-
14 plementation of the pilot program; and

15 (C) a description of the goods and services
16 acquired by the Department through the pilot
17 program that otherwise would not have been ac-
18 quired.

19 **SEC. 820. OTHER TRANSACTION AUTHORITY INFORMATION**
20 **ACCESSIBILITY.**

21 Not later than 180 days after the date of the enact-
22 ment of this Act, the Under Secretary of Defense for Ac-
23 quisition & Sustainment shall submit to the congressional
24 defense committees recommendations for making data on
25 the exercise of the authorities provided under sections

1 2371 or 2371b of title 10, United States Code, more ac-
2 cessible to the public and improving the reporting of such
3 information, including recommendations for—

4 (1) reducing data reporting requirements to the
5 minimum necessary to identify—

6 (A) with respect to a transaction under ei-
7 ther such section—

8 (i) the participants to the transaction
9 (other than the Federal Government), in-
10 cluding each business selected to perform
11 work under the transaction by a partici-
12 pant to the transaction that is a consor-
13 tium of private entities;

14 (ii) the date on which each participant
15 entered into the transaction; and

16 (iii) the amount of the transaction;
17 and

18 (B) with respect to a follow-on contract or
19 transaction awarded under section 2371b of
20 title 10, United States Code—

21 (i) the awardee;

22 (ii) the amount; and

23 (iii) the date awarded.

24 (2) a method for collecting such information in
25 an online, public, searchable database.

1 **Subtitle C—Provisions Relating to**
2 **Supply Chain Security**

3 **SEC. 831. DEPARTMENT OF DEFENSE RESEARCH AND DE-**
4 **VELOPMENT PRIORITIES.**

5 The Secretary of Defense shall coordinate with the
6 Secretary of Energy to ensure that the priorities of the
7 Department of Defense with respect to the research and
8 development of alternative technologies to, and methods
9 for the extraction, processing, and recycling of, critical
10 minerals (as defined in section 2(b) of the National Mate-
11 rials and Minerals Policy, Research, and Development Act
12 of 1980 (30 U.S.C. 1601(b))) are included in the appro-
13 priate research and development activities funded by the
14 Secretary of Energy pursuant to the program established
15 under paragraph (g) of section 7002 of division Z of the
16 Consolidated Appropriations Act, 2021 (Public Law 116–
17 260).

18 **SEC. 832. DEFENSE SUPPLY CHAIN RISK ASSESSMENT**
19 **FRAMEWORK.**

20 (a) **IN GENERAL.**—Not later than one year after the
21 date of the enactment of this Act, the Secretary of Defense
22 shall establish a framework, which may be included as part
23 of a framework developed under section 2509 of title 10,
24 United States Code, and pursuant to recommendations
25 provided under section 5 of Executive Order 14017 (86

1 Fed. Reg. 11849, relating to America's supply chains), to
2 consolidate the information relating to risks to the defense
3 supply chain that is collected by the elements of the De-
4 partment of Defense to—

5 (1) enable Department-wide risk assessments of
6 the defense supply chain; and

7 (2) support the development of strategies to
8 mitigate risks to the defense supply chain.

9 (b) **FRAMEWORK REQUIREMENTS.**—The framework
10 established under subsection (a) shall—

11 (1) provide for the collection, management, and
12 storage of data from the supply chain risk manage-
13 ment processes of the Department of Defense;

14 (2) provide for the collection of reports on sup-
15 ply chain risk management from the military depart-
16 ments and Defense Agencies, and the dissemination
17 of such reports to the components of the military de-
18 partments and Defense Agencies involved in the
19 management of supply chain risk;

20 (3) enable all elements of the Department to
21 analyze the information collected by such framework
22 to identify risks to the defense supply chain;

23 (4) enable the Department to—

24 (A) assess the capabilities of foreign adver-
25 saries (as defined in section 8(c) of the Secure

1 and Trusted Communications Networks Act of
2 2019 (47 U.S.C. 1607(c)) to affect the defense
3 supply chain;

4 (B) analyze the ability of the industrial
5 base of the United States to meet the needs of
6 the defense supply chain;

7 (C) track global technology trends that
8 could affect the defense supply chain, as deter-
9 mined by the Secretary of Defense; and

10 (D) assess the risks posed by emerging
11 threats to the defense supply chain;

12 (5) support the identification of technology in
13 which the Department may invest to reduce risks to
14 the defense supply chain, including by improving the
15 resilience of the defense supply; and

16 (6) provide for—

17 (A) a map of the supply chains for major
18 end items that supports analysis, monitoring,
19 and reporting with respect to high-risk sub-
20 contractors and risks to such supply chain; and

21 (B) the use of a covered application de-
22 scribed in subsection (c) in the creation of such
23 map to assess risks to the supply chain for
24 major end items by business sector, vendor,
25 program, part, or technology.

1 (c) COVERED APPLICATION DESCRIBED.—The cov-
2 ered application described in this subsection is a covered
3 application that includes the following elements:

4 (1) A centralized database that consolidates
5 multiple disparate data sources into a single reposi-
6 tory to ensure the consistent availability of data.

7 (2) Centralized reporting to allow for efficient
8 mitigation and remediation of identified supply chain
9 vulnerabilities.

10 (3) Broad interoperability with other software
11 and systems to ensure support for the analytical ca-
12 pabilities of user across the Department.

13 (4) Scalable technology to support multiple
14 users, access controls for security, and functionality
15 designed for information-sharing and collaboration.

16 (d) GUIDANCE.—Not later than 180 days after the
17 framework required under subsection (a) is established,
18 and regularly thereafter, the Secretary of Defense shall
19 issue guidance on mitigating risks to the defense supply
20 chain.

21 (e) REPORTS.—

22 (1) PROGRESS REPORT.—Not later than 180
23 days after the date of the enactment of this Act, the
24 Secretary of Defense shall submit to the congres-
25 sional defense committees a report on the progress

1 of establishing the framework as required under sub-
2 section (a).

3 (2) FINAL REPORT.—Not later than one year
4 after the date of the enactment of this Act, the Sec-
5 retary of Defense shall submit to the congressional
6 defense committees a report describing the frame-
7 work established under subsection (a) and the orga-
8 nizational structure to manage and oversee the
9 framework.

10 (f) DEFINITIONS.—In this section:

11 (1) COVERED APPLICATION.—The term “cov-
12 ered application” means a software-as-a-service ap-
13 plication that uses decision science, commercial data,
14 and machine learning techniques.

15 (2) DEFENSE AGENCY; MILITARY DEPART-
16 MENT.—The terms “Defense Agency” and “military
17 department” have the meanings given such terms in
18 section 101 of title 10, United States Code.

19 (3) HIGH-RISK SUBCONTRACTORS.—The term
20 “high-risk subcontractor” means a subcontractor at
21 any tier that supplies major end items for the De-
22 partment of Defense.

23 (4) MAJOR END ITEM.—The term “major end
24 item” means an item subject to a unique item-level
25 traceability requirement at any time in the life cycle

1 of such item under Department of Defense Instruc-
2 tion 8320.04, titled “Item Unique Identification
3 (IUID) Standards for Tangible Personal Property”
4 and dated September 3, 2015, or any successor in-
5 struction.

6 **SEC. 833. PLAN TO REDUCE RELIANCE ON SUPPLIES AND**
7 **MATERIALS FROM ADVERSARIES IN THE DE-**
8 **FENSE SUPPLY CHAIN.**

9 (a) RELIANCE REDUCTION PLAN.—

10 (1) IN GENERAL.—The Secretary of Defense, in
11 coordination with the Secretary of State, shall de-
12 velop and implement a plan to—

13 (A) partner with covered private sector en-
14 tities and partner countries and allies of the
15 United States to reduce the reliance of the
16 United States on covered supplies and materials
17 obtained from sources located in geographic
18 areas controlled by foreign adversaries; and

19 (B) mitigate the risks to national security
20 and the defense supply chain arising from the
21 reliance of the United States on covered sup-
22 plies and materials that cannot be acquired in
23 sufficient quantities to meet the needs of major
24 end items without procuring covered supplies

1 and materials from sources located in geo-
2 graphic areas controlled by foreign adversaries.

3 (2) CONSIDERATION.—The Secretary of De-
4 fense shall consider the determinations made under
5 paragraph (3) when developing the plan under para-
6 graph (1).

7 (3) SUPPLIES AND MATERIALS SOURCE DETER-
8 MINATIONS.—Before developing the plan under
9 paragraph (1), the Secretary of Defense, in coordi-
10 nation with Secretary of State, shall determine—

11 (A) the covered supplies and materials for
12 which a source is located in a geographic area
13 controlled by a foreign adversary;

14 (B) the covered supplies and materials de-
15 scribed in subparagraph (A) that may be ac-
16 quired from sources located domestically or in
17 geographic areas controlled by partner countries
18 or allies of the United States in sufficient quan-
19 tities to—

20 (i) reduce the reliance of the Depart-
21 ment on covered supplies and materials de-
22 scribed in subparagraph (A); and

23 (ii) increase the resiliency of the de-
24 fense supply chain;

1 (C) the difference in cost to acquire cov-
2 ered supplies and materials described in sub-
3 paragraph (A) from sources located domesti-
4 cally or in geographic areas controlled by part-
5 ner countries or allies of the United States, if
6 available; and

7 (D) the covered supplies and materials de-
8 scribed in subparagraph (A) that cannot be ac-
9 quired in sufficient quantities to meet the needs
10 of major end items without sources located in
11 geographic areas controlled by foreign adver-
12 saries.

13 (b) REPORT.—Not later than two years after the en-
14 actment of this Act, the Secretary of Defense shall submit
15 to the appropriate congressional committees a report de-
16 scribing—

17 (1) the determinations made under subsection

18 (a)(3);

19 (2) the plan required under subsection (a)(1).

20 (c) DEFINITIONS.—In this section:

21 (1) APPROPRIATE CONGRESSIONAL COMMIT-
22 TEES.—The term “appropriate congressional com-
23 mittees” means the following:

24 (A) The Committee on Armed Services of
25 the House of Representatives.

1 (B) The Committee on Armed Services of
2 the Senate.

3 (C) The Committee on Foreign Affairs of
4 the House of Representatives.

5 (D) The Committee on Foreign Relations
6 of the Senate.

7 (2) COVERED PRIVATE SECTOR ENTITY.—The
8 term “covered private sector entity” means a private
9 sector entity able to provide, or facilitate the acquisi-
10 tion of, covered supplies and materials from domes-
11 tic sources or sources located in geographic areas
12 controlled by partner countries or allies of the
13 United States.

14 (3) COVERED SUPPLIES AND MATERIALS.—

15 (A) IN GENERAL.—Except as provided in
16 subparagraph (B), the term “covered supplies
17 and materials”—

18 (i) means—

19 (I) critical safety systems and
20 subsystems;

21 (II) assemblies and subassemblies
22 integral to a system or subsystem;
23 and

24 (III) repair, maintenance, logis-
25 tics support, and overhaul services for

1 systems, subsystems, assemblies, sub-
2 assemblies, and parts integral to a
3 systems; and

4 (ii) includes systems, subsystems, as-
5 semblies, subassemblies, and parts de-
6 scribed in clause (i) acquired with respect
7 to commercial items (as defined under sec-
8 tion 2.101 of title 48, Code of Federal
9 Regulations) and non-commercial items.

10 (B) CERTAIN STRATEGIC AND CRITICAL
11 MATERIALS EXCLUDED.—The term “covered
12 supplies and materials” does not include any
13 strategic and critical materials (as defined
14 under section 12 of the Strategic and Critical
15 Materials Stock Piling Act (50 U.S.C. 98h-3))
16 with respect to which the Secretary includes an
17 appropriate reduction plan in a report required
18 under section 14 of such Act (50 U.S.C. 98h-
19 5).

20 (4) FOREIGN ADVERSARY.—The term “foreign
21 adversary” has the meaning given such term in sec-
22 tion 8(c) of the Secure and Trusted Communications
23 Networks Act of 2019 (47 U.S.C. 1607(c)).

24 (5) MAJOR END ITEM.—The term “major end
25 item” means an item subject to a unique item-level

1 traceability requirement at any time in the life cycle
2 of such item under Department of Defense Instruc-
3 tion 8320.04, titled “Item Unique Identification
4 (IUID) Standards for Tangible Personal Property”
5 and dated September 3, 2015, or any successor in-
6 struction.

7 **SEC. 834. ENHANCED DOMESTIC CONTENT REQUIREMENT**
8 **FOR MAJOR DEFENSE ACQUISITION PRO-**
9 **GRAMS.**

10 (a) ASSESSMENT REQUIRED.—

11 (1) IN GENERAL.—Not later than one year
12 after the date of the enactment of this Act, the Sec-
13 retary of Defense shall submit to the congressional
14 defense committees a report assessing the domestic
15 source content of any procurement.

16 (2) INFORMATION REPOSITORY.—The Secretary
17 of Defense shall establish an information repository
18 for the collection and analysis of information related
19 to domestic source content that can be used for con-
20 tinuous data analysis and program management ac-
21 tivities.

22 (b) ENHANCED DOMESTIC CONTENT REQUIRE-
23 MENT.—

24 (1) IN GENERAL.—Except as provided in para-
25 graph (2), for purposes of chapter 83 of title 41,

1 United States Code, manufactured articles, mate-
2 rials, or supplies procured are manufactured sub-
3 stantially all from articles, materials, or supplies
4 mined, produced, or manufactured in the United
5 States if the cost of such component articles, mate-
6 rials, or supplies—

7 (A) supplied not later than the date of the
8 enactment of this Act, exceeds 60 percent of
9 cost of the manufactured articles, materials, or
10 supplies procured;

11 (B) supplied during the period beginning
12 January 1, 2024, and ending December 31,
13 2028, exceeds 65 percent of the cost of the
14 manufactured articles, materials, or supplies;
15 and

16 (C) supplied on or after January 1, 2029,
17 exceeds 75 percent of the cost of the manufac-
18 tured articles, materials, or supplies.

19 (2) EXCLUSION FOR CERTAIN MANUFACTURED
20 ARTICLES.—Paragraph (1) shall not apply to manu-
21 factured articles that consist wholly or predomi-
22 nantly of iron, steel, or a combination of iron and
23 steel.

24 (3) RULEMAKING.—

1 (A) IN GENERAL.—Not later than 180
2 days after the date of the enactment of this
3 Act, the Secretary of Defense shall issue rules
4 to determine the treatment of the lowest price
5 offered for a foreign end product for which 55
6 percent or more of the component articles, ma-
7 terials, or supplies of such foreign end product
8 are manufactured substantially all from articles,
9 materials, or supplies mined, produced, or man-
10 ufactured in the United States if—

11 (i) the application paragraph (1) re-
12 sults in an unreasonable cost; or

13 (ii) no offers are submitted to supply
14 manufactured articles, materials, or sup-
15 plies manufactured substantially all from
16 articles, materials, or supplies mined, pro-
17 duced, or manufactured in the United
18 States.

19 (B) TERMINATION.—Rules issued under
20 this paragraph shall cease to have force or ef-
21 fect on January 1, 2030.

22 (4) APPLICABILITY.—The requirements of this
23 subsection shall apply to contracts entered into on or
24 after the date of the enactment of this Act.

1 **SEC. 835. REDUCTION OF FLUCTUATIONS OF SUPPLY AND**
2 **DEMAND FOR CERTAIN COVERED ITEMS.**

3 (a) SUPPLY AND DEMAND REQUIREMENTS.—Not
4 later than one year after the date of the enactment of this
5 Act, the Secretary of Defense shall—

6 (1) specify methods and processes to track and
7 reduce fluctuations in supply chain forecasting and
8 demand requirements of the Office of the Secretary
9 of Defense, each military department, and the De-
10 fense Logistics Agency for covered items; and

11 (2) implement policies to encourage predictable
12 demand requirements for covered items for the Of-
13 fice of the Secretary of Defense, each military de-
14 partment, and the Defense Logistics Agency.

15 (b) REPORT.—Not later than 15 months after the
16 date of the enactment of this Act, and quarterly there-
17 after, each Secretary of a military department and the Di-
18 rector of the Defense Logistics Agency shall submit to the
19 Under Secretary of Defense for Acquisition and
20 Sustainment a report on the fluctuations in supply chain
21 forecasting and demand requirements for each covered
22 item, expressed as a percentage.

23 (c) COVERED ITEM DEFINED.—In this section, the
24 term “covered item” means a covered item described in
25 subparagraph (B), (C), or (E) of subsection (b)(1) or sub-

1 section (b)(2) of section 2533a of title 10, United States
2 Code.

3 **SEC. 836. PROHIBITION ON CERTAIN PROCUREMENTS**
4 **FROM THE XINJIANG UYGHUR AUTONOMOUS**
5 **REGION.**

6 (a) PROHIBITION ON THE AVAILABILITY OF FUNDS
7 FOR CERTAIN PROCUREMENTS FROM XUAR.—None of
8 the funds authorized to be appropriated by this Act or
9 otherwise made available for fiscal year 2022 for the De-
10 partment of Defense may be obligated or expended to pro-
11 cure any products mined, produced, or manufactured
12 wholly or in part by forced labor from XUAR or from an
13 entity that has used labor from within or transferred from
14 XUAR as part of a “poverty alleviation” or “pairing as-
15 sistance” program.

16 (b) RULEMAKING.—The Secretary of Defense shall
17 issue rules not later than 90 days after the date of the
18 enactment of this Act to require a certification from
19 offerors for contracts with the Department of Defense
20 stating the offeror has made a good faith effort to deter-
21 mine that forced labor from XUAR, as described in sub-
22 section (a), was not or will not be used in the performance
23 of such contract.

24 (c) DEFINITIONS.—In this section:

1 (1) FORCED LABOR.—The term “forced labor”
2 means all work or service which is exacted from any
3 person under the menace of any penalty for its non-
4 performance and for which the worker does not offer
5 himself voluntarily.

6 (2) PERSON.—The term “person” means—

7 (A) a natural person, corporation, com-
8 pany, business association, partnership, society,
9 trust, or any other nongovernmental entity, or-
10 ganization, or group; or

11 (B) any successor, subunit, parent entity,
12 or subsidiary of, or any entity under common
13 ownership or control with, any entity described
14 in subparagraph (A).

15 (3) XUAR.—The term “XUAR” means the
16 Xinjiang Uyghur Autonomous Region of the Peo-
17 ple’s Republic of China.

1 **Subtitle D—Industrial Base**
2 **Matters**

3 **SEC. 841. MODIFICATION OF PILOT PROGRAM FOR DEVEL-**
4 **OPMENT OF TECHNOLOGY-ENHANCED CAPA-**
5 **BILITIES WITH PARTNERSHIP INTER-**
6 **MEDIARIES.**

7 Section 851 of the National Defense Authorization
8 Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat.
9 1510; 10 U.S.C. 2283 note) is amended to read as follows:

10 **“SEC. 851. PILOT PROGRAM FOR DEVELOPMENT OF TECH-**
11 **NOLOGY-ENHANCED CAPABILITIES WITH**
12 **PARTNERSHIP INTERMEDIARIES.**

13 “(a) ESTABLISHMENT.—The Secretary of Defense
14 may authorize the Commander of the United States Spe-
15 cial Operations Command to use funds described in sub-
16 section (b) for a pilot program under which the Com-
17 mander shall make, through the use of a partnership
18 intermediary, covered awards to small business concerns
19 to develop technology-enhanced capabilities for special op-
20 erations forces.

21 “(b) FUNDS.—

22 “(1) IN GENERAL.—The funds described in this
23 subsection are funds transferred to the Commander
24 of the United States Special Operations Command
25 to carry out the pilot program established under this

1 section from funds available to be expended by each
2 covered entity pursuant to section 9(f) of the Small
3 Business Act.

4 “(2) LIMITATIONS.—

5 “(A) FISCAL YEAR.—A covered entity may
6 not transfer to the Commander an amount
7 greater than 10 percent of the funds available
8 to be expended by such covered entity pursuant
9 to section 9(f) of the Small Business Act for a
10 fiscal year.

11 “(B) AGGREGATE AMOUNT.—The aggre-
12 gate amount of funds to be transferred to the
13 Commander may not exceed \$20,000,000.

14 “(c) PARTNERSHIP INTERMEDIARIES.—

15 “(1) AUTHORIZATION.—The Commander may
16 modify an existing agreement with a partnership
17 intermediary to assist the Commander in carrying
18 out the pilot program under this section, including
19 with respect to the award of contracts and agree-
20 ments to small business concerns.

21 “(2) LIMITATION.—None of the funds described
22 in subsection (b) may be used to pay a partnership
23 intermediary for any costs associated with the pilot
24 program.

1 “(3) DATA.—With respect to a covered award
2 made under this section, the Commander shall gath-
3 er data on the role of the partnership intermediary
4 to include the—

5 “(A) staffing structure;

6 “(B) funding sources; and

7 “(C) methods for identifying and evalu-
8 ating small business concerns eligible for a cov-
9 ered award.

10 “(d) REPORT.—

11 “(1) ANNUAL REPORT.—Not later than October
12 1 of each year until October 1, 2026, the Com-
13 mander of the United States Special Operations
14 Command, in coordination with the Under Secretary
15 of Defense for Research and Engineering, shall sub-
16 mit to the congressional defense committees, the
17 Committee on Small Business of the House of Rep-
18 resentatives, and the Committee on Small Business
19 and Entrepreneurship of the Senate a report includ-
20 ing—

21 “(A) a description of each agreement with
22 a partnership intermediary entered into pursu-
23 ant to this section;

24 “(B) for each covered award made under
25 this section—

1 “(i) a description of the role served by
2 the partnership intermediary;

3 “(ii) the amount of funds obligated;

4 “(iii) an identification of the small
5 business concern that received such cov-
6 ered award;

7 “(iv) a description of the use of such
8 covered award;

9 “(v) a description of the role served
10 by the program manager (as defined in
11 section 1737 of title 10, United States
12 Code) of the covered entity with respect to
13 the small business concern that received
14 such covered award, including a descrip-
15 tion of interactions and the process of the
16 program manager in producing a past per-
17 formance evaluation of such concern; and

18 “(vi) the benefits achieved as a result
19 of the use of a partnership intermediary
20 for the pilot program established under
21 this section as compared to previous efforts
22 of the Commander to increase participa-
23 tion by small business concerns in the de-
24 velopment of technology-enhanced capabili-
25 ties for special operations forces; and

1 “(C) a plan detailing how each covered en-
2 tity will apply lessons learned from the pilot
3 program to improve processes for directly work-
4 ing with and supporting small business con-
5 cerns to develop technology-enhanced capabili-
6 ties for special operations forces.

7 “(2) FINAL REPORT.—The final report required
8 under this subsection shall include, along with the
9 requirements of paragraph (1), a recommendation
10 regarding—

11 “(A) whether and for how long the pilot
12 program established under this section should
13 be extended; and

14 “(B) whether to increase funding for the
15 pilot program, including a justification for such
16 an increase.

17 “(e) TERMINATION.—The authority to carry out a
18 pilot program under this section shall terminate on Sep-
19 tember 30, 2025.

20 “(f) DEFINITIONS.—In this section:

21 “(1) The term ‘covered award’ means an award
22 made under the Small Business Innovation Research
23 Program.

24 “(2) The term ‘covered entity’ means—

25 “(A) the Army;

1 “(B) the Navy;
2 “(C) the Air Force;
3 “(D) the Marine Corps;
4 “(E) the Space Force; and
5 “(F) any element of the Department of
6 Defense that makes awards under the Small
7 Business Innovation Research Program or
8 Small Business Technology Transfer Program.

9 “(3) The term ‘partnership intermediary’ has
10 the meaning given the term in section 23(c) of the
11 Stevenson-Wydler Technology Innovation Act of
12 1980 (15 U.S.C. 3715(c)).

13 “(4) The term ‘small business concern’ has the
14 meaning given the term under section 3 of the Small
15 Business Act (15 U.S.C. 632).

16 “(5) The term ‘Small Business Innovation Re-
17 search Program’ has the meaning given the term in
18 section 9(e)(4) of the Small Business Act (15 U.S.C.
19 638(e)).

20 “(6) The term ‘technology-enhanced capability’
21 means a product, concept, or process that improves
22 the ability of a member of the Armed Forces to
23 achieve an assigned mission.”.

1 **SEC. 842. DESIGNATING CERTAIN SBIR AND STTR PRO-**
2 **GRAMS AS ENTREPRENEURIAL INNOVATION**
3 **PROJECTS.**

4 (a) ENTREPRENEURIAL INNOVATION PROJECT
5 PILOT PROGRAM.—

6 (1) IN GENERAL.—The Secretary of Defense
7 and the covered Secretaries concerned shall each es-
8 tablish and carry out a pilot program to more effec-
9 tively transition projects that have completed a
10 Phase II SBIR or STTR award and that present the
11 potential to meet operational needs of elements of
12 the Department of Defense to Phase III by desig-
13 nating eligible programs as Entrepreneurial Innova-
14 tion Projects.

15 (2) DESIGNATION.—Not later than one year
16 after the date of the enactment of this section, and
17 annually thereafter, not less than five eligible pro-
18 grams shall be designated as Entrepreneurial Inno-
19 vation Projects by—

20 (A) each covered Secretary concerned, in
21 consultation with each chief of a covered Armed
22 Force under the jurisdiction of the Secretary
23 concerned; and

24 (B) the Secretary of Defense for each cov-
25 ered element of the Department.

26 (b) SELECTION REQUIREMENTS.—

1 (1) FUTURE YEARS DEFENSE PROGRAM INCLU-
2 SION.—The Secretary of Defense shall include the
3 estimated expenditures of each designated program
4 in the first future-years defense program submitted
5 to Congress under section 221 of title 10, United
6 States Code, after such designated program is des-
7 ignated under subsection (a)(2).

8 (2) PPBE COMPONENT.—Each designated pro-
9 gram shall be considered by the designating Sec-
10 retary as an integral part of the planning, pro-
11 gramming, budgeting, and execution process of the
12 Department of Defense.

13 (3) PROGRAMMING PROPOSAL.—Each des-
14 ignated program shall be included by the designating
15 Secretary under a separate heading in any program-
16 ming proposals submitted to the congressional de-
17 fense committees.

18 (4) DESIGNATION CRITERIA.—In making des-
19 ignations required under subsection (a)(2), the cov-
20 ered Secretary concerned or the Secretary of De-
21 fense, as applicable, shall consider—

22 (A) the potential of the eligible program
23 to—

24 (i) advance the national security capa-
25 bilities of the United States;

1 (ii) provide new technologies or proc-
2 esses, or new applications of existing tech-
3 nologies, that will enable new alternatives
4 to existing programs;

5 (iii) provide future cost savings; and

6 (iv) significantly reduce the time to
7 deliver capabilities to members of the cov-
8 ered Armed Forces; and

9 (B) any other criteria that the covered
10 Secretary concerned or Secretary of Defense, as
11 applicable, determines appropriate.

12 (5) MITIGATE CONFLICTS OF INTEREST.—The
13 covered Secretary concerned or the Secretary of De-
14 fense, as applicable, shall establish procedures for
15 the designation of Entrepreneurial Innovation
16 Projects which will mitigate, to the greatest extent
17 practicable, organizational conflicts of interests, in-
18 cluding those from within Governmental organiza-
19 tions or programs that could view the designation
20 and successful completion of an Entrepreneurial In-
21 novation Project as a competing alternative to an ex-
22 isting or proposed program or other activity.

23 (6) APPLICATION.—The Secretary of Defense
24 and each covered Secretary concerned shall establish

1 an application process for eligible programs seeking
2 designation as Entrepreneurial Innovation Projects.

3 (c) REVOCATION OF DESIGNATION.—If the desig-
4 nating Secretary determines that a designated program no
5 longer meets the criteria in subsection (b)(4) or that the
6 technology has become irrelevant, the designating Sec-
7 retary may revoke the Entrepreneurial Innovation Project
8 designation for such designated program.

9 (d) REPORTS TO CONGRESS.—

10 (1) ANNUAL REPORT.—The Secretary of De-
11 fense shall submit to congressional defense commit-
12 tees, the Committee on Small Business and Entre-
13 preneurship of the Senate, and the Committee on
14 Small Business of the House of Representatives,
15 concurrently with the President's annual budget re-
16 quest, an annual report that includes for each des-
17 ignated program—

18 (A) a description of the designated pro-
19 gram;

20 (B) a summary of the potential of the des-
21 ignated program as considered under subsection
22 (b)(4)(A);

23 (C) the progress made towards inclusion in
24 the future-years defense program;

1 (D) the progress made towards delivering
2 on the potential of the designated program; and

3 (E) such other information that the Sec-
4 retary determines appropriate to inform the
5 congressional defense committees about the sta-
6 tus of the pilot programs established under this
7 section.

8 (2) FINAL REPORT.—In the last report sub-
9 mitted under paragraph (1) prior to December 31,
10 2027, the Secretary of Defense shall include a rec-
11 ommendation on whether to extend the pilot pro-
12 grams established under this section and the appro-
13 priate duration of such extension, if any.

14 (e) EFFECTIVE DATE.—This section shall take effect
15 on January 1, 2022.

16 (f) TERMINATION DATE.—The pilot programs estab-
17 lished under this section shall terminate on December 31,
18 2027.

19 (g) DEFINITIONS.—In this section:

20 (1) COVERED ARMED FORCES.—The term “cov-
21 ered Armed Forces” means—

22 (A) the Army;

23 (B) the Navy;

24 (C) the Air Force;

25 (D) the Marine Corps; and

1 (E) the Space Force.

2 (2) COVERED ELEMENT OF THE DEPART-
3 MENT.—The term “covered element of the Depart-
4 ment” means any element of the Department of De-
5 fense, other than an element referred to in para-
6 graph (3), that is associated with the Small Busi-
7 ness Innovation Research or Small Business Tech-
8 nology Transfer programs.

9 (3) COVERED SECRETARY CONCERNED.—The
10 term “covered Secretary concerned” means—

11 (A) the Secretary of the Army, with re-
12 spect to matters concerning the Department of
13 the Army;

14 (B) the Secretary of the Navy, with re-
15 spect to matters concerning the Department of
16 the Navy (other than matters concerning the
17 Coast Guard); and

18 (C) the Secretary of the Air Force, with
19 respect to matters concerning the Department
20 of the Air Force.

21 (4) ELIGIBLE PROGRAM.—The term “eligible
22 program” means a project that has completed a
23 Phase II SBIR or STTR award.

24 (5) DESIGNATED PROGRAM.—The term “des-
25 ignated program” means an eligible program that

1 has been designated as an Entrepreneurial Innova-
2 tion Project under this section and for which such
3 designation has not been revoked under subsection
4 (c).

5 (6) DESIGNATING SECRETARY.—The term
6 “designating Secretary” means—

7 (A) with respect to a designated program
8 designated as an Entrepreneurial Innovation
9 Project under this section by a covered Sec-
10 retary concerned, such covered Secretary con-
11 cerned; and

12 (B) with respect to all other designated
13 programs, the Secretary of Defense.

14 (7) PHASE II; PHASE III; SBIR; STTR.—The
15 terms “Phase II”, “Phase III”, “SBIR”, and
16 “STTR” have the meanings given such terms in sec-
17 tion 9(e) of the Small Business Act (15 U.S.C.
18 638(e)).

19 **SEC. 843. MODIFICATIONS TO PRINTED CIRCUIT BOARD AC-**
20 **QUISITION RESTRICTIONS.**

21 (a) IN GENERAL.—Section 2533d of title 10, United
22 States Code, is amended—

23 (1) in subsection (a)—

1 (A) in paragraph (1), by striking “January
2 1, 2023” and inserting “the date determined
3 under paragraph (3)”; and

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

6 “(3) Paragraph (1) shall take effect on January
7 1, 2027.”;

8 (2) in subsection (c)—

9 (A) in paragraph (2)—

10 (i) in the matter preceding subpara-
11 graph (A), by inserting “specified type of”
12 after “means any”;

13 (ii) in subparagraph (A), by striking
14 “(as such terms are defined under sections
15 103 and 103a of title 41, respectively)”;
16 and

17 (iii) by amending subparagraph (B) to
18 read as follows:

19 “(B) is a component of—

20 “(i) a defense security system; or

21 “(ii) a system, other than a defense
22 security system, that transmits or stores
23 information and which the Secretary iden-
24 tifies as national security sensitive in the

1 contract under which such printed circuit
2 board is acquired.”; and

3 (B) by adding at the end the following new
4 paragraphs:

5 “(3) COMMERCIAL PRODUCT; COMMERCIAL
6 SERVICE; COMMERCIALLY AVAILABLE OFF-THE
7 SHELF ITEM.—The terms ‘commercial product’,
8 ‘commercial service’, and ‘commercially available off-
9 the-shelf item’ have the meanings given such terms
10 in sections 103, 103a, and 104 of title 41, respec-
11 tively.

12 “(4) DEFENSE SECURITY SYSTEM.—

13 “(A) The term ‘defense security system’
14 means an information system (including a tele-
15 communications system) used or operated by
16 the Department of Defense, by a contractor of
17 the Department, or by another organization on
18 behalf of the Department, the function, oper-
19 ation, or use of which—

20 “(i) involves command and control of
21 an armed force;

22 “(ii) involves equipment that is an in-
23 tegral part of a weapon or weapon system;

24 or

1 “(iii) subject to subparagraph (B), is
2 critical to the direct fulfillment of military
3 missions.

4 “(B) Subparagraph (A)(iii) does not in-
5 clude a system that is to be used for routine ad-
6 ministrative and business applications (includ-
7 ing payroll, finance, logistics, and personnel
8 management applications).

9 “(5) SPECIFIED TYPE.—The term ‘specified
10 type’ means a printed circuit board that is—

11 “(A) a component of an electronic device
12 that facilitates the routing, connecting, trans-
13 mitting or securing of data and is commonly
14 connected to a network, and

15 “(B) any other end item, good, or product
16 specified by the Secretary in accordance with
17 subsection (d)(2).”; and

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

20 “(d) RULEMAKING.—

21 “(1) The Secretary may issue rules providing
22 that subsection (a) may not apply with respect to an
23 acquisition of commercial products, commercial serv-
24 ices, and commercially available off-the-shelf items
25 if—

1 “(A) the contractor is capable of meeting
2 minimum requirements that the Secretary
3 deems necessary to provide for the security of
4 national security networks and weapon systems,
5 including, at a minimum, compliance with sec-
6 tion 224 of the National Defense Authorization
7 Act for Fiscal Year 2020 (Public Law 116–92;
8 10 U.S.C. 2302 note); and

9 “(B) either—

10 “(i) the Government and the con-
11 tractor have agreed to a contract requiring
12 the contractor to take certain actions to
13 ensure the integrity and security of the
14 item, including protecting the item from
15 unauthorized access, use, disclosure, dis-
16 ruption, modification, or destruction; or

17 “(ii) the Secretary has determined
18 that the contractor has adopted such pro-
19 cedures, tools, and methods for identifying
20 the sources of components of such item,
21 based on commercial best practices, that
22 meet or exceed the applicable trusted sup-
23 ply chain and operational security stand-
24 ards of the Department of Defense.

1 “(2) The Secretary may issue rules specifying
2 end items, goods, and products for which a printed
3 circuit board that is a component thereof shall be a
4 ‘specified type’ if the Secretary has promulgated
5 final regulations, after an opportunity for notice and
6 comment that is not less than 12 months, imple-
7 menting this section.

8 “(3) In carrying out this section, the Secretary
9 shall, to the maximum extent practicable, avoid im-
10 posing contractual certification requirements with
11 respect to the acquisition of commercial products,
12 commercial services, or commercially available off-
13 the-shelf items.”.

14 (b) MODIFICATION OF INDEPENDENT ASSESSMENT
15 OF PRINTED CIRCUIT BOARDS.—Section 841(d) of the
16 William M. (Mac) Thornberry National Defense Author-
17 ization Act for Fiscal Year 2021 (Public Law 116–283)
18 is amended—

19 (1) in paragraph (1)—

20 (A) by striking “the date of enactment of
21 this Act” and inserting “the date of the enact-
22 ment of the National Defense Authorization Act
23 for Fiscal Year 2022”;

24 (B) by striking “shall seek to enter” and
25 inserting “shall enter”;

1 (C) by striking “to include printed circuit
2 boards in commercial products or services, or
3 in” and inserting “to printed circuit boards in
4 other commercial or”; and

5 (D)) by striking “the scope of mission
6 critical” and all that follows through the period
7 at the end and inserting “types of systems
8 other than defense security systems (as defined
9 in section 2533d(c) of title 10, United States
10 Code) that should be subject to the prohibition
11 in section 2533d(a) of title 10, United States
12 Code.”;

13 (2) in the heading for paragraph (2), by strik-
14 ing “DEPARTMENT OF DEFENSE” and inserting
15 “DEPARTMENT OF DEFENSE”;

16 (3) in paragraph (2), by striking “one year
17 after entering into the contract described in para-
18 graph (1)” and inserting “January 1, 2023”;

19 (4) in the heading for paragraph (3), by strik-
20 ing “CONGRESS” and inserting “CONGRESS”; and

21 (5) in paragraph (3), by inserting after “the
22 recommendations of the report.” the following: “The
23 Secretary shall use the report to determine whether
24 any systems (other than defense security systems (as
25 defined in section 2533d(c) of title 10, United States

1 Code)) or other types of printed circuit boards
2 should be subject to the prohibition in section
3 2533d(a) of title 10, United States Code.”.

4 **SEC. 844. DEFENSE INDUSTRIAL BASE COALITION FOR CA-**
5 **REER DEVELOPMENT.**

6 (a) IN GENERAL.—The Under Secretary of Defense
7 for Acquisition and Sustainment shall establish and man-
8 age a coalition among covered institutions of higher edu-
9 cation, career and technical education programs, work-
10 force development boards, labor organizations, and organi-
11 zations representing defense industrial base contractors to
12 focus on career pathways for individuals seeking careers
13 in manufacturing. The goals of the coalition shall be—

14 (1) to highlight the importance of expertise in
15 manufacturing careers;

16 (2) to share experiences of successful partner-
17 ships between such organizations and covered insti-
18 tutions of higher education to create opportunities
19 for individuals attending such institutions to be
20 hired by defense industrial base contractors; and

21 (3) to encourage opportunities for donating
22 used equipment of defense industrial base contrac-
23 tors to covered institutions of higher education for
24 use in training such individuals.

1 (b) REPORT.—Not later than 270 days after the date
2 of the enactment of this Act, the Under Secretary of De-
3 fense for Acquisition and Sustainment, in coordination
4 with the coalition established under subsection (a), shall
5 submit to the congressional defense committees a report
6 including—

7 (1) the results of any cooperative work-edu-
8 cation program established by defense laboratories
9 pursuant to section 2195 of title 10, United States
10 Code;

11 (2) an assessment of whether such programs
12 could be expanded to include individuals attending
13 secondary schools and career and technical education
14 programs to create opportunities for such individuals
15 to be hired by defense industrial base contractors;
16 and

17 (3) recommendations for whether incentive con-
18 tracts are needed to encourage defense industrial
19 base contractors to provide career pathways for indi-
20 viduals seeking careers in manufacturing.

21 (c) DEFINITIONS.—In this section:

22 (1) COVERED INSTITUTION OF HIGHER EDU-
23 CATION.—The term “covered institution of higher
24 education” means—

1 (A) an institution of higher education, as
2 defined in section 101 of the Higher Education
3 Act of 1965 (20 U.S.C. 1001); and

4 (B) a postsecondary vocational institution,
5 as defined in section 102(e) of such Act (20
6 U.S.C. 1002(e)).

7 (2) DEFENSE INDUSTRIAL BASE CON-
8 TRACTOR.—The term “defense industrial base con-
9 tractor” means a prime contractor or subcontractor
10 (at any tier) in the defense industrial base.

11 (3) LABOR ORGANIZATION.—The term “labor
12 organization” has the meaning given such term in
13 section 2(5) of the National Labor Relations Act (29
14 U.S.C. 152(5)).

15 (4) SECONDARY SCHOOL.—The term “sec-
16 ondary school” has the meaning given such term in
17 section 8101 of the Elementary and Secondary Edu-
18 cation Act of 1965 (20 U.S.C. 7801).

19 (5) CAREER AND TECHNICAL EDUCATION.—The
20 term “career and technical education” has the
21 meaning given such term in section 3 of the Carl D.
22 Perkins Career and Technical Education Act of
23 2006 (20 U.S.C. 2302).

24 (6) WORKFORCE DEVELOPMENT BOARD.—The
25 term “workforce development board” means a State

1 board or a local board, as such terms are defined in
2 section 3 of the Workforce Innovation and Oppor-
3 tunity Act (29 U.S.C. 3102).

4 **SEC. 845. ADDITIONAL TESTING OF COMMERCIAL E-COM-**
5 **MERCE PORTAL MODELS.**

6 Section 846(c) of the National Defense Authorization
7 Act for Fiscal Year 2018 (41 U.S.C. 1901 note) is amend-
8 ed by adding at the end the following new paragraphs:

9 “(5) **ADDITIONAL TESTING.**—Not later than 90
10 days after the date of the enactment of this para-
11 graph, the Administrator shall—

12 “(A) begin testing commercial e-commerce
13 portal models other than any commercial e-com-
14 merce portal identified in the recommendations
15 issued under paragraph (3); and

16 “(B) shall submit to the congressional de-
17 fense committees a report that includes—

18 “(i) a summary of the assessments
19 conducted under subsection (c)(2) with re-
20 spect to a commercial e-commerce portal
21 provider identified in the recommendations
22 issued under subsection (c)(3);

23 “(ii) a list of the types of commercial
24 products procured from such provider;

1 “(iii) the amount spent by the head of
2 a department or agency under the pro-
3 gram, disaggregated by type of commercial
4 product and commercial e-commerce portal
5 provider;

6 “(iv) a update on the commercial e-
7 commerce portal models being tested and a
8 timeline for completion of such testing.

9 “(6) REPORT.—Upon completion of testing con-
10 ducted under paragraph (5) and before taking any
11 action with respect to the commercial e-commerce
12 portal models tested, the Administrator of General
13 Services shall submit to the congressional defense
14 committees a report on the results of such testing
15 that includes—

16 “(A) an assessment and comparison of
17 commercial e-commerce portal providers with
18 respect to—

19 “(i) price and quality of the commer-
20 cial product supplied by each commercial
21 e-commerce portal model;

22 “(ii) supplier reliability and service;

23 “(iii) safeguards for the security of
24 Government information and third-party
25 supplier proprietary information;

1 “(iv) protections against counterfeit
2 commercial products;

3 “(v) supply chain risks, particularly
4 with respect to complex commercial prod-
5 ucts; and

6 “(vi) overall adherence to Federal pro-
7 curement rules and policies; and

8 “(B) an analysis of the costs and benefits
9 of the convenience to the Federal Government
10 of procuring commercial products from each
11 commercial e-commerce portal providers.”.

12 **SEC. 846. SUPPORT FOR INDUSTRY PARTICIPATION IN**
13 **GLOBAL STANDARDS ORGANIZATIONS.**

14 (a) DEFINITION.—In this section:

15 (1) ADMINISTRATOR.—The term “Adminis-
16 trator” means the Administrator of the Small Busi-
17 ness Administration.

18 (2) APPROPRIATE CONGRESSIONAL COMMIT-
19 TEES.—The term “appropriate congressional com-
20 mittees” means the following:

21 (A) The Committee on Science, Space, and
22 Technology of the House of Representatives.

23 (B) The Committee on Commerce, Science,
24 and Transportation of the Senate.

1 (C) The Committee on Energy and Com-
2 merce of the House of Representatives.

3 (D) The Committee on Energy and Nat-
4 ural Resources of the Senate.

5 (E) The Committee on Small Business of
6 the House of Representatives.

7 (F) The Committee on Small Business and
8 Entrepreneurship of the Senate.

9 (3) ARTIFICIAL INTELLIGENCE.—The term “ar-
10 tificial intelligence” has the meaning given the term
11 in section 238(g) of the John S. McCain National
12 Defense Authorization Act for Fiscal Year 2019 (10
13 U.S.C. 2358 note).

14 (4) COVERED ENTITY.—The term “covered en-
15 tity” means a small business concern that is incor-
16 porated and maintains a primary place of business
17 in the United States.

18 (5) SMALL BUSINESS CONCERN.—The term
19 “small business concern” has the meaning given the
20 term in section 3 of the Small Business Act (15
21 U.S.C. 632).

22 (b) ESTABLISHMENT.—Not later than 180 days after
23 the date of enactment of this Act, the Administrator shall
24 establish a program to support participation by covered
25 entities in meetings and proceedings of standards develop-

1 ment organizations in the development of voluntary tech-
2 nical standards.

3 (c) ACTIVITIES.—In carrying out the program estab-
4 lished under subsection (a), the Administrator shall award
5 competitive, merit-reviewed grants to covered entities to
6 cover the reasonable costs, up to a specified ceiling, of par-
7 ticipation of employees of those covered entities in meet-
8 ings and proceedings of standards development organiza-
9 tions, including—

10 (1) regularly attending meetings;

11 (2) contributing expertise and research;

12 (3) proposing new work items; and

13 (4) volunteering for leadership roles such as a
14 convener or editor.

15 (d) AWARD CRITERIA.—The Administrator may only
16 provide a grant under this section to a covered entity
17 that—

18 (1) demonstrates deep technical expertise in key
19 emerging technologies and technical standards, in-
20 cluding artificial intelligence and related tech-
21 nologies;

22 (2) commits personnel with such expertise to
23 regular participation in global bodies responsible for
24 developing standards for such technologies over the
25 period of the grant;

1 (3) agrees to participate in efforts to coordinate
2 between the Federal Government and industry to en-
3 sure protection of national security interests in the
4 setting of global standards so long as such standards
5 are not dictated by the Federal Government; and

6 (4) provides a plan to the Administrator that
7 details the relationship between the activities de-
8 scribed in paragraphs (1), (2), and (3) and the pro-
9 posed standards to be adopted.

10 (e) NO MATCHING CONTRIBUTION.—A recipient of
11 an award under this section shall not be required to pro-
12 vide a matching contribution.

13 (f) EVALUATION.—

14 (1) IN GENERAL.—In making awards under
15 this section, the Administrator shall coordinate with
16 the Director of the National Institute of Standards
17 and Technology, who shall provide support in the as-
18 sessment of technical expertise in emerging tech-
19 nologies and standards setting needs.

20 (2) PANEL RANKING.—In carrying out the re-
21 quirements under paragraph (1), the Administrator
22 and the Director shall jointly establish a panel of ex-
23 perts to rank the proposed standards, based on
24 merit and relevance, to be composed of experts
25 from—

- 1 (A) private industry;
- 2 (B) non-profit institutions;
- 3 (C) non-profit standards development orga-
- 4 nizations;
- 5 (D) academia; and
- 6 (E) the Federal Government.

7 (g) REPORT.—Not less than annually, the Adminis-

8 trator shall submit to the appropriate congressional com-

9 mittees a report on—

- 10 (1) the efficacy of the program;
- 11 (2) an explanation of any standard adopted as
- 12 a result of the program;
- 13 (3) any challenges faced in carrying out the
- 14 program; and
- 15 (4) proposed solutions to the challenges identi-
- 16 fied in paragraph (3).

17 **Subtitle E—Other Matters**

18 **SEC. 851. MISSION MANAGEMENT PILOT PROGRAM.**

19 (a) IN GENERAL.—Subject to the availability of ap-

20 propriations, the Secretary of Defense shall establish with-

21 in the Strategic Capabilities Office of the Department of

22 Defense a pilot program to identify lessons learned and

23 improved mission outcomes achieved by quickly delivering

24 solutions that fulfill critical operational needs arising from

25 cross-service missions undertaken by combatant com-

1 mands through the use of a coordinated and iterative ap-
2 proach to develop, evaluate, and transition such solutions.

3 (b) MISSIONS SELECTION.—

4 (1) IN GENERAL.—Except as provided in para-
5 graph (3), the Deputy Secretary of Defense shall se-
6 lect missions with respect to which to carry out the
7 pilot program.

8 (2) SELECTION CRITERIA.—When selecting mis-
9 sions under paragraph (1), the Deputy Secretary of
10 Defense shall—

11 (A) select missions with critical cross-serv-
12 ice operational needs; and

13 (B) consider—

14 (i) the strategic importance of the
15 critical cross-service operational needs to
16 the operational plans of the relevant com-
17 batant commands; and

18 (ii) the advice of the Cross-Functional
19 Teams of the Strategic Capabilities Office
20 regarding mission selection.

21 (3) INITIAL MISSION.—

22 (A) IN GENERAL.—Not later than four
23 months after the date of the enactment of this
24 section, the Director of the Strategic Capabili-
25 ties Office shall select a mission under the pilot

1 program that has critical cross-service oper-
2 ational needs and which is of strategic impor-
3 tance to the operational plans of the United
4 States Indo-Pacific Command.

5 (B) MISSION SELECTION APPROVAL.—The
6 mission selected by the Director of the Strategic
7 Capabilities Office under subparagraph (A)
8 shall be subject to the approval of the Deputy
9 Secretary of Defense.

10 (c) MISSION MANAGERS.—

11 (1) IN GENERAL.—A mission manager shall
12 carry out the pilot program with respect to each
13 mission.

14 (2) RESPONSIBILITIES.—With respect to each
15 mission, the relevant mission manager shall—

16 (A) identify critical cross-service oper-
17 ational needs by enumerating the options avail-
18 able to the combatant command responsible for
19 carrying out such mission and determining the
20 resiliency of such options to threats from adver-
21 saries;

22 (B) in coordination with the military serv-
23 ices and appropriate Defense Agencies and
24 Field Activities, develop and deliver solutions,
25 including software and information technology

1 solutions and other functionalities unaligned
2 with any one weapon system of a covered
3 Armed Service, to—

4 (i) fulfill critical cross-service oper-
5 ational needs; and

6 (ii) address future changes to existing
7 critical cross-service operational needs by
8 providing additional capabilities;

9 (C) work with the combatant command re-
10 sponsible for such mission and the related plan-
11 ning organizers, service program managers, and
12 defense research and development activities to
13 carry out iterative testing and support to initial
14 operational fielding of the solutions described in
15 subparagraph (B);

16 (D) conduct research, development, test,
17 evaluation, and transition support activities
18 with respect to the delivery of the solutions de-
19 scribed in subparagraph (B);

20 (E) seek to integrate existing, emerging,
21 and new capabilities available to the Depart-
22 ment of Defense in the development of the solu-
23 tions described in subparagraph (B); and

24 (F) provide to the Deputy Secretary of De-
25 fense mission management activity updates and

1 reporting on the use of funds under the pilot
2 program with respect to such mission.

3 (3) DIRECTOR OF THE STRATEGIC CAPABILI-
4 TIES OFFICE.—The Director of the Strategic Capa-
5 bilities Office shall be the mission manager for each
6 mission selected under subsection (b).

7 (4) ITERATIVE APPROACH.—The mission man-
8 ager shall, to the extent practicable, carry out the
9 pilot program with respect to each mission selected
10 under subsection (b) by integrating existing, emerg-
11 ing, and new military capabilities, and managing a
12 portfolio of small, iterative development and support
13 to initial operational fielding efforts.

14 (5) OTHER PROGRAM MANAGEMENT RESPON-
15 SIBILITIES.—The activities undertaken by the mis-
16 sion manager with respect to a mission, including
17 mission management, do not supersede or replace
18 the program management responsibilities of any
19 other individual that are related to such missions.

20 (d) DATA COLLECTION REQUIREMENT.—The Deputy
21 Secretary of Defense shall develop and implement a plan
22 to collect and analyze data on the pilot program for the
23 purposes of—

24 (1) developing and sharing best practices for
25 applying emerging technology and supporting new

1 operational concepts to improve outcomes on key
2 military missions and operational challenges; and

3 (2) providing information to the leadership of
4 the Department on the implementation of the pilot
5 program and related policy issues.

6 (e) ASSESSMENTS.—During the five-year period be-
7 ginning on the date of the enactment of this Act, the Dep-
8 uty Secretary of Defense shall regularly assess—

9 (1) the authorities required by the missions
10 manager to effectively and efficiently carry out the
11 pilot program with respect to the missions selected
12 under subsection (b); and

13 (2) whether the mission manager has access to
14 sufficient funding to carry out the research, develop-
15 ment, test, evaluation, and support to initial oper-
16 ational fielding activities required to deliver solutions
17 fulfilling the critical cross-service operational needs
18 of the missions.

19 (f) BRIEFINGS.—

20 (1) SEMIANNUAL BRIEFING.—

21 (A) IN GENERAL.—Not later than July 1,
22 2022, and every six months thereafter until the
23 date that is five years after the date of the en-
24 actment of this Act, the mission manager shall
25 provide to the congressional defense committees

1 a briefing on the progress of the pilot program
2 with respect to each mission selected under sub-
3 section (b), the anticipated mission outcomes,
4 and the funds used to carry out the pilot pro-
5 gram with respect to such mission.

6 (B) INITIAL BRIEFING.—The Deputy Sec-
7 retary of Defense shall include in the first brief-
8 ing submitted under subparagraph (A) a brief-
9 ing on the implementation of the pilot program,
10 including—

11 (i) the actions taken to implement the
12 pilot program;

13 (ii) an assessment of the pilot pro-
14 gram;

15 (iii) requests for Congress to provide
16 authorities required to successfully carry
17 out the pilot program; and

18 (iv) a description of the data plan re-
19 quired under subsection (d).

20 (2) ANNUAL BRIEFING.—Not later than one
21 year after the date on which the pilot program is es-
22 tablished, and annually thereafter until the date that
23 is five years after the date of the enactment of this
24 Act, the Deputy Secretary of Defense shall submit

1 to the congressional defense committees a briefing
2 on the pilot program, including—

3 (A) the data collected and analysis per-
4 formed under subsection (d);

5 (B) lessons learned;

6 (C) the priorities for future activities of
7 the pilot program; and

8 (D) such other information as the Deputy
9 Secretary determines appropriate.

10 (3) RECOMMENDATION.—Not later than two
11 years after the date of the enactment of this Act, the
12 Deputy Secretary of Defense shall submit to Con-
13 gress a briefing on the recommendations of the Dep-
14 uty Secretary with respect to the pilot program and
15 shall concurrently submit to Congress—

16 (A) a written assessment of the pilot pro-
17 gram;

18 (B) a written recommendation on con-
19 tinuing or expanding the mission integration
20 pilot program;

21 (C) requests for Congress to provide au-
22 thorities required to successfully carry out the
23 pilot program; and

24 (D) the data collected and analysis per-
25 formed under subsection (d).

1 (g) TRANSITION.—Beginning in fiscal year 2025, the
2 Deputy Secretary of Defense may transition responsibil-
3 ities for research, development, test, evaluation, and sup-
4 port to initial operational fielding activities started under
5 the pilot program to other elements of the Department
6 for purposes of delivering solutions fulfilling critical cross-
7 service operational needs.

8 (h) TERMINATION DATE.—The pilot program shall
9 terminate on the date that is 5 years after the date of
10 the enactment of this Act.

11 (i) RULE OF CONSTRUCTION.—Nothing in this sec-
12 tion shall be construed as providing any authority not oth-
13 erwise provided by law to procure, or enter agreements
14 to procure, any goods, materials, or services.

15 (j) DEFINITIONS.—In this section:

16 (1) COVERED ARMED FORCE.—The term “cov-
17 ered Armed Force” means—

18 (A) the Army;

19 (B) the Navy;

20 (C) the Air Force;

21 (D) the Marine Corps; or

22 (E) the Space Force.

23 (2) CROSS-FUNCTIONAL TEAMS OF THE STRA-
24 TEGIC CAPABILITIES OFFICE.—The term “Cross-
25 Functional Teams of the Strategic Capabilities Of-

1 fice” means the teams established in the Strategic
2 Capabilities Office of the Department of Defense
3 pursuant to section 233(b) of the National Defense
4 Authorization Act for Fiscal Year 2020 (Public Law
5 116–92; 133 Stat. 1277; 10 U.S.C. 132 note).

6 (3) CROSS-SERVICE.—The term “cross-service”
7 means pertaining to multiple covered Armed Forces.

8 (4) CROSS-SERVICE OPERATIONAL NEED.—The
9 term “cross-service operational need” means an
10 operational need arising from a mission undertaken
11 by a combatant command which involves multiple
12 covered Armed Forces.

13 (5) DEFENSE AGENCY; MILITARY DEPART-
14 MENT.—The terms “Defense Agency” and “military
15 department” have the meanings given such terms in
16 section 101(a) of title 10, United States Code.

17 (6) FIELD ACTIVITY.—The term “Field Activ-
18 ity” has the meaning given the term “Department of
19 Defense Field Activity” in section 101(a) of title 10,
20 United States Code.

21 (7) MISSION MANAGEMENT.—The term “mis-
22 sion management” means the integration of mate-
23 riel, digital, and operational elements to improve de-
24 fensive and offensive options and outcomes for a
25 specific mission or operational challenge.

1 (8) PILOT PROGRAM.—The term “pilot pro-
2 gram” means the pilot program established under
3 subsection (a).

4 **SEC. 852. PILOT PROGRAM TO DETERMINE THE COST COM-**
5 **PETITIVENESS OF DROP-IN FUELS.**

6 (a) ESTABLISHMENT.—The Secretary of Defense, in
7 consultation with the Under Secretary of Defense for Ac-
8 quisition and Sustainment and the Under Secretary of De-
9 fense (Comptroller), shall establish a pilot program to de-
10 termine the cost competitiveness of the fully burdened cost
11 of drop-in fuels compared with the fully burdened cost of
12 traditional fuels using a scenario-based strategic sourcing
13 tool as described in subsection (b).

14 (b) USE OF SCENARIO-BASED STRATEGIC SOURCING
15 TOOL.—The Under Secretary of Defense (Comptroller),
16 in coordination with the Director of Defense Logistics
17 Agency, shall identify an aviation fuel program and use
18 a commercially available scenario-based strategic sourcing
19 tool to—

20 (1) analyze performance risks and benefits of
21 drop-in fuels compared to traditional fuels;

22 (2) determine cost-competitiveness of drop-in
23 fuels compared to traditional fuels;

24 (3) improve supplier performance of contracts
25 to procure aviation fuel; and

1 (4) minimize risk, increase transparency, and
2 manage unforeseen circumstances for the Depart-
3 ment of Defense.

4 (c) DOCUMENTATION.—The Under Secretary of De-
5 fense (Comptroller) shall use the scenario-based strategic
6 sourcing tool described in subsection (b) to maintain docu-
7 mentation of the costs of each such contract in order to
8 develop better price estimates and procurement strategies
9 for acquiring aviation fuel.

10 (d) REPORT.—Not later than September 30, 2022,
11 and annually thereafter until the termination date de-
12 scribed in subsection (f), the Secretary of Defense shall
13 submit a report to the congressional defense committees
14 on the status and impact of the pilot program established
15 under this section.

16 (e) DEFINITIONS.—In this section:

17 (1) The terms “drop-in fuel”, “fully burdened
18 cost”, and “traditional fuel” have the meanings
19 given, respectively, in section 2922h of title 10,
20 United States Code.

21 (2) The term “scenario-based strategic
22 sourcing” means a method for testing the supply
23 chain effects using automated software to model var-
24 ious scenarios relating to—

25 (A) contract management;

- 1 (B) spend analysis;
2 (C) supplier management;
3 (D) sourcing; and
4 (E) external market variables.

5 (f) TERMINATION.—The pilot program established
6 under this section shall terminate on September 30, 2027.

7 **SEC. 853. ASSURING INTEGRITY OF OVERSEAS FUEL SUP-**
8 **PLIES.**

9 (a) IN GENERAL.—Before awarding a contract to an
10 offeror for the supply of fuel for any overseas contingency
11 operation, the Secretary of Defense shall—

12 (1) ensure, to the maximum extent practicable,
13 that no otherwise responsible offeror is disqualified
14 for such award on the basis of an unsupported de-
15 nial of access to a facility or equipment by the host
16 nation government; and

17 (2) require assurances that the offeror will com-
18 ply with the requirements of subsections (b) and (c).

19 (b) REQUIREMENT.—An offeror for the supply of fuel
20 for any overseas contingency operation shall—

21 (1) certify that the provided fuel, in whole or in
22 part, or derivatives of such fuel, is not sourced from
23 a nation or region prohibited from selling petroleum
24 to the United States; and

1 (2) furnish such records as are necessary to
2 verify compliance with such anti-corruption statutes
3 and regulations as the Secretary determines nec-
4 essary, including—

5 (A) the Foreign Corrupt Practices Act (15
6 U.S.C. 78dd-1 et seq.);

7 (B) the regulations contained in parts 120
8 through 130 of title 22, Code of Federal Regu-
9 lations, or successor regulations (commonly
10 known as the “International Traffic in Arms
11 Regulations”);

12 (C) the regulations contained in parts 730
13 through 774 of title 15, Code of Federal Regu-
14 lations, or successor regulations (commonly
15 known as the “Export Administration Regula-
16 tions”); and

17 (D) such regulations as may be promul-
18 gated by the Office of Foreign Assets Control
19 of the Department of the Treasury.

20 (c) REPORT REQUIRED.—Not more than 180 days
21 after the award of a contract for the supply of fuel for
22 any overseas contingency operation that is greater than
23 \$50,000,000, the Inspector General of the Department of
24 Defense shall submit to the congressional defense commit-
25 tees a report including—

1 (1) an assessment of the price per gallon for
2 such fuel, along with an assessment of the price per
3 gallon for fuel paid by other entities in the same na-
4 tion or region of the nation; and

5 (2) an assessment of the ability of the con-
6 tractor awarded such contract to comply with sanc-
7 tions on Iran and monitor for violations of those
8 sanctions.

9 (d) **APPLICABILITY.**—Subsections (a), (b), and (c) of
10 this section shall apply with respect to contracts entered
11 into on or after the date of the enactment of this Act.

12 (e) **AVOIDANCE OF USE OF LOWEST PRICE TECH-**
13 **NICALLY ACCEPTABLE SOURCE SELECTION CRITERIA**
14 **FOR FUEL PROCUREMENT AND FUEL-RELATED SERV-**
15 **ICES.**—Section 813(c)(3) of the National Defense Author-
16 ization Act for Fiscal Year 2017 (10 U.S.C. 2305 note)
17 is amended by inserting “, including fuel procurement and
18 fuel-related services,” after “logistics services,”.

19 **SEC. 854. CADRE OF SOFTWARE DEVELOPMENT AND AC-**
20 **QUISITION EXPERTS.**

21 (a) **CADRE OF SOFTWARE DEVELOPMENT AND AC-**
22 **QUISITION EXPERTS.**—

23 (1) Not later than January 1, 2022, the Sec-
24 retary of Defense, acting through the Under Sec-
25 retary of Defense for Acquisition and Sustainment,

1 shall establish a cadre of personnel who are experts
2 in development and acquisition of software. The pur-
3 pose of the cadre is to ensure a consistent, strategic,
4 and highly knowledgeable approach to developing
5 and acquiring software by providing expert advice,
6 assistance, and resources to the acquisition work-
7 force in support of the policies established in accord-
8 ance with Department of Defense Instruction
9 5000.02, Operation of the Adaptive Acquisition
10 Framework, dated January 23, 2020.

11 (2) The Under Secretary shall establish an ap-
12 propriate leadership structure and office within
13 which the cadre shall be managed, and shall deter-
14 mine the appropriate official to whom members of
15 the cadre shall report.

16 (3) The cadre of experts shall be assigned to a
17 program office or an acquisition command within a
18 military department to advise, assist, and provide re-
19 sources to a program manager or program executive
20 officer on matters pertaining to software at various
21 stages of the life cycle of a system, including but not
22 limited to integration, testing, production, certifi-
23 cation, deployment of capabilities to the operational
24 environment, and maintenance. In performing such
25 duties, the experts shall—

1 (A) Advise and assist in integration of
2 modern software development practices such as
3 agile software development; development, secu-
4 rity, and operations (DevSecOps); and lean
5 practices.

6 (B) Advise and assist in leveraging indus-
7 try best practices for software development, de-
8 ployment, upgrades, and sustainment to include
9 contracting for software as a service, subscrip-
10 tion models, use of prime contractors to assist
11 in integration, and other methods for acquiring
12 or accessing capability.

13 (C) In conjunction with the Cadre of Intel-
14 lectual Property Experts established pursuant
15 to section 2322 of this title, develop a strategy
16 and licensing framework to enable government
17 procurement of commercial software, to include:

18 (i) in accordance with section 2377 of
19 this title, a preference for the acquisition
20 of commercial software under the license
21 customarily provided to the public, except
22 as specified in paragraphs (ii) and (iii);

23 (ii) identification of terms or condi-
24 tions that may be inconsistent with federal
25 procurement law;

1 (iii) identification of operational user
2 needs that may necessitate the negotiation
3 of customized licenses to ensure authorized
4 use in unique operational environments;
5 and

6 (iv) methods and procedures for use
7 of stand-alone software licensing in cases
8 where other contract vehicles are inappro-
9 priate or unavailable.

10 (D) Establish and lead cross-functional
11 government-industry teams that include oper-
12 ational users, data and system architects, ex-
13 perts in artificial intelligence, developmental
14 and operational testers, software developers,
15 and cybersecurity experts to deliver software
16 rapidly and iteratively to meet the highest pri-
17 ority user needs.

18 (E) Advise and assist in the development
19 of requirements, acquisition strategy, product
20 support strategy, and intellectual property
21 strategy for a system.

22 (F) Advise and assist in planning and
23 budgeting for agile software development and
24 deployment, and the sustainment of software
25 over the life-cycle of the program, to include

1 consideration of the shifting landscape of con-
2 tinual cyber threat and evolving cyber require-
3 ments.

4 (G) Conduct or assist with financial anal-
5 ysis, cost estimation, and valuation of software,
6 to include agile software development, to in-
7 clude valuation of embedded software as a
8 standalone product or as part of modular open
9 system approach.

10 (H) Assist in the drafting of a solicitation,
11 contract, or other transaction agreement.

12 (I) Interact with or assist in interactions
13 with contractors, including communications and
14 negotiations with contractors on solicitations
15 and awards.

16 (J) Foster culture change necessary to en-
17 able the Department of Defense to embrace and
18 leverage modern software practices by:

19 (i) recommending policies to ensure
20 program managers are empowered to set
21 and maintain the integrity of agile develop
22 process and priorities; and

23 (ii) educating key stakeholders in con-
24 siderations regarding the integration and
25 incorporation of agile software development

1 practices with systems acquired under the
2 major capability acquisition pathway.

3 (4)(A) In order to achieve the purpose set forth
4 in paragraph (1), the Under Secretary shall ensure
5 the cadre has the appropriate number of staff and
6 such staff possesses the necessary skills, knowledge,
7 and experience to carry out the duties under para-
8 graph (2), including in relevant areas of law, com-
9 mercial software licensing, contracting, acquisition,
10 logistics, engineering, financial analysis, cost esti-
11 mation, and valuation. The Under Secretary, in co-
12 ordination with the Defense Acquisition University
13 and in consultation with academia and industry,
14 shall develop a career path, including development
15 opportunities, exchanges, talent management pro-
16 grams, and training, for the cadre. The Under Sec-
17 retary may use existing authorities to staff the
18 cadre, including those in subparagraphs (B), (C),
19 (D), and (F).

20 (B) Civilian personnel from within the Of-
21 fice of the Secretary of Defense, Joint Staff,
22 military departments, Defense Agencies, and
23 combatant commands may be assigned to serve
24 as members of the cadre, upon request of the
25 Director.

1 (C) The Under Secretary may use the au-
2 thorities for highly qualified experts under sec-
3 tion 9903 of title 5, to hire experts as members
4 of the cadre who are skilled professionals in
5 software development and acquisition, commer-
6 cial software licensing, and related matters.

7 (D) The Under Secretary may enter into a
8 contract with a private-sector entity for special-
9 ized expertise to support the cadre. Such entity
10 may be considered a covered Government sup-
11 port contractor, as defined in section 2320 of
12 this title.

13 (E) In establishing the cadre, the Under
14 Secretary shall give preference to civilian em-
15 ployees of the Department of Defense, rather
16 than members of the armed forces, to maintain
17 continuity in the cadre.

18 (F) The Under Secretary is authorized to
19 use amounts in the Defense Acquisition Work-
20 force Development Fund for the purpose of re-
21 cruitment, training, and retention of the cadre,
22 including paying salaries of newly hired mem-
23 bers of the cadre for up to three years.

24 (G) In implementing this section, the
25 Under Secretary shall ensure compliance with

1 applicable total force management policies, re-
2 quirements, and restrictions provided in sec-
3 tions 129a, 2329, and 2461 of title 10, United
4 States Code.

5 (H) The Under Secretary shall ensure that
6 any contractor employee providing services in
7 support of, or participation in, the cadre estab-
8 lished under this section and is considered a
9 Special Government Employee as defined by
10 section 202 of title 18, United States Code, is
11 required to file a confidential financial disclo-
12 sure in accordance with the Ethics in Govern-
13 ment Act of 1978.

14 **SEC. 855. ACQUISITION PRACTICES AND POLICIES ASSESS-**
15 **MENT.**

16 (a) IN GENERAL.—The Department of Defense Cli-
17 mate Working Group established pursuant to Executive
18 Order 14008 (86 Fed. Reg. 7619, related to tackling the
19 climate crisis), in coordination with the Assistant Sec-
20 retary of Defense for Energy, Installations, and Environ-
21 ment, shall assess and develop recommendations for imple-
22 menting, in regulations, the acquisition practices and poli-
23 cies described in subsection (b) with respect to acquisitions
24 by the Department of Defense.

1 (b) ACQUISITION PRACTICES AND POLICIES.—The
2 practices and policies described in this subsection are—

3 (1) acquisition planning practices that promote
4 the acquisition of resource-efficient goods and serv-
5 ices and that support innovation in environmental
6 technologies, including—

7 (A) weighing the cost savings and resource
8 and energy preservation of environmentally
9 preferable goods or services against the speed
10 and uniformity of traditional goods or services
11 when identifying requirements or drafting the
12 statement of work;

13 (B) designing the technical specifications
14 that set product performance levels to diminish
15 greenhouse gas emissions;

16 (C) restricting the statement of work or
17 specifications to only environmentally preferable
18 goods or services where the quality, availability,
19 and price comparable to traditional goods or
20 services;

21 (D) engaging in public-private partnerships
22 with private sector and nonprofit institutions to
23 design, build, and fund low-carbon infrastruc-
24 ture; and

1 (E) collaborating with local jurisdictions
2 surrounding military installations, with a focus
3 on military installations located in States with
4 established policies, guidance, and processes for
5 procuring goods and services in a manner that
6 minimizes environmental and social costs;

7 (2) source selection practices that promote the
8 acquisition of resource-efficient goods and services
9 and that support innovation in environmental tech-
10 nologies, including—

11 (A) considering any low-carbon or low-tox-
12 icity criteria as competition factors on the basis
13 of which the award is made in addition to cost,
14 past performance, and quality factors;

15 (B) using accepted standards, emissions
16 data, certifications, and labels to verify the en-
17 vironmental impact of a good or service and en-
18 hance procurement efficiency;

19 (C) training acquisition professionals to
20 evaluate the credibility of certifications and la-
21 bels purporting to convey information about the
22 environmental impact of a good or service; and

23 (D) considering all the costs of a good or
24 service that will be incurred throughout its life-
25 time by calculating and measuring operating

1 costs, maintenance, end of life costs, and resid-
2 ual value, including costs resulting from the
3 carbon and other greenhouse gas emissions as-
4 sociated with the good or service; and

5 (3) consideration of the external economic, envi-
6 ronmental, and social effects arising over the entire
7 life cycle of an acquisition when making acquisition
8 planning and source selectpation decisions.

9 (c) REPORT.—Not later than 180 days after the date
10 of the enactment of this Act, the chair of the Department
11 of Defense Climate Working Group shall submit to the
12 congressional defense committees a report on the assess-
13 ment conducted under subsection (a), which shall include
14 the recommendations developed under such subsection.

15 (d) DEFINITIONS.—In this section:

16 (1) ENVIRONMENTALLY PREFERABLE.—The
17 term “environmentally preferable”, with respect to a
18 good or service, means that the good or service has
19 a lesser or reduced effect on human health and the
20 environment when compared with competing goods
21 or services that serve the same purpose. The com-
22 parison may consider raw materials acquisition, pro-
23 duction, manufacturing, packaging, distribution,
24 reuse, operation, maintenance, or disposal of the
25 good or service.

1 (2) RESOURCE-EFFICIENT GOODS AND SERV-
2 ICES.—The term “resource-efficient goods and serv-
3 ices” means goods and services—

4 (A) that use fewer resources than com-
5 peting goods and services to serve the same
6 purposes or achieve the same or substantially
7 similar result as such competing goods and
8 services; and

9 (B) for which the negative environmental
10 impacts across the full life cycle of such goods
11 and services are minimized.

12 **TITLE IX—DEPARTMENT OF DE-**
13 **FENSE ORGANIZATION AND**
14 **MANAGEMENT**

15 **Subtitle A—Office of the Secretary**
16 **of Defense and Related Matters**

17 **SEC. 901. MODIFICATION OF REQUIREMENTS FOR AP-**
18 **POINTMENT OF A PERSON AS SECRETARY OF**
19 **DEFENSE AFTER RELIEF FROM ACTIVE DUTY.**

20 Section 113(a) of title 10, United States Code, is
21 amended—

22 (1) by inserting “(1)” before “There is”; and

23 (2) by striking the second sentence and insert-
24 ing the following new paragraph:

1 “(2)(A) Except as provided by subparagraph (B), a
2 person may not be appointed as Secretary of Defense dur-
3 ing the period of 10 years after relief from active duty
4 as a commissioned officer of a regular component of an
5 armed force in pay grade O–6 or above.

6 “(B) A person described in subparagraph (A) may
7 be appointed as Secretary of Defense if—

8 “(i) the President submits to Congress a re-
9 quest for approval for such appointment; and

10 “(ii) Congress enacts a joint resolution of ap-
11 proval, with not fewer than three-quarters of the
12 Members of the House of Representatives and Sen-
13 ate, duly chosen and sworn, voting in the affirma-
14 tive.

15 “(C) In this subsection, the term ‘joint resolution of
16 approval’ means a joint resolution of either House of Con-
17 gress, the sole matter after the resolving clause of which
18 is as follows: “The Congress approves exempting
19 _____ from the prohibition under section 113(a) of
20 title 10, United States Code, pursuant to the request of
21 the President for such exemption submitted to Congress
22 on _____.”, with the blank spaces being filled
23 with the appropriate name and date, respectively.”.

1 **SEC. 902. IMPLEMENTATION OF REPEAL OF CHIEF MAN-**
2 **AGEMENT OFFICER OF THE DEPARTMENT OF**
3 **DEFENSE.**

4 Section 901(b)(1) of the William M. (Mac) Thorn-
5 berry National Defense Authorization Act for Fiscal Year
6 2021 (Public Law 116–283) is amended by striking “, ex-
7 cept that any officer or employee so designated may not
8 be an individual who served as the Chief Management Of-
9 ficer before the date of the enactment of this Act”.

10 **SEC. 903. DESIGNATION OF SENIOR OFFICIAL FOR IMPLE-**
11 **MENTATION OF ELECTROMAGNETIC SPEC-**
12 **TRUM SUPERIORITY STRATEGY.**

13 (a) DESIGNATION.—Not later than 60 days after the
14 date of the enactment of this Act, the Secretary of Defense
15 shall designate a senior official of the Department of De-
16 fense to be responsible for, and accountable to the Sec-
17 retary with respect to, the implementation of the electro-
18 magnetic spectrum superiority strategy. The Secretary
19 shall designate the senior official from among individuals
20 who are appointed to a position in the Department by the
21 President, by and with the advice and consent of the Sen-
22 ate.

23 (b) RESPONSIBILITIES.—The senior official des-
24 ignated under subsection (a) shall be responsible for the
25 following:

1 (1) Oversight of policy, strategy, planning, re-
2 source management, operational considerations, per-
3 sonnel, and technology development necessary to im-
4 plement the electromagnetic spectrum superiority
5 strategy.

6 (2) Evaluating whether the amount that the
7 Department of Defense expends on electromagnetic
8 warfare and electromagnetic spectrum operations ca-
9 pabilities is properly aligned.

10 (3) Evaluating whether the Department is ef-
11 fectively incorporating electromagnetic spectrum op-
12 erations capabilities and considerations into current
13 and future operational plans and concepts.

14 (4) Such other matters relating to electro-
15 magnetic spectrum operations as the Secretary
16 specifies for purposes of this subsection.

17 (c) REPORT.—Not later than 270 days after the date
18 of the enactment of this Act, the Secretary shall submit
19 to the congressional defense committees a report that in-
20 cludes the following:

21 (1) A review of the sufficiency of the rules of
22 engagement of the Department of Defense relating
23 to electromagnetic spectrum operations, in particular
24 with respect to operating below the level of armed

1 conflict and to protect the Department from elec-
2 tronic attack and disruption.

3 (2) Any other matters the Secretary determines
4 relevant.

5 (d) IMPLEMENTATION PLAN.—

6 (1) SUBMISSION.—Not later than 15 days after
7 the date of the enactment of this Act, the Secretary
8 shall submit to the congressional defense committees
9 a complete copy of the implementation plan signed
10 by the Secretary of Defense in July 2021 for the
11 Electromagnetic Spectrum Superiority Strategy pub-
12 lished in October 2020.

13 (2) REPORT.—Not later than 45 days after the
14 date of the enactment of this Act, the Secretary
15 shall submit to the congressional defense committees
16 a report on the implementation plan specified in
17 paragraph (1). The report shall include—

18 (A) an evaluation of the additional per-
19 sonnel, resources, and authorities the Secretary
20 determines will be needed by the senior official
21 of the Department of Defense designated under
22 subsection (a) who is responsible for imple-
23 menting the Electromagnetic Spectrum Superi-
24 ority Strategy published in October 2020; and

1 (B) a description of how the Secretary will
2 ensure that such implementation will be suc-
3 cessful.

4 (e) LIMITATION ON AVAILABILITY OF FUNDS; QUAR-
5 TERLY BRIEFINGS.—

6 (1) LIMITATION.—Of the funds authorized to
7 be appropriated or otherwise made available for fis-
8 cal year 2022 for the Office of the Under Secretary
9 of Defense for Acquisition and Sustainment for the
10 travel of persons—

11 (A) not more than 25 percent may be obli-
12 gated or expended until the Secretary provides
13 to the congressional defense committees the
14 first quarterly briefing under paragraph (2);

15 (B) not more than 50 percent may be obli-
16 gated or expended until the Secretary provides
17 to such committees the second quarterly brief-
18 ing under such paragraph; and

19 (C) not more than 75 percent may be obli-
20 gated or expended until the Secretary provides
21 to such committees the third quarterly briefing
22 under such paragraph.

23 (2) QUARTERLY BRIEFINGS.—On a quarterly
24 basis during the one-year period beginning on the
25 date of the enactment of this Act, the Secretary

1 shall provide to the congressional defense commit-
2 tees a briefing on the status of the implementation
3 plan specified in subsection (d)(1). Each briefing
4 shall include the following:

5 (A) An update on the efforts of the De-
6 partment of Defense to—

7 (i) achieve the strategic goals set out
8 in the electromagnetic spectrum superiority
9 strategy; and

10 (ii) implement such strategy through
11 various elements of the Department.

12 (B) An identification of any additional au-
13 thorities or resources relating to electro-
14 magnetic spectrum operations that the Sec-
15 retary determines is necessary to implement the
16 strategy.

17 (f) ELECTROMAGNETIC SPECTRUM SUPERIORITY
18 STRATEGY DEFINED.—In this section, the term “electro-
19 magnetic spectrum superiority strategy” means the Elec-
20 tromagnetic Spectrum Superiority Strategy of the Depart-
21 ment of Defense published in October 2020, and any such
22 successor strategy.

1 **Subtitle B—Other Department of**
2 **Defense Organization and Man-**
3 **agement Matters**

4 **SEC. 911. CLARIFICATION OF TREATMENT OF OFFICE OF**
5 **LOCAL DEFENSE COMMUNITY COOPERATION**
6 **AS A DEPARTMENT OF DEFENSE FIELD AC-**
7 **TIVITY.**

8 (a) TREATMENT OF OFFICE OF LOCAL DEFENSE
9 COMMUNITY COOPERATION AS A DEPARTMENT OF DE-
10 FENSE FIELD ACTIVITY.—

11 (1) TRANSFER TO CHAPTER 8.—Section 146 of
12 title 10, United States Code, is transferred to sub-
13 chapter I of chapter 8 of such title, inserted after
14 section 197, and redesignated as section 198.

15 (2) TREATMENT AS DEPARTMENT OF DEFENSE
16 FIELD ACTIVITY.—Section 198(a) of such title, as
17 transferred and redesignated by subsection (a) of
18 this subsection, is amended—

19 (A) by striking “in the Office of the Sec-
20 retary of Defense an office to be known as the”
21 and inserting “in the Department of Defense
22 an”; and

23 (B) by adding at the end the following:
24 “The Secretary shall designate the Office as a
25 Department of Defense Field Activity pursuant

1 to section 191, effective as of the date of the
2 enactment of the William M. (Mac) Thornberry
3 National Defense Authorization Act for Fiscal
4 Year 2021 (Public Law 116–283).”.

5 (3) APPOINTMENT OF DIRECTOR.—Such section
6 198 is further amended—

7 (A) in subsection (b) in the matter pre-
8 ceeding paragraph (1), by striking “Under Sec-
9 retary of Defense for Acquisition and
10 Sustainment” and inserting “Secretary of De-
11 fense”; and

12 (B) in subsection (c)(4), by striking
13 “Under Secretary of Defense for Acquisition
14 and Sustainment” and inserting “Secretary”.

15 (4) CLERICAL AMENDMENTS.—

16 (A) CHAPTER 4.—The table of sections at
17 the beginning of chapter 4 of title 10, United
18 States Code, is amended by striking the item
19 relating to section 146.

20 (B) CHAPTER 8.—The table of sections at
21 the beginning of subtitle I of chapter 8 of such
22 title is amended by inserting after the item re-
23 lating to section 197 the following new item:

“198. Office of Local Defense Community Cooperation.”.

24 (b) LIMITATION ON INVOLUNTARY SEPARATION OF
25 PERSONNEL.—No personnel of the Office of Local De-

1 fense Community Cooperation under section 198 of title
2 10, United States Code (as added by subsection (a)), may
3 be involuntarily separated from service with that Office
4 during the one-year period beginning on the date of the
5 enactment of this Act, except for cause.

6 (c) ADMINISTRATION OF PROGRAMS.—Any program,
7 project, or other activity administered by the Office of
8 Economic Adjustment of the Department of Defense as
9 of the date of the enactment of the William M. (Mac)
10 Thornberry National Defense Authorization Act for Fiscal
11 Year 2021 (Public Law 116–283) shall be administered
12 by the Office of Local Defense Community Cooperation
13 under section 198 of title 10, United States Code (as
14 added by subsection (a)).

15 (d) CONFORMING REPEAL.—Section 905 of the Wil-
16 liam M. (Mac) Thornberry National Defense Authoriza-
17 tion Act for Fiscal Year 2021 (Public Law 116–283) is
18 repealed.

19 **SEC. 912. USE OF COMBATANT COMMANDER INITIATIVE**
20 **FUND FOR CERTAIN ENVIRONMENTAL MAT-**
21 **TERS.**

22 (a) AUTHORIZED ACTIVITIES.—Subsection (b) of sec-
23 tion 166a of title 10, United States Code, is amended—

1 (1) by redesignating paragraphs (7) through
2 (10) as paragraphs (8) through (11), respectively;
3 and

4 (2) by inserting after paragraph (6) the fol-
5 lowing new paragraph:

6 “(7) Resilience of military installations, ranges,
7 and key supporting civilian infrastructure to extreme
8 weather events and other changing environmental
9 conditions.”.

10 (b) CONFORMING AMENDMENT.—Subsection (c)(1)
11 of such section is amended by striking “and sustain-
12 ability” and all that follows and inserting the following:
13 “sustainability, and resilience of the forces assigned to the
14 commander requesting the funds or of infrastructure sup-
15 porting such forces;”.

16 **SEC. 913. INCLUSION OF EXPLOSIVE ORDNANCE DISPOSAL**
17 **IN SPECIAL OPERATIONS ACTIVITIES.**

18 Section 167(k) of title 10, United States Code, is
19 amended—

20 (1) by redesignating paragraph (10) as para-
21 graph (11); and

22 (2) by inserting after paragraph (9) the fol-
23 lowing new paragraph (10):

24 “(10) Explosive ordnance disposal.”.

1 **SEC. 914. COORDINATION OF CERTAIN NAVAL ACTIVITIES**
2 **WITH THE SPACE FORCE.**

3 Section 8062(d) of title 10, United States Code, is
4 amended by inserting “the Space Force,” after “the Air
5 Force,”.

6 **SEC. 915. SPACE FORCE ORGANIZATIONAL MATTERS AND**
7 **MODIFICATION OF CERTAIN SPACE-RELATED**
8 **ACQUISITION AUTHORITIES.**

9 (a) SENSE OF CONGRESS.—It is the sense of Con-
10 gress that—

11 (1) Congress established the Space Force to im-
12 prove the acquisition of resilient satellite and ground
13 system architectures, encourage personnel retention,
14 and emphasize the need to organize, train, and equip
15 for a potential future conflict in the space domain;

16 (2) as the Space Force continues efforts to be-
17 come fully operational, it should remain committed
18 to building a “lean, agile, and fast” organization, as
19 the Chief of Space Operations, General John W.
20 Raymond, has often stated; and

21 (3) in areas in which legislative action is need-
22 ed, including with respect to organizational structure
23 and personnel requirements, the Secretary of the Air
24 Force and the Chief of Space Operations should
25 maintain consistent communication with Congress to
26 ensure that the founding principle behind the estab-

1 lishment of the Space Force—to build a small orga-
2 nization responsive to a rapidly changing domain—
3 is upheld.

4 (b) IMPLEMENTATION DATE FOR SERVICE ACQUISI-
5 TION EXECUTIVE OF THE DEPARTMENT OF THE AIR
6 FORCE FOR SPACE SYSTEMS AND PROGRAM.—

7 (1) IMPLEMENTATION DATE.—Section 957 of
8 the National Defense Authorization Act for Fiscal
9 Year 2020 (Public Law 116–92; 10 U.S.C. 9016
10 note) is amended—

11 (A) in subsection (a), by striking “Effec-
12 tive October 1, 2022, there shall be” and insert-
13 ing “Effective on the date specified in sub-
14 section (d), there shall be”;

15 (B) in subsection (b)—

16 (i) in paragraph (1), by striking “Ef-
17 fective as of October 1, 2022,” and insert-
18 ing “Effective as of the date specified in
19 subsection (d)”;

20 (ii) in paragraph (2), by striking “as
21 of October 1, 2022,” and inserting “as of
22 the date specified in subsection (d)”;

23 (C) in subsection (c)(3), by striking “Octo-
24 ber 1, 2022” and inserting “the date specified
25 in subsection (d)”;

1 (D) by adding at the end the following new
2 subsection:

3 “(d) DATE SPECIFIED.—The date specified in this
4 subsection is a date determined by the Secretary of the
5 Air Force that is not later than October 1, 2022.”.

6 (2) CONFORMING AMENDMENTS.—

7 (A) TRANSFER OF ACQUISITION PROJECTS
8 FOR SPACE SYSTEMS AND PROGRAMS.—Section
9 956(b)(3) of the National Defense Authoriza-
10 tion Act for Fiscal Year 2020 (Public Law
11 116–92; 10 U.S.C. 9016 note) is amended—

12 (i) by striking “Effective October 1,
13 2022,” and inserting “Effective on the
14 date specified in section 957(d),”; and

15 (ii) by striking “as of September 30,
16 2022” and inserting “as of the day before
17 the date specified in section 957(d)”.

18 (B) RESPONSIBILITIES OF ASSISTANT SEC-
19 RETARY OF THE AIR FORCE FOR SPACE ACQUI-
20 SITION AND INTEGRATION.—Section
21 9016(b)(6)(B)(vi) of title 10, United States
22 Code, is amended by striking “Effective as of
23 October 1, 2022, in accordance with section
24 957 of that Act,” and inserting “Effective as of

1 the date specified in section 957(d) of such Act,
2 and in accordance with such section 957.”.

3 (c) SENIOR PROCUREMENT EXECUTIVE AUTHORI-
4 TIES.—

5 (1) OFFICE OF THE SECRETARY OF THE AIR
6 FORCE.—Section 9014(c) of title 10, United States
7 Code, is amended—

8 (A) in paragraph (2), by striking “The
9 Secretary of the Air Force shall” and inserting
10 “Subject to paragraph (6), the Secretary of the
11 Air Force shall”; and

12 (B) by inserting after paragraph (5) the
13 following new paragraph:

14 “(6) Notwithstanding section 1702 of title 41, the
15 Secretary of the Air Force may assign to the Assistant
16 Secretary of the Air Force for Space Acquisition and Inte-
17 gration duties and authorities of the senior procurement
18 executive that pertain to space systems and programs.”.

19 (2) ASSISTANT SECRETARIES OF THE AIR
20 FORCE.—Section 9016(b)(6)(B)(vi) of title 10,
21 United States Code, as amended by subsection
22 (b)(2)(B) of this section, is further amended by in-
23 serting “and discharge any senior procurement exec-
24 utive duties and authorities assigned by the Sec-
25 retary of the Air Force pursuant to section

1 9014(e)(6) of this title” after “Space Systems and
2 Programs”.

3 **SEC. 916. REPORT ON ESTABLISHMENT OF OFFICE TO**
4 **OVERSEE SANCTIONS WITH RESPECT TO CHI-**
5 **NESE MILITARY COMPANIES.**

6 (a) REPORT REQUIRED.—Not later than 90 days
7 after the date of the enactment of this Act, the Secretary
8 of Defense shall submit to the Committees on Armed Serv-
9 ices of the Senate and the House of Representatives a re-
10 port on the feasibility of establishing an office within the
11 Department of Defense to oversee sanctions with respect
12 to Chinese military companies.

13 (b) ELEMENTS.—The report under subsection (a)
14 shall include, at a minimum, the following:

15 (1) An explanation of where in the organiza-
16 tional structure of the Department such an office
17 should be established.

18 (2) An assessment any benefits and drawbacks
19 that may result from—

20 (A) establishing such an office; and

21 (B) making oversight of sanctions with re-
22 spect to Chinese military companies an internal
23 responsibility of the Department.

24 (c) CHINESE MILITARY COMPANY DEFINED.—In this
25 section, the term “Chinese military company” has the

1 meaning given that term in section 1260H(d) of the Wil-
2 liam M. (Mac) Thornberry National Defense Authoriza-
3 tion Act for Fiscal Year 2021 (Public Law 116–283).

4 **SEC. 917. INDEPENDENT REVIEW OF AND REPORT ON THE**
5 **UNIFIED COMMAND PLAN.**

6 (a) REVIEW REQUIRED.—

7 (1) IN GENERAL.—The Secretary of Defense
8 shall provide for an independent review of the cur-
9 rent Unified Command Plan.

10 (2) ELEMENTS.—The review required by para-
11 graph (1) shall include the following:

12 (A) An assessment of the most recent Uni-
13 fied Command Plan with respect to—

14 (i) current and anticipated threats;

15 (ii) deployment and mobilization of
16 the Armed Forces; and

17 (iii) the most current versions of the
18 National Defense Strategy and Joint
19 Warfighting Concept.

20 (B) An evaluation of the missions, respon-
21 sibilities, and associated force structure of each
22 geographic and functional combatant command.

23 (C) An assessment of the feasibility of al-
24 ternative Unified Command Plan structures.

1 (D) Recommendations, if any, for alter-
2 native Unified Command Plan structures.

3 (E) Recommendations, if any, for how
4 combatant command assessments of the capa-
5 bilities and capacities required to conduct the
6 routine and contingency operations assigned to
7 such commands can more effectively drive mili-
8 tary service modernization and procurement
9 planning.

10 (F) Recommendations, if any, for modifica-
11 tions to sections 161 through 169 of title 10,
12 United States Code.

13 (G) Any other matter the Secretary con-
14 siders appropriate.

15 (3) CONDUCT OF REVIEW BY INDEPENDENT
16 ENTITY.—

17 (A) IN GENERAL.—The Secretary shall—

18 (i) select an entity described in sub-
19 paragraph (B) to conduct the review re-
20 quired by paragraph (1); and

21 (ii) ensure that the review is con-
22 ducted independently of the Department of
23 Defense.

24 (B) ENTITY DESCRIBED.—An entity de-
25 scribed in this subparagraph is—

1 (i) a federally funded research and de-
2 velopment center; or

3 (ii) an independent, nongovernmental
4 institute that—

5 (I) is described in section
6 501(c)(3) of the Internal Revenue
7 Code of 1986;

8 (II) is exempt from taxation
9 under section 501(c) of that Code;
10 and

11 (III) has recognized credentials
12 and expertise in national security and
13 military affairs.

14 (b) REPORT TO CONGRESS.—

15 (1) IN GENERAL.—Not later than October 1,
16 2022, the Secretary shall submit to the Committees
17 on Armed Services of the Senate and House of Rep-
18 resentatives the results of the review conducted
19 under subsection (a).

20 (2) FORM.—The report required by paragraph
21 (1) shall be submitted in unclassified form, but may
22 include a classified annex.

23 **Subtitle C—Space National Guard**

24 **SEC. 921. ESTABLISHMENT OF SPACE NATIONAL GUARD.**

25 (a) ESTABLISHMENT.—

1 (1) IN GENERAL.—There is established a Space
2 National Guard that is part of the organized militia
3 of the several States and Territories, Puerto Rico,
4 and the District of Columbia—

5 (A) in which the Space Force operates;
6 and

7 (B) active and inactive.

8 (2) RESERVE COMPONENT.—There is estab-
9 lished a Space National Guard of the United States
10 that is the reserve component of the United States
11 Space Force all of whose members are members of
12 the Space National Guard.

13 (b) COMPOSITION.—The Space National Guard shall
14 be composed of the Space National Guard forces of the
15 several States and Territories, Puerto Rico and the Dis-
16 trict of Columbia—

17 (1) in which the Space Force operates; and

18 (2) active and inactive.

19 **SEC. 922. NO EFFECT ON MILITARY INSTALLATIONS.**

20 Nothing in this subtitle, or the amendments made by
21 this subtitle, shall be construed to authorize or require the
22 relocation of any facility, infrastructure, or military instal-
23 lation of the Space National Guard or Air National Guard.

1 **SEC. 923. IMPLEMENTATION OF SPACE NATIONAL GUARD.**

2 (a) REQUIREMENT.—Except as specifically provided
3 by this subtitle, the Secretary of the Air Force and Chief
4 of the National Guard Bureau shall implement this sub-
5 title, and the amendments made by this subtitle, not later
6 than 18 months after the date of the enactment of this
7 Act.

8 (b) BRIEFINGS.—Not later than 90 days after the
9 date of the enactment of this Act, and annually for the
10 five subsequent years, the Secretary of the Air Force,
11 Chief of the Space Force and Chief of the National Guard
12 Bureau shall jointly provide to the congressional defense
13 committees a briefing on the status of the implementation
14 of the Space National Guard pursuant to this subtitle and
15 the amendments made by this subtitle. This briefing shall
16 address the current missions, operations and activities,
17 personnel requirements and status, and budget and fund-
18 ing requirements and status of the Space National Guard,
19 and such other matters with respect to the implementation
20 and operation of the Space National Guard as the Sec-
21 retary and the Chiefs jointly determine appropriate to
22 keep Congress fully and currently informed on the status
23 of the implementation of the Space National Guard.

24 **SEC. 924. CONFORMING AMENDMENTS AND CLARIFICA-**
25 **TION OF AUTHORITIES.**

26 (a) DEFINITIONS.—

1 (1) TITLE 10, UNITED STATES CODE.—Title 10,
2 United States Code, is amended—

3 (A) in section 101—

4 (i) in subsection (c)—

5 (I) by redesignating paragraphs
6 (6) and (7) as paragraphs (8) and
7 (9), respectively; and

8 (II) by inserting after paragraph
9 (5) the following new paragraphs:

10 “(6) The term ‘Space National Guard’ means
11 that part of the organized militia of the several
12 States and territories, Puerto Rico, and the District
13 Of Columbia, active and inactive, that—

14 “(A) is a space force;

15 “(B) is trained, and has its officers ap-
16 pointed under the sixteenth clause of section 8,
17 article I of the Constitution;

18 “(C) is organized, armed, and equipped
19 wholly or partly at Federal expense; and

20 “(D) is federally recognized.

21 “(7) The term ‘Space National Guard of the
22 United States’ means the reserve component of the
23 Space Force all of whose members are members of
24 the Space National Guard.”.

25 (B) in section 10101—

1 (i) in the matter preceding paragraph
2 (1), by inserting “the following” before the
3 colon; and

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

6 “(8) The Space National Guard of the United
7 States.”; and

8 (2) TITLE 32, UNITED STATES CODE.—Section
9 101 of title 32, United States Code is amended—

10 (A) by redesignating paragraphs (8)
11 through (19) as paragraphs (10) and (21), re-
12 spectively; and

13 (B) by inserting after paragraph (7) the
14 following new paragraphs:

15 “(8) The term ‘Space National Guard’ means
16 that part of the organized militia of the several
17 States and territories, Puerto Rico, and the District
18 Of Columbia, in which the Space Force operates, ac-
19 tive and inactive, that—

20 “(A) is a space force;

21 “(B) is trained, and has its officers ap-
22 pointed under the sixteenth clause of section 8,
23 article I of the Constitution;

24 “(C) is organized, armed, and equipped
25 wholly or partly at Federal expense; and

1 “(D) is federally recognized.

2 “(9) The term ‘Space National Guard of the
3 United States’ means the reserve component of the
4 Space Force all of whose members are members of
5 the Space National Guard.”.

6 (b) RESERVE COMPONENTS.—Chapter 1003 of title
7 10, United States Code, is amended—

8 (1) by adding at the end the following new sec-
9 tions:

10 **“§ 10115. Space National Guard of the United States:**
11 **composition**

12 “The Space National Guard of the United States is
13 the reserve component of the Space Force that consists
14 of—

15 “(1) federally recognized units and organiza-
16 tions of the Space National Guard; and

17 “(2) members of the Space National Guard who
18 are also Reserves of the Space Force.

19 **“§ 10116. Space National Guard: when a component of**
20 **the Space Force**

21 “The Space National Guard while in the service of
22 the United States is a component of the Space Force.

1 **“§ 10117. Space National Guard of the United States:**
2 **status when not in Federal service**

3 “When not on active duty, members of the Space Na-
4 tional Guard of the United States shall be administered,
5 armed, equipped, and trained in their status as members
6 of the Space National Guard.”; and

7 (2) in the table of sections at the beginning of
8 such chapter, by adding at the end the following new
9 items:

“10115. Space National Guard of the United States: composition.

“10116. Space National Guard: when a component of the Space Force.

“10117. Space National Guard of the United States: status when not in Federal
service.”.

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 2022 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.

1 (2) LIMITATION.—Except as provided in para-
2 graph (3), the total amount of authorizations that
3 the Secretary may transfer under the authority of
4 this section may not exceed \$6,500,000,000.

5 (3) EXCEPTION FOR TRANSFERS BETWEEN
6 MILITARY PERSONNEL AUTHORIZATIONS.—A trans-
7 fer of funds between military personnel authoriza-
8 tions under title IV shall not be counted toward the
9 dollar limitation in paragraph (2).

10 (b) LIMITATIONS.—The authority provided by sub-
11 section (a) to transfer authorizations—

12 (1) may only be used to provide authority for
13 items that have a higher priority than the items
14 from which authority is transferred; and

15 (2) may not be used to provide authority for an
16 item that has been denied authorization by Con-
17 gress.

18 (c) EFFECT ON AUTHORIZATION AMOUNTS.—A
19 transfer made from one account to another under the au-
20 thority of this section shall be deemed to increase the
21 amount authorized for the account to which the amount
22 is transferred by an amount equal to the amount trans-
23 ferred.

1 (d) NOTICE TO CONGRESS.—The Secretary shall
2 promptly notify Congress of each transfer made under
3 subsection (a).

4 **SEC. 1002. DETERMINATION OF BUDGETARY EFFECTS.**

5 The budgetary effects of this Act, for the purpose of
6 complying with the Statutory Pay-As-You-Go Act of 2010,
7 shall be determined by reference to the latest statement
8 titled “Budgetary Effects of PAYGO Legislation” for this
9 Act, submitted for printing in the Congressional Record
10 by the Chairman of the House Budget Committee, pro-
11 vided that such statement has been submitted prior to the
12 vote on passage.

13 **SEC. 1003. BUDGET JUSTIFICATION FOR OPERATION AND**
14 **MAINTENANCE.**

15 (a) SUBACTIVITY GROUP BY FUTURE YEARS.—Sec-
16 tion 233 of title 10, United States Code, is amended—

17 (1) by redesignating subsection (c) as sub-
18 section (e); and

19 (2) by inserting after subsection (b) the fol-
20 lowing new subsection (c):

21 “(c) SUBACTIVITY GROUPS.—The Secretary of De-
22 fense, in consultation with the Secretary of each of the
23 military departments, shall include in the materials sub-
24 mitted to Congress by the Secretary of Defense in support
25 of the President’s budget, in an unclassified format, the

1 total amount projected for each individual subactivity
2 group, as detailed in the future years defense program
3 pursuant to section 221 of this title.”.

4 (b) BUDGET SUBMISSION DISPLAY.—Section 233 of
5 title 10, United States Code, is further amended by insert-
6 ing after subsection (c), as added by subsection (a), the
7 following new subsection:

8 “(d) BUDGET DISPLAY.—The Secretary of Defense,
9 in consultation with the Secretary of each of the military
10 departments, shall include in the O&M justification docu-
11 ments a budget display to provide for discussion and eval-
12 uation of the resources required to meet material readi-
13 ness objectives, as identified in the metrics required by
14 section 118 of this title. For each major weapon system,
15 by designated mission design series, variant, or class, the
16 budget display required under this subsection for the
17 budget year shall include each of the following:

18 “(1) The material availability objective estab-
19 lished in accordance with the requirements of section
20 118 of this title.

21 “(2) The funds obligated by subactivity group
22 within the operation and maintenance accounts for
23 the second fiscal year preceding the budget year.

24 “(3) The funds estimated to be obligated by
25 subactivity group within the operation and mainte-

1 nance accounts for the fiscal year preceding the
2 budget year.

3 “(4) The funds budgeted and programmed
4 across the future years defense program within the
5 operation and maintenance accounts by subactivity
6 group.

7 “(5) A narrative discussing the performance of
8 the Department against established material readi-
9 ness objectives for each major weapon system by
10 mission design series, variant, or class (and any re-
11 lated supply chain risks) and any specific actions or
12 investments the Department intends to take to
13 achieve the material readiness objectives for each
14 such system.”.

15 (c) IMPLEMENTATION DEADLINE.—The Secretary of
16 Defense shall ensure that the budget display requirements
17 required under the amendments made by this section are
18 included in the budget request for fiscal year 2023 and
19 all fiscal years thereafter.

20 (d) CONFORMING REPEAL.—Section 357 of the John
21 S. McCain National Defense Authorization Act for Fiscal
22 Year 2019 (Public Law 115–232; 10 U.S.C. 221 note) is
23 repealed.

1 **Subtitle B—Naval Vessels**

2 **SEC. 1011. CRITICAL COMPONENTS OF NATIONAL SEA-** 3 **BASED DETERRENCE VESSELS.**

4 Section 2218a(k)(3) of title 10, United States Code,
5 is amended by adding at the end the following new sub-
6 paragraphs:

7 “(P) Major bulkheads and tanks.

8 “(Q) All major pumps and motors.

9 “(R) Large vertical array.

10 “(S) Atmosphere control equipment.

11 “(T) Diesel systems and components.

12 “(U) Hydraulic valves and components.

13 “(V) Bearings.

14 “(W) Major air and blow valves and com-
15 ponents.

16 “(X) Decks and superstructure.

17 “(Y) Castings, forgings, and tank struc-
18 ture.

19 “(Z) Hatches and hull penetrators.”.

20 **SEC. 1012. BIENNIAL REPORT ON SHIPBUILDER TRAINING** 21 **AND THE DEFENSE INDUSTRIAL BASE.**

22 (a) **TECHNICAL CORRECTION.**—The second section
23 8692 of title 10, United States Code, as added by section
24 1026 of the William M. (Mac) Thornberry National De-
25 fense Authorization Act for Fiscal Year 2021 (Public Law

1 116–283) is redesignated as section 8693 and the table
2 of sections at the beginning of chapter 863 of such title
3 is conformed accordingly.

4 (b) MODIFICATION OF REPORT.—Such section is fur-
5 ther amended—

6 (1) by striking “Not later” and inserting “(a)
7 IN GENERAL.—Not later”;

8 (2) in subsection (a), as so redesignated, by
9 adding at the end the following new paragraph:

10 “(7) An analysis of the potential benefits of
11 multi-year procurement contracting for the stability
12 of the shipbuilding defense industrial base.”; and

13 (3) by adding at the end the following new sub-
14 section:

15 “(b) SOLICITATION AND ANALYSIS OF INFORMA-
16 TION.—In order to carry out subsection (a)(2), the Sec-
17 retary of the Navy and Secretary of Labor shall—

18 “(1) solicit information regarding the age demo-
19 graphics and occupational experience level from the
20 private shipyards of the shipbuilding defense indus-
21 trial base; and

22 “(2) analyze such information for findings rel-
23 evant to carrying out subsection (a)(2), including
24 findings related to the current and projected defense
25 shipbuilding workforce, current and projected labor

1 needs, and the readiness of the current and pro-
2 jected workforce to supply the proficiencies analyzed
3 in subsection (a)(1).”.

4 **SEC. 1013. REVISION OF SUSTAINMENT KEY PERFORMANCE**
5 **PARAMETERS FOR SHIPBUILDING PRO-**
6 **GRAMS.**

7 (a) IN GENERAL.—Not later than 120 days after the
8 date of the enactment of this Act, the Secretary of Defense
9 shall update the policy for the Joint Capabilities Integra-
10 tion and Development System to ensure that the guidance
11 for setting sustainment key performance parameters for
12 shipbuilding programs accounts for all factors that could
13 affect the operational availability and materiel availability
14 of a ship. Such changes shall include—

15 (1) changing the definition of “operational
16 availability” as it applies to ships so that such defi-
17 nition applies according to mission area and includes
18 all equipment failures that affect the ability of a
19 ship to perform primary missions; and

20 (2) changing the definition of “materiel avail-
21 ability” as is it applies to ships so that such defini-
22 tion takes into account all factors that could result
23 in a ship being unavailable for operations, including
24 unplanned maintenance, unplanned losses, and
25 training.

1 (b) REPORT REQUIRED.—Not later than 180 days
2 after the date of the enactment of this Act, the Secretary
3 of Defense shall submit to congressional defense commit-
4 tees a report on the plan of the Secretary to—

5 (1) incorporate the sustainment key perform-
6 ance parameters revised under subsection (a) into
7 the requirement documents of new and ongoing ship-
8 building programs; and

9 (2) establish a process for translating such
10 sustainment key performance parameters into spe-
11 cific contract requirements for systems engineering
12 and ship design.

13 (c) COMPTROLLER GENERAL REVIEW.—Not later
14 than one year after the Secretary of Defense submits the
15 report required under subsection (b), the Comptroller
16 General of the United States shall submit to the congres-
17 sional defense committees an assessment of such report
18 that includes an evaluation of—

19 (1) the sustainment key performance param-
20 eters for Department of Defense shipbuilding pro-
21 grams;

22 (2) how shipbuilding programs translate
23 sustainment key performance parameters into con-
24 tract requirements for systems engineering and ship
25 design activities; and

1 (3) any other matter the Comptroller General
2 determines appropriate.

3 **SEC. 1014. PROHIBITION ON USE OF FUNDS FOR RETIRE-**
4 **MENT OF MARK VI PATROL BOATS.**

5 (a) PROHIBITION.—None of the funds authorized to
6 be appropriated by this Act or otherwise made available
7 for fiscal year 2022 for the Navy may be obligated or ex-
8 pended to retire, prepare to retire, or place in storage any
9 Mark VI patrol boat.

10 (b) REPORT.—Not later than February 15, 2022, the
11 Secretary of the Navy, in consultation with the Com-
12 mandant of the Marine Corps, shall submit to the congres-
13 sional defense committees a report that includes each of
14 the following:

15 (1) The rationale for the retirement of existing
16 Mark VI patrol boats, including an operational anal-
17 ysis of the effect of such retirements on the
18 warfighting requirements of the combatant com-
19 manders.

20 (2) A review of operating concepts for escorting
21 high value units without the Mark VI patrol boat.

22 (3) A description of the manner and concept of
23 operations in which the Marine Corps could use the
24 Mark VI patrol boat to support distributed maritime
25 operations, advanced expeditionary basing oper-

1 ations, and persistent presence near maritime choke
2 points and strategic littorals in the Indo-Pacific re-
3 gion.

4 (4) An assessment of the potential for modifica-
5 tion, and the associated costs, of the Mark VI patrol
6 boat for the inclusion of loitering munitions or anti-
7 ship cruise missiles, such as the Long Range Anti
8 Ship Missile and the Naval Strike Missile, particu-
9 larly to support the concept of operations described
10 in paragraph (3).

11 (5) A description of resources required for the
12 Marine Corps to possess, man, train, and maintain
13 the Mark VI patrol boat in the performance of the
14 concept of operations described in paragraph (3) and
15 modifications described in paragraph (4).

16 (6) At the discretion of the Commandant of the
17 Marine Corps, a plan for the Marine Corps to take
18 possession of the Mark VI patrol boat not later than
19 September 30, 2022.

20 (7) Such other matters the Secretary deter-
21 mines appropriate.

22 **SEC. 1015. ASSESSMENT OF SECURITY OF GLOBAL MARI-**
23 **TIME CHOKEPOINTS.**

24 (a) **IN GENERAL.**—Not later than 180 days after the
25 date of the enactment of this Act, the Secretary of Defense

1 shall submit to the congressional defense committees a re-
2 port on the security of global maritime chokepoints from
3 the threat of hostile kinetic attacks, cyber disruptions, and
4 other form of sabotage. The report shall include an assess-
5 ment of each of the following with respect to each global
6 maritime chokepoint covered by the report:

7 (1) The expected length of time and resources
8 required for operations to resume at the chokepoint
9 in the event of attack, sabotage, or other disruption
10 of regular maritime operations.

11 (2) The security of any secondary chokepoint
12 that could be affected by a disruption at the global
13 maritime chokepoint.

14 (3) Options to mitigate any vulnerabilities re-
15 sulting from a hostile kinetic attack, cyber disrup-
16 tion, or other form of sabotage at the chokepoint.

17 (b) FORM OF REPORT.—The report required by sub-
18 section (a) shall be submitted in unclassified form, but
19 may contain a classified annex.

20 (c) GLOBAL MARITIME CHOKEPOINT.—In this sec-
21 tion, the term “global maritime chokepoint” means any
22 of the following:

23 (1) The Panama Canal.

24 (2) The Suez Canal.

25 (3) The Strait of Malacca.

1 (4) The Strait of Hormuz.

2 (5) Any other chokepoint determined appro-
3 priate by the Secretary.

4 **SEC. 1016. ANNUAL REPORT ON SHIP MAINTENANCE.**

5 (a) IN GENERAL.—Chapter 863 of title 10, United
6 States Code, is amended by adding at the end the fol-
7 lowing new section:

8 **“§ 8694. Annual report on ship maintenance**

9 “(a) REPORT REQUIRED.—Not later than October 15
10 of each year, the Secretary of the Navy shall submit to
11 the Committees on Armed Services of the Senate and
12 House of Representatives a report setting forth each of
13 the following:

14 “(1) A description of all ship maintenance
15 planned for the fiscal year during which the report
16 is submitted, by hull.

17 “(2) The estimated cost of the maintenance de-
18 scribed in paragraph (1).

19 “(3) A summary of all ship maintenance con-
20 ducted by the Secretary during the previous fiscal
21 year.

22 “(4) A detailed description of any ship mainte-
23 nance that was deferred during the previous fiscal
24 year, including specific reasons for the delay or can-
25 cellation of any availability.

1 “(5) A detailed description of the effect of each
2 of the planned ship maintenance actions that were
3 delayed or cancelled during the previous fiscal year,
4 including—

5 “(A) a summary of the effects on the costs
6 and schedule for each delay or cancellation; and

7 “(B) the accrued operational and fiscal
8 cost of all the deferments over the fiscal year.

9 “(b) FORM OF REPORT.— Each report submitted
10 under subsection (a) shall submitted in unclassified form
11 and made publicly available on an appropriate internet
12 website in a searchable format, but may contain a classi-
13 fied annex.”.

14 (b) CLERICAL AMENDMENT.—The table of sections
15 at the beginning of such chapter is amended by adding
16 at the end the following new section:

 “8694. Annual report on ship maintenance.”.

17 **SEC. 1017. AVAILABILITY OF FUNDS FOR RETIREMENT OR**
18 **INACTIVATION OF TICONDEROGA CLASS**
19 **CRUISERS.**

20 (a) LIMITATION ON AVAILABILITY OF FUNDS.—Ex-
21 cept as provided in subsection (b), none of the funds au-
22 thorized to be appropriated by this Act or otherwise made
23 available for fiscal year 2022 for the Department of De-
24 fense may be obligated or expended to retire, prepare to
25 retire, inactivate, or place in storage a cruiser.

1 (b) EXCEPTION.—Notwithstanding subsection (a),
2 the funds referred to in such subsection may be obligated
3 or expended to retire any of the following vessels:

4 (1) The USS Hue City (CG 66).

5 (2) The USS Vela Gulf (CG72).

6 (3) The USS Port Royal (CG 73).

7 (4) USS Anzio (CG 68).

8 **Subtitle C—Counterterrorism**

9 **SEC. 1021. INCLUSION IN COUNTERTERRORISM BRIEFINGS** 10 **OF INFORMATION ON USE OF MILITARY** 11 **FORCE IN COLLECTIVE SELF-DEFENSE.**

12 Section 485(b) of title 10, United States Code, is
13 amended—

14 (1) by redesignating paragraph (4) as para-
15 graph (5); and

16 (2) by inserting after paragraph (3) the fol-
17 lowing new paragraph (4):

18 “(4) A detailed overview of all instances of the
19 use of military force by Special Operations Forces
20 under the notion of the collective self-defense of for-
21 eign partners that includes, for each such instance—

22 “(A) the date, location, and duration of the
23 use of military force;

24 “(B) an identification of any foreign forces
25 involved;

1 “(C) a description of the capabilities em-
2 ployed;

3 “(D) a description of the circumstances
4 that led to use of military force; and

5 “(E) the operational authorities or execute
6 orders for the instance.”.

7 **SEC. 1022. EXTENSION OF AUTHORITY FOR JOINT TASK**
8 **FORCES TO PROVIDE SUPPORT TO LAW EN-**
9 **FORCEMENT AGENCIES CONDUCTING**
10 **COUNTER-TERRORISM ACTIVITIES.**

11 Section 1022(b) of the National Defense Authoriza-
12 tion Act for Fiscal Year 2004 (Public Law 108–136; 10
13 U.S.C. 271 note) is amended by striking “2022” and in-
14 serting “2024”.

15 **SEC. 1023. PROHIBITION ON USE OF FUNDS FOR TRANSFER**
16 **OR RELEASE OF INDIVIDUALS DETAINED AT**
17 **UNITED STATES NAVAL STATION, GUANTA-**
18 **NAMO BAY, CUBA, TO CERTAIN COUNTRIES.**

19 No amounts authorized to be appropriated or other-
20 wise made available for the Department of Defense may
21 be used during the period beginning on the date of the
22 enactment of this Act and ending on December 31, 2022,
23 to transfer, release, or assist in the transfer or release of
24 any individual detained in the custody or under the control
25 of the Department of Defense at United States Naval Sta-

1 tion, Guantanamo Bay, Cuba, to the custody or control
2 of any country, or any entity within such country, as fol-
3 lows:

- 4 (1) Libya.
- 5 (2) Somalia.
- 6 (3) Syria.
- 7 (4) Yemen.

8 **Subtitle D—Miscellaneous** 9 **Authorities and Limitations**

10 **SEC. 1031. NAVY COORDINATION WITH COAST GUARD ON** 11 **AIRCRAFT, WEAPONS, TACTICS, TECHNIQUE,** 12 **ORGANIZATION, AND EQUIPMENT OF JOINT** 13 **CONCERN.**

14 Section 8062(d) of title 10, United States Code, is
15 amended by inserting “the Coast Guard,” after “the Air
16 Force.”

17 **SEC. 1032. PROHIBITION ON USE OF NAVY, MARINE CORPS,** 18 **AND SPACE FORCE AS POSSE COMITATUS.**

19 (a) IN GENERAL.—Section 1385 of title 18, United
20 States Code, is amended—

- 21 (1) by striking “or” after “Army” and inserting
22 “, the Navy, the Marine Corps,”;
- 23 (2) by inserting “, or the Space Force” after
24 “Air Force”; and

1 (3) in the section heading, by striking “**Army**
2 **and Air Force**” and inserting “**Army, Navy,**
3 **Marine Corps, Air Force, and Space**
4 **Force**”.

5 (b) CLERICAL AMENDMENT.—The table of sections
6 at the beginning of chapter 67 of such title is amended
7 by striking the item relating to section 1385 and inserting
8 the following new item:

“1385. Use of Army, Navy, Marine Corps, Air Force, and Space Force as posse
comitatus”.

9 **SEC. 1033. PROGRAM TO IMPROVE RELATIONS BETWEEN**
10 **MEMBERS OF THE ARMED FORCES AND MILI-**
11 **TARY COMMUNITIES.**

12 (a) IN GENERAL.—Chapter 23 of title 10, United
13 States Code, is amended by inserting after section 481a
14 the following new section:

15 **“§ 481b. Program to improve relations between mem-**
16 **bers of the Armed Forces and military**
17 **communities**

18 “(a) SURVEY.—(1) The Secretary of Defense, acting
19 through the Office of Diversity Management and Equal
20 Opportunity, shall conduct a biennial survey of covered in-
21 dividuals regarding relations between covered individuals
22 and covered communities.

23 “(2) The survey shall be conducted to solicit informa-
24 tion from covered individuals regarding the following:

1 “(A) Rank, age, racial, ethnic, and gender de-
2 mographics of the covered individuals.

3 “(B) Relationships of covered individuals with
4 the covered community. including support services
5 and acceptance of the military community.

6 “(C) Availability of housing, employment oppor-
7 tunities for military spouses, health care, education,
8 and other relevant issues.

9 “(D) Initiatives of local government and com-
10 munity organizations in addressing diversity, equity,
11 and inclusion.

12 “(E) Physical safety while in a covered commu-
13 nity but outside the military installation located in
14 such covered community.

15 “(F) Any other matters designated by the Sec-
16 retary of Defense.

17 “(b) ADDITIONAL ACTIVITIES.—Additional activities
18 under this section may include the following:

19 “(1) Facilitating local listening sessions and in-
20 formation exchanges.

21 “(2) Developing educational campaigns.

22 “(3) Supplementing existing local and national
23 defense community programs.

24 “(4) Sharing best practices and activities.

1 “(c) COORDINATION.—To support activities under
2 this section, the Secretary of Defense may coordinate with
3 local governments or not-for-profit organizations that rep-
4 resent covered individuals.

5 “(d) REPORT.—(1) Not later than September 30 of
6 every other year, the Secretary of Defense shall submit
7 to the Committees on Armed Services of the Senate and
8 the House of Representatives a report on the most recent
9 survey under subsection (a).

10 “(2) Each report under paragraph (1) shall include—

11 “(A) with respect to each covered community—

12 “(i) the results of the survey required
13 under subsection (b); and

14 “(ii) activities conducted to address racial
15 inequity in the community;

16 “(B) aggregate results of the survey required
17 under subsection (b); and

18 “(C) best practices for creating positive rela-
19 tionships between covered individuals and covered
20 communities.

21 “(3) The Secretary of Defense shall—

22 “(A) designate ten geographically diverse mili-
23 tary installations for review in each survey;

1 “(B) make the results of each report under
2 paragraph (1) available on a publicly accessible
3 website of the Department of Defense; and

4 “(C) ensure that any data included with the re-
5 port is made available in a machine-readable format
6 that is downloadable, searchable, and sortable.

7 “(e) DEFINITIONS.—In this section:

8 “(1) The term ‘covered community’ means a
9 military installation designated under subsection
10 (e)(3)(A) and the area within 10 miles of such mili-
11 tary installation.

12 “(2) The term ‘covered individual’ means any of
13 the following who lives in a covered community or
14 works on a military installation in a covered commu-
15 nity:

16 “(A) A member of the armed forces.

17 “(B) A family member of an individual de-
18 scribed in subparagraph (A) or (B).

19 “(3) The term ‘military installation’ has the
20 meaning given such term in section 2801 of this
21 title.”.

22 (b) CLERICAL AMENDMENT.—The table of sections
23 at the beginning of such chapter is amended by inserting
24 after the item relating to section 481a the following new
25 item:

“481b. Program to improve relations between members of the Armed Forces and military communities.”.

1 (c) IMPLEMENTATION.—The Secretary of Defense
2 shall carry out the first survey under section 481b(a) of
3 such title, as added by subsection (a), not later than one
4 year after the date of the enactment of this Act.

5 **SEC. 1034. AUTHORITY TO PROVIDE SPACE AND SERVICES**
6 **TO MILITARY WELFARE SOCIETIES.**

7 Section 2566 of title 10, United States Code is
8 amended—

9 (1) in subsection (a), by striking “of a military
10 department” and inserting “concerned”; and

11 (2) in subsection (b)(1), by adding at the end
12 the following new subparagraph:

13 “(D) The Coast Guard Mutual Assist-
14 ance.”.

15 **SEC. 1035. REQUIRED REVISION OF DEPARTMENT OF DE-**
16 **FENSE UNMANNED AIRCRAFT SYSTEMS CAT-**
17 **EGORIZATION.**

18 (a) IN GENERAL.—The Under Secretary of Defense
19 for Acquisition and Sustainment shall initiate a process
20 to review and revise the system used by the Department
21 of Defense for categorizing unmanned aircraft systems, as
22 described in Joint Publication 3–30 titled “Joint Air Op-
23 erations”.

1 (b) REQUIRED ELEMENTS FOR REVISION.—In revis-
2 ing the characteristics associated with any of the five cat-
3 egories of unmanned aircraft systems in effect as of the
4 date of the enactment of this Act, the Under Secretary
5 of Defense for Acquisition and Sustainment shall consider
6 the effect a revision would have on—

7 (1) the future capability and employment needs
8 to support current and emerging warfighting con-
9 cepts;

10 (2) advanced systems and technologies available
11 in the current commercial marketplace;

12 (3) the rapid fielding of unmanned aircraft sys-
13 tems technology; and

14 (4) the integration of unmanned aircraft sys-
15 tems into the National Airspace System.

16 (c) CONSULTATION REQUIREMENTS.—In carrying
17 out the review required under subsection (a), the Under
18 Secretary of Defense for Acquisition and Sustainment
19 shall consult with—

20 (1) the Secretaries of the Military Departments;

21 (2) the Chairman of the Joint Chiefs of Staff;

22 and

23 (3) the Administrator of the Federal Aviation
24 Administration.

1 (d) REPORT REQUIRED.—Not later than March 1,
2 2022, the Under Secretary of Defense for Acquisition and
3 Sustainment shall submit to the congressional defense
4 committees, the Committee on Transportation and Infra-
5 structure of the House of Representatives, and the Com-
6 mittee on Commerce, Science, and Transportation of the
7 Senate a report describing the results of the review initi-
8 ated under subsection (a), any revisions planned to the
9 system used by the Department of Defense for catego-
10 rizing unmanned aircraft systems as a result of such re-
11 view, and a proposed implementation plan and timelines
12 for such revisions.

13 **SEC. 1036. LIMITATION ON FUNDING FOR INFORMATION**
14 **OPERATIONS MATTERS.**

15 Of the amounts authorized to be appropriated for fis-
16 cal year 2022 by section 301 for operation and mainte-
17 nance and available for the Office of the Secretary of De-
18 fense for the travel of persons as specified in the table
19 in section 4301—

20 (1) not more than 25 percent shall be available
21 until the date on which the report required by sub-
22 section (h)(1) of section 1631 of the National De-
23 fense Authorization Act for Fiscal Year 2020 (Pub-
24 lic Law 116–92) is submitted to the Committee on

1 Armed Services of the Senate and the Committee on
2 Armed Services House of Representatives; and

3 (2) not more than 75 percent shall be available
4 until the date on which the strategy and posture re-
5 view required by subsection (g) of such section is
6 submitted to such committees.

7 **SEC. 1037. PROHIBITION ON PROVISION OF EQUIPMENT TO**
8 **OTHER DEPARTMENTS AND AGENCIES FOR**
9 **PROTECTION OF CERTAIN FACILITIES AND**
10 **ASSETS FROM UNMANNED AIRCRAFT.**

11 None of the funds authorized to be appropriated by
12 this Act or otherwise made available for fiscal year 2022
13 for the Department of Defense, may be obligated or ex-
14 pended to acquire, loan, transfer, sell, or otherwise provide
15 equipment to a department or Federal agency for use by
16 such department or agency in exercising authorities or
17 taking actions pursuant to section 210G of the Homeland
18 Security Act of 2002 (6 U.S.C. 124n).

19 **SEC. 1038. LIMITATION ON USE OF FUNDS FOR UNITED**
20 **STATES SPACE COMMAND HEADQUARTERS.**

21 None of the funds authorized to be appropriated by
22 this Act or otherwise made available for fiscal year 2022
23 for the Department of Defense may be obligated or ex-
24 pended to construct, plan, or design a new headquarters
25 building for United States Space Command until the In-

1 spector General of the Department of the Defense and the
2 Comptroller General of the United States complete site se-
3 lection reviews for such building.

4 **Subtitle E—Studies and Reports**

5 **SEC. 1041. CONGRESSIONAL OVERSIGHT OF ALTERNATIVE** 6 **COMPENSATORY CONTROL MEASURES.**

7 Section 119a of title 10, United States Code, is
8 amended by adding at the end the following new sub-
9 section:

10 “(g) CONGRESSIONAL NOTIFICATION REQUIRE-
11 MENTS.—

12 “(1) NOTICE OF INITIATION.—Not later than
13 30 days after receiving notice of the establishment
14 of any new program to be managed under alter-
15 native compensatory control measures, the Under
16 Secretary of Defense for Policy shall submit to the
17 congressional defense committees notice of such new
18 program. Such notice shall include—

19 “(A) the unclassified nickname assigned to
20 the program;

21 “(B) the designation of the program spon-
22 sor;

23 “(C) a description of the essential informa-
24 tion to be protected under the program; and

1 “(D) the effective activation date and ex-
2 pected duration of the program.

3 “(2) NOTICE OF TERMINATION.—Not later than
4 30 days after receiving notice of the termination of
5 any program managed under alternative compen-
6 satory control measures, the Under Secretary of De-
7 fense for Policy shall submit to the congressional de-
8 fense committees notice of such termination.

9 “(3) ANNUAL REPORTS.—Not later than 30
10 days after receiving an annual report on any pro-
11 gram managed under alternative compensatory con-
12 trol measures, the Under Secretary of Defense for
13 Policy shall submit to the congressional defense com-
14 mittees a copy of the report.”.

15 **SEC. 1042. COMPARATIVE TESTING REPORTS FOR CERTAIN**
16 **AIRCRAFT.**

17 (a) MODIFICATION OF LIMITATION.—Section 134(b)
18 of the National Defense Authorization Act for Fiscal Year
19 2017 (Public Law 114–328; 130 Stat. 2037) is amended
20 by striking “the report under subsection (e)(2)” and in-
21 serting “a report that includes the information described
22 in subsection (e)(2)(C)”.

23 (b) COMPARATIVE TESTING REPORTS REQUIRED.—

24 (1) REPORT FROM DIRECTOR OF OPERATIONAL
25 TEST AND EVALUATION.—Not later than 45 days

1 after the date of the enactment of this Act, the Di-
2 rector of Operational Test and Evaluation shall sub-
3 mit to the congressional defense committees a report
4 that includes the information described in section
5 134(e)(1)(B) of the National Defense Authorization
6 Act for Fiscal Year 2017 (Public Law 114–328; 130
7 Stat. 2038).

8 (2) REPORT FROM SECRETARY OF THE AIR
9 FORCE.—Not later than 45 days after the date of
10 the submission of the report under paragraph (1),
11 the Secretary of the Air Force shall submit to the
12 congressional defense committees a report that in-
13 cludes the information described in section
14 134(e)(2)(C) of the National Defense Authorization
15 Act for Fiscal Year 2017 (Public Law 114–328; 130
16 Stat. 2038).

17 **SEC. 1043. EXTENSION OF REPORTING REQUIREMENT RE-**
18 **GARDING ENHANCEMENT OF INFORMATION**
19 **SHARING AND COORDINATION OF MILITARY**
20 **TRAINING BETWEEN DEPARTMENT OF HOME-**
21 **LAND SECURITY AND DEPARTMENT OF DE-**
22 **FENSE.**

23 Section 1014 of the National Defense Authorization
24 Act for Fiscal Year 2017 (Public Law 114–328) is amend-

1 ed by striking “December 31, 2022” and inserting “De-
2 cember 31, 2023”.

3 **SEC. 1044. CONTINUATION OF CERTAIN DEPARTMENT OF**
4 **DEFENSE REPORTING REQUIREMENTS.**

5 Section 1061 of the National Defense Authorization
6 Act for Fiscal Year 2017 (10 U.S.C. 111 note) is amend-
7 ed—

8 (1) in subsection (b)(2), by adding at the end
9 the following new subparagraphs:

10 “(E) The submission of the report required
11 under section 14 of the Strategic and Critical
12 Materials Stock Piling Act (50 U.S.C. 98h-5).

13 “(F) The submission of the report required
14 under section 2504 of title 10, United States
15 Code.”;

16 (2) in subsection (c), by striking paragraph
17 (47); and

18 (3) in subsection (i), by striking paragraph
19 (30).

20 **SEC. 1045. GEOGRAPHIC COMBATANT COMMAND RISK AS-**
21 **SESSMENT OF AIR FORCE AIRBORNE INTEL-**
22 **LIGENCE, SURVEILLANCE, AND RECONNAIS-**
23 **SANCE MODERNIZATION PLAN.**

24 (a) IN GENERAL.—Not later than March 31, 2022,
25 each commander of a geographic combatant command

1 shall submit to the congressional defense committees a re-
2 port containing an assessment of the level of operational
3 risk to that command posed by the plan of the Air Force
4 to modernize and restructure airborne intelligence, surveil-
5 lance, and reconnaissance capabilities to meet near-, mid-
6 , and far-term contingency and steady-state operational
7 requirements against adversaries in support of the objec-
8 tives of the 2018 national defense strategy.

9 (b) PLAN ASSESSED.—The plan of the Air Force re-
10 ferred to in subsection (a) is the plan required under sec-
11 tion 142 of the William M. (Mac) Thornberry National
12 Defense Authorization Act for Fiscal Year 2021 (Public
13 Law 116–283).

14 (c) ASSESSMENT OF RISK.—In assessing levels of
15 operational risk for purposes of subsection (a), a com-
16 mander shall use the military risk matrix of the Chairman
17 of the Joint Chiefs of Staff, as described in CJCS Instruc-
18 tion 3401.01E.

19 (d) GEOGRAPHIC COMBATANT COMMAND.—In this
20 section, the term “geographic combatant command”
21 means each of the following:

- 22 (1) United States European Command.
- 23 (2) United States Indo-Pacific Command.
- 24 (3) United States Africa Command.
- 25 (4) United States Southern Command.

1 (5) United States Northern Command.

2 (6) United States Central Command.

3 **SEC. 1046. BIENNIAL ASSESSMENTS OF AIR FORCE TEST**
4 **CENTER.**

5 Not later than 30 days after the date on which the
6 President's budget is submitted to Congress under section
7 1105(a) of title 31, United States Code, for each of fiscal
8 years 2023, 2025, and 2027, the Secretary of the Air
9 Force shall submit to the congressional defense commit-
10 tees an assessment of the Air Force Test Center. Each
11 such assessment shall include, for the period covered by
12 the assessment, a description of—

13 (1) any challenges of the Air Force Test Center
14 with respect to completing its mission; and

15 (2) the plan of the Secretary to address such
16 challenges.

17 **SEC. 1047. COMPARATIVE STUDY ON .338 NORMA MAGNUM**
18 **PLATFORM.**

19 (a) **STUDY REQUIRED.**—Not later than one year
20 after the date of the enactment of this Act, the Secretary
21 of the Army shall complete a comparative study on the
22 .338 Norma Magnum platform.

23 (b) **ELEMENTS.**—The study required by subsection
24 (a) shall include a comparative analysis between the cur-
25 rent M2 .50 caliber, the M240 7.62, and the .338 Norma

1 Magnum, focused on the metrics of lethality, weight, cost,
2 and modernity of the platforms.

3 **SEC. 1048. COMPTROLLER GENERAL REPORT ON AGING DE-**
4 **PARTMENT OF DEFENSE EQUIPMENT.**

5 Not later than March 1, 2022, the Comptroller Gen-
6 eral of the United States shall submit to the Committees
7 on Armed Services of the Senate and House of Represent-
8 atives a report on legacy platforms within the Department
9 of Defense and the projected relevance and resiliency of
10 such platforms to emerging threats over the next 50 years.

11 Such report shall include—

12 (1) the results of a survey of all services, agen-
13 cies, and entities within the Department of Defense,
14 including hardware, weapons systems, basing, and
15 force structure;

16 (2) an emphasis on agility, technology, and an
17 expanded forward footprint; and

18 (3) recommendations with respect to future
19 force structure and investment.

20 **SEC. 1049. REPORT ON ACQUISITION, DELIVERY, AND USE**
21 **OF MOBILITY ASSETS THAT ENABLE IMPLE-**
22 **MENTATION OF EXPEDITIONARY ADVANCED**
23 **BASE OPERATIONS.**

24 (a) REPORT REQUIRED.—Not later than 180 days
25 after the date of the enactment of this Act, the Secretary

1 of Defense shall submit to the congressional defense com-
2 mittees a report that includes a detailed description of
3 each of the following:

4 (1) The doctrine, organization, training, mate-
5 riel, leadership and education, personnel, and facili-
6 ties required to operate and maintain a force of 24
7 to 35 Light Amphibious Warships, as well as the
8 feasibility of accelerating the current Light
9 Amphibius Warship procurement plan and delivery
10 schedule.

11 (2) The specific number, type, and mix of
12 manned and unmanned strategic mobility wing-in-
13 ground effect platforms required to support distrib-
14 uted maritime operations and expeditionary ad-
15 vanced base operations.

16 (3) The feasibility of the Navy and Marine Lit-
17 toral Regiments using other joint and interagency
18 mobility platforms prior to the operational avail-
19 ability of Light Amphibious Warships or wing-in-
20 ground effect platforms, including—

21 (A) United States Army Transportation
22 Command's more than 100 LCU-2000, Runny-
23 mede-class and the eight General Frank S.
24 Besson-class logistics support vessels;

1 (B) commercial vessel options, currently
2 available, that meet Marine Littoral Regiment
3 requirements for movement, maneuver,
4 sustainment, training, interoperability, and
5 cargo capacity and delivery;

6 (C) maritime prepositioning force vessels;
7 and

8 (D) Coast Guard vessels.

9 (4) The specific number, type, and mix of long
10 range unmanned surface vessel platforms required to
11 support distributed maritime operations, expedi-
12 tionary advanced base operations, along with their
13 operational interaction with the fleet's warfighting
14 capabilities;

15 (5) The feasibility of integrating Marine Lit-
16 toral Regiments with—

17 (A) Special Operations activities;

18 (B) joint and interagency planning;

19 (C) information warfare operations; and

20 (D) command, control, communications,
21 computer, intelligence, surveillance and recon-
22 naissance, and security cooperation activities.

23 (6) The projected cost, and any additional re-
24 sources required, to accelerate the operational de-
25 ployment of Marine Littoral Regiments and deliver

1 the capabilities described in paragraphs (1) through
2 (5) by not later than three years after the date of
3 the enactment of this Act.

4 (b) FORM OF REPORT.—The report required by sub-
5 section (a) shall be submitted in a publicly accessible, un-
6 classified form, but may contain a classified annex.

7 **SEC. 1050. FORCE POSTURE IN THE INDO-PACIFIC REGION.**

8 (a) SENSE OF CONGRESS.—It is the Sense of Con-
9 gress that—

10 (1) forward deployed military forces, particu-
11 larly those west of the International Date Line, play
12 an indispensable role in deterring aggression in the
13 Indo-Pacific and reassuring allies;

14 (2) forward deployed forces facilitate greater
15 day to day presence in contested seas and airspace;
16 and

17 (3) in light of growing threats, the Department
18 of Defense should forward deploy a larger share of
19 its forces to the Indo-Pacific over the next five
20 years.

21 (b) ASSESSMENT REQUIRED.—Not later than 180
22 days after the date of the enactment of this Act, the Com-
23 mander of United States Indo-Pacific Command shall sub-
24 mit to the congressional defense committees a report con-

1 taining the independent assessment of the Commander
2 with respect to each of the following:

3 (1) The number of bombers required to be con-
4 tinually present in the Indo-Pacific region, the num-
5 ber of bombers required outside Indo-Pacific region,
6 and the number of tankers necessary to support
7 bomber refueling sorties in order to execute the
8 operational and contingency plans assigned to the
9 Commander of Indo-Pacific Command.

10 (2) The operational, deterrent, and strategic ef-
11 fect if the required number of bombers were not
12 present in the Indo-Pacific region during a conflict
13 scenario.

14 (3) Any additional infrastructure required in
15 Guam or other Indo-Pacific locations to support the
16 operationally required level of continuous bomber
17 presence, along with the associated cost.

18 (4) The value of storing long range anti-ship
19 missiles, joint air-to-surface standoff missile-ex-
20 tended range, and other long range strike weapons
21 in Guam and other locations in the Indo-Pacific.

22 (c) REPORT REQUIRED.—Not later than 180 days
23 after the date of the enactment of this Act, and annually
24 thereafter, the Commander of United States Indo-Pacific

1 Command shall submit to the congressional defense com-
2 mittees a report that includes the following information:

3 (1) The number of freedom of navigation oper-
4 ations conducted in the Indo-Pacific each year since
5 2013.

6 (2) The number of bombers continuously
7 present in the Indo-Pacific each year since 2013.

8 (3) The number of ships, bombers, fighters,
9 Marines, and brigade combat teams deployed to the
10 Indo-Pacific region during the eight-year period pre-
11 ceding the year in which the report is submitted.

12 (4) The number of ships, bombers, fighters,
13 Marines, and brigade combat teams deployed to the
14 Indo-Pacific region but tasked to other combatant
15 commands, including the number of days each such
16 tasking lasted, during the eight-year period pre-
17 ceding the year in which the report is submitted.

18 **SEC. 1051. ASSESSMENT OF UNITED STATES MILITARY IN-**
19 **FRASTRUCTURE IN DIEGO GARCIA, BRITISH**
20 **INDIAN OCEAN TERRITORY.**

21 Not later than 180 days after the date of the enact-
22 ment of this Act, the Secretary of Defense shall submit
23 to the congressional defense committees a report con-
24 taining the independent assessment of the Secretary with
25 respect to each of the following:

1 (1) The manner in which Diego Garcia, British
2 Indian Ocean Territory, could contribute to the exe-
3 cution of the operational and contingency plans of
4 the Department of Defense, as well as the peacetime
5 forward posture of the Department.

6 (2) The operational benefits of hardening facili-
7 ties on Diego Garcia, including the installation of an
8 Integrated Air and Missile Defense system.

9 (3) The operational benefits of storing muni-
10 tions on Diego Garcia.

11 (4) Potential tradeoffs and costs associated
12 with hardening facilities or prepositioning munitions
13 on Diego Garcia.

14 (5) Any additional infrastructure required in
15 Diego Garcia to better support the requirements of
16 the combatant commands.

17 (6) The potential to collaborate with the gov-
18 ernments of allies of the United States to invest in
19 the military infrastructure on Diego Garcia.

20 **SEC. 1052. REPORT ON 2019 WORLD MILITARY GAMES.**

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 submit to the Committees on Armed Services of the
24 Senate and House of Representatives a report on the par-
25 ticipation of the United States in the 2019 World Military

1 Games. Such report shall include a detailed description of
2 each of the following:

3 (1) The number of United States athletes and
4 staff who attended the 2019 World Military Games
5 and became ill with COVID-19-like symptoms dur-
6 ing or shortly upon their return to the United
7 States.

8 (2) The results of any blood testing conducted
9 on athletes and staff returning from the 2019 World
10 Military Games, including whether those blood sam-
11 ples were subsequently tested for COVID-19.

12 (3) The number of home station Department of
13 Defense facilities of the athletes and staff who par-
14 ticipated in the 2019 World Military Games that ex-
15 perience outbreaks of illnesses consistent with
16 COVID-19 symptoms upon the return of members of
17 the Armed Forces from Wuhan, China.

18 (4) The number of Department of Defense fa-
19 cilities visited by team members after returning from
20 Wuhan, China, that experienced COVID-19 out-
21 breaks during the first quarter of 2020, including in
22 relation to the share of other Department of Defense
23 facilities that experienced COVID-19 outbreaks
24 through March 31, 2020.

1 (5) Whether the Department tested members of
2 the Armed Forces who traveled to Wuhan, China,
3 for the World Military Games for COVID-19 anti-
4 bodies, and what portion, if any, of those results
5 were positive, and when such testing was conducted.

6 (6) Whether there are, or have been, any inves-
7 tigations, including under the auspices of an Inspec-
8 tor General, across the Department of Defense or
9 the military departments into possible connections
10 between United States athletes who traveled to
11 Wuhan, China, and the outbreak of COVID-19.

12 (7) Whether the Department has engaged with
13 the militaries of allied or partner countries about ill-
14 nesses surrounding the 2019 World Military Games,
15 and if so, how many participating militaries have in-
16 dicated to the Department that their athletes or
17 staff may have contracted COVID-19-like symptoms
18 during or immediately after the Games.

19 (b) FORM OF REPORT.—The report required under
20 this section shall be submitted in unclassified form and made
21 publicly available on an internet website in a searchable
22 format, but may contain a classified annex.

1 **SEC. 1053. REPORTS AND BRIEFINGS REGARDING OVER-**
2 **SIGHT OF AFGHANISTAN.**

3 (a) REPORTS.—Not later than December 31, 2021,
4 and annually thereafter until December 31, 2026, the Sec-
5 retary of Defense, in coordination with the Director of Na-
6 tional Intelligence, shall submit to the appropriate con-
7 gressional committees a report on Afghanistan. Such re-
8 port shall address, with respect to Afghanistan, the fol-
9 lowing matters:

10 (1) A current assessment of over the horizon
11 capabilities of the United States.

12 (2) Concept of force with respect to the over
13 the horizon force of the United States.

14 (3) The size of such over the horizon force.

15 (4) The location of such over the horizon force,
16 to include the current locations of the forces and any
17 plans to adjust such locations.

18 (5) The chain of command for such over the ho-
19 rizon force.

20 (6) The launch criteria for such over the hori-
21 zon force.

22 (7) Any plans to expand or adjust such over the
23 horizon force capabilities in the future, to account
24 for evolving terrorist threats in Afghanistan.

25 (8) An assessment of the terrorist threat in Af-
26 ghanistan.

1 (9) An assessment of the quantity and types of
2 U.S. military equipment remaining in Afghanistan,
3 including an indication of whether the Secretary
4 plans to leave, recover, or destroy such equipment.

5 (10) Contingency plans for the retrieval or hos-
6 tage rescue of United States citizens located in Af-
7 ghanistan.

8 (11) Contingency plans related to the continued
9 evacuation of Afghans who hold special immigrant
10 visa status under section 602 of the Afghan Allies
11 Protection Act of 2009 (8 U.S.C. 1101 note) or who
12 have filed a petition for such status, following the
13 withdraw of the United States Armed Forces from
14 Afghanistan.

15 (12) A concept of logistics support to support
16 the over the horizon force of the United States, in-
17 cluding all basing and transportation plans.

18 (13) An assessment of changes in the ability of
19 al-Qaeda and ISIS-K to conduct operations outside
20 of Afghanistan against the United States and U.S.
21 allies.

22 (14) An intelligence collection posture of over
23 the horizon intelligence assets, including with respect
24 to ground and air assets, and the effect of such as-
25 sets on current operations.

1 (15) An intelligence collection posture on the
2 Taliban defense and security forces.

3 (16) An intelligence collection posture on the
4 terrorism capabilities of the Taliban, al-Qaeda, and
5 ISIS-K.

6 (17) The status of any military cooperation be-
7 tween the Taliban and China, Russia, or Iran.

8 (18) Any other matters the Secretary deter-
9 mines appropriate.

10 (b) BRIEFINGS.—Not later than December 31, 2021,
11 and on bi-annual basis thereafter until December 31,
12 2026, the Secretary of Defense shall provide to the appro-
13 priate congressional committees a briefing on the matters
14 specified in subsection (a).

15 (c) FORM.—The reports and briefings under this sec-
16 tion may be submitted in either unclassified or classified
17 form, as determined appropriate by the Secretary.

18 (d) APPROPRIATE CONGRESSIONAL COMMITTEES
19 DEFINED.—In this section, the term “appropriate con-
20 gressional committees” means—

21 (1) the Committee on Armed Services and the
22 Permanent Select Committee on Intelligence of the
23 House of Representatives; and

24 (2) the Committee on Armed Services and the
25 Select Committee on Intelligence of the Senate.

1 **SEC. 1054. REPORT AND BRIEFING ON UNITED STATES**
2 **EQUIPMENT, PROPERTY, AND CLASSIFIED**
3 **MATERIAL THAT WAS DESTROYED, SURREN-**
4 **DERED, AND ABANDONED IN THE WITH-**
5 **DRAWAL FROM AFGHANISTAN.**

6 (a) IN GENERAL.—Not later than 180 days after the
7 date of the enactment of this Act, the Secretary of De-
8 fense, in consultation with the Secretaries of the military
9 departments and the Commander of United States Central
10 Command, shall submit to the congressional defense com-
11 mittees a report regarding the covered United States
12 equipment, property, and classified material that was de-
13 stroyed, surrendered, or abandoned in Afghanistan during
14 the covered period. Such report shall include each of the
15 following:

16 (1) A determination of the value of the covered
17 United States equipment, property, and classified
18 material that was destroyed, surrendered, or aban-
19 doned, disaggregated by military department and
20 itemized to the most specific feasible level.

21 (2) An itemized list of destroyed, surrendered,
22 or abandoned aircraft, aircraft parts and supply,
23 and aircraft maintenance items, including aircraft,
24 aircraft parts and supply, and aircraft maintenance
25 items formerly possessed by the Afghan Air Force or
26 the former government of Afghanistan.

1 (3) An itemized list of destroyed, surrendered,
2 or abandoned fuel and fuel dispensing equipment,
3 disaggregated by military department.

4 (4) An itemized list of destroyed, surrendered,
5 or abandoned weapons, weapon systems, components
6 of weapons or weapon systems, ammunition, explo-
7 sives, missiles, ordnance, bombs, mines, or projec-
8 tiles, disaggregated by military department.

9 (5) For each item on a list referred to in para-
10 graphs (2) through (4), an explanation of the legal
11 authority relied upon to destroy, surrender, or aban-
12 don that specific item.

13 (6) An evaluation of the capabilities of the
14 Taliban post-withdrawal as a result of their seizure
15 of surrendered or abandoned covered United States
16 equipment, property, and classified material.

17 (7) An assessment of the damage to the na-
18 tional security interests of the United States as a re-
19 sult of the destroyed, surrendered, or abandoned
20 covered United States equipment, property, and
21 classified material.

22 (8) An assessment of the feasibility of disabling,
23 destroying, or recapturing surrendered or abandoned
24 covered United States equipment, property, or clas-
25 sified material.

1 (9) Available imagery or photography depicting
2 the Taliban possessing surrendered or abandoned
3 covered United States equipment, property, or clas-
4 sified material.

5 (b) EXECUTIVE SUMMARY OF REPORT.—The report
6 required under subsection (a) shall include an executive
7 summary of the report, which shall be unclassified and
8 made publicly available.

9 (c) BRIEFING.—Not later than 200 days after the
10 date of the enactment of this Act, the Secretary of De-
11 fense, the Secretaries of the military departments, and the
12 Commander of United States Central Command shall pro-
13 vide to the congressional defense committees a briefing on
14 the report required by this section.

15 (d) DEFINITIONS.—In this section:

16 (1) The term “covered United States equip-
17 ment, property, and classified material” means any
18 of the following items formerly owned by the Gov-
19 ernment of the United States or provided by the
20 United States to the former government or military
21 of Afghanistan during the covered period:

22 (A) Real property, including any lands,
23 buildings, structures, utilities systems, improve-
24 ments, and appurtenances, thereto, including
25 equipment attached to and made part of build-

1 ings and structures, but not movable equip-
2 ment.

3 (B) Personal property, including property
4 of any kind or any interest therein, except real
5 property.

6 (C) Equipment, including all nonexpend-
7 able items needed to outfit or equip an indi-
8 vidual or organization.

9 (D) Classified information, in any form, in-
10 cluding official information that has been deter-
11 mined to require, in the interests of national se-
12 curity, protection against unauthorized disclo-
13 sure and which has been so designated.

14 (2) The term “covered period” means the pe-
15 riod beginning on February 29, 2020, and ending on
16 the date that is 120 days after the date of the enact-
17 ment of this Act.

18 **SEC. 1055. REPORT ON DEFENSE UTILITY OF UNITED**
19 **STATES TERRITORIES AND POSSESSIONS.**

20 (a) IN GENERAL.—Not later than 180 days after the
21 date of the enactment of this Act, the Secretary of Defense
22 shall submit a to the congressional defense committees a
23 report that includes—

24 (1) a detailed description of the manner in
25 which United States territories and possessions in

1 the Pacific could contribute to the execution of the
2 operational and contingency plans of the Depart-
3 ment of Defense, as well as the peacetime forward
4 posture of the Department;

5 (2) an assessment of the required resources as-
6 sociated with environmental restoration and military
7 construction on United States territories and posses-
8 sions in the Pacific in order to facilitate the presence
9 of United States military forces;

10 (3) a description of the additional logistical re-
11 quirements or considerations associated with the re-
12 quirements of paragraph (2); and

13 (4) any other matters the Secretary of Defense,
14 in coordination with the Commander of the United
15 States Indo-Pacific Command, considers appro-
16 priate.

17 (b) FORM.—The report described in subsection (a)
18 shall be submitted in unclassified form that can be made
19 available to the public, but may include a classified annex.

20 **SEC. 1056. REPORT ON COAST GUARD EXPLOSIVE ORD-**
21 **NANCE DISPOSAL.**

22 (a) IN GENERAL.—Not later than February 15,
23 2023, the Secretary of Homeland Security shall submit
24 to Congress a report on the viability of establishing an
25 explosive ordnance disposal program in the Coast Guard.

1 (b) CONTENTS.—The report required under sub-
2 section (a) shall contain, at a minimum, the following:

3 (1) Organization of explosive ordnance disposal
4 elements within the Coast Guard, with discussion on
5 whether the Coast Guard explosive ordnance disposal
6 capability belongs in the Maritime Safety and Secu-
7 rity Teams, the Maritime Security Response Team,
8 a combination of the Maritime Safety and Security
9 Teams and the Maritime Security Response Teams,
10 or elsewhere in the Coast Guard,

11 (2) A description of vehicles, that are Coast
12 Guard airframe and vessel transportable, required
13 for explosive ordnance disposal elements.

14 (3) A description of dive craft, that are Coast
15 Guard airframe and vessel transportable, required
16 for explosive ordnance disposal elements.

17 (4) Locations of Coast Guard stations that
18 portable explosives storage magazines will be avail-
19 able for explosive ordnance disposal elements.

20 (5) Identify Coast Guard stations that will have
21 pre-positioned explosive ordnance disposal elements
22 equipment.

23 (6) An explanation of how the Coast Guard ex-
24 plosive ordnance disposal elements will support the
25 Department of Homeland Security and Department

1 of Justice, and the Department of Defense in war-
2 time, on mission sets to counter improvised explosive
3 device, counter unexploded ordnance, and combat
4 weapons of destruction, including award of the Pres-
5 idential Service Badge and Certificate to explosive
6 ordnance disposal-qualified Coast Guardsman for
7 protection of the President of the United States, and
8 how the Coast Guard explosive ordnance disposal
9 elements will support national security special
10 events.

11 (7) A cost to benefit analysis of using the
12 Army, Marine Corps, Navy, or Air Force Scuba
13 Diver course prior to Coast Guardsman attending
14 the Navy conducted explosive ordnance disposal
15 course, and the required initial and annual
16 sustainment training seats for the diver course, the
17 explosive ordnance disposal course, and the para-
18 chutist course (through the Army, Marine, Navy,
19 and Air Force).

20 (8) An identification of the career progression
21 of Coast Guardsman from Seaman Recruit to that
22 of Command Master Chief Petty Officer, Chief War-
23 rant Officer 2 to that of Chief Warrant Officer 4,
24 and Ensign to that of Rear Admiral.

1 (9) An identification of initial and annual budg-
2 et justification estimates on a single program ele-
3 ment of the Coast Guard explosive ordnance disposal
4 program for each of—

5 (A) civilian and military pay with details
6 on military pay, including special and incentive
7 pays such as—

8 (i) officer responsibility pay;

9 (ii) officer SCUBA diving duty pay;

10 (iii) officer demolition hazardous duty
11 pay;

12 (iv) enlisted SCUBA diving duty pay;

13 (v) enlisted demolition hazardous duty
14 pay;

15 (vi) enlisted special duty assignment
16 pay at level special duty-5;

17 (vii) enlisted assignment incentive
18 pays;

19 (viii) enlistment and reenlistment bo-
20 nuses;

21 (ix) officer and enlisted full civilian
22 clothing allowances;

23 (x) exception to policy allowing a third
24 hazardous duty pay for explosive ordnance
25 disposal-qualified officers and enlisted; and

- 1 (xi) parachutist hazardous duty pay;
- 2 (B) research, development, test, and eval-
- 3 uation;
- 4 (C) procurement;
- 5 (D) other transaction agreements;
- 6 (E) operations and maintenance;
- 7 (F) military construction; and
- 8 (G) overseas contingency operations.

9 **SEC. 1057. INDEPENDENT ASSESSMENT WITH RESPECT TO**
10 **THE ARCTIC REGION.**

11 (a) IN GENERAL.—Not later than February 15,
12 2022, the Commander of the United States Northern
13 Command, in consultation and coordination with United
14 States European Command and United States Indo-Pa-
15 cific Command, the military services, and defense agen-
16 cies, shall conduct an independent assessment with respect
17 to the activities and resources required, for fiscal years
18 2023 through 2027, to achieve the following objectives:

19 (1) The implementation of the National De-
20 fense Strategy and military service-specific strategies
21 with respect to the Arctic region.

22 (2) The maintenance or restoration of the com-
23 parative military advantage of the United States in
24 response to great power competitors in the Arctic re-
25 gion.

1 (3) The reduction of the risk of executing oper-
2 ation and contingency plans of the Department of
3 Defense.

4 (4) To maximize execution of Department oper-
5 ation and contingency plans, in the event deterrence
6 fails.

7 (b) ELEMENTS.—The assessment required by para-
8 graph (1) shall include the following:

9 (1) An analysis of, and recommended changes
10 to achieve, the required force structure and posture
11 of assigned and allocated forces within the Arctic re-
12 gion for fiscal year 2027 necessary to achieve the
13 objectives described in paragraph (1), which shall be
14 informed by—

15 (A) a review of United States military re-
16 quirements based on operation and contingency
17 plans, capabilities of potential adversaries, as-
18 sessed gaps or shortfalls of the joint force with-
19 in the Arctic region, and scenarios that con-
20 sider—

21 (i) potential contingencies that com-
22 mence in the Arctic region and contin-
23 gencies that commence in other regions but
24 affect the Arctic region;

1 (ii) use of near-, mid-, and far-time
2 horizons to encompass the range of cir-
3 cumstances required to test new concepts
4 and doctrine; and

5 (iii) supporting analyses that focus on
6 the number of regionally postured military
7 units and the quality of capability of such
8 units;

9 (B) a review of current United States mili-
10 tary force posture and deployment plans within
11 the Arctic region, especially of Arctic-based
12 forces that provide support to, or receive sup-
13 port from, the United States Northern Com-
14 mand, the United States Indo-Pacific Com-
15 mand, or the United States European Com-
16 mand;

17 (C) an analysis of potential future realign-
18 ments of United States forces in the region, in-
19 cluding options for strengthening United States
20 presence, access, readiness, training, exercises,
21 logistics, and pre-positioning; and

22 (D) any other matter the Commander de-
23 termines to be appropriate.

1 (2) A discussion of any factor that may influ-
2 ence the United States posture, supported by annual
3 wargames and other forms of research and analysis.

4 (3) An assessment of capabilities requirements
5 to achieve such objectives.

6 (4) An assessment of logistics requirements, in-
7 cluding personnel, equipment, supplies, storage, and
8 maintenance needs to achieve such objectives.

9 (5) An assessment and identification of re-
10 quired infrastructure and military construction in-
11 vestments to achieve such objectives.

12 (6) An assessment and recommended changes
13 to the leadership, organization, and management of
14 Arctic policy, strategy, and operations among the
15 combatant commands and military services.

16 (c) REPORT.—

17 (1) IN GENERAL.—Not later than February 15,
18 2022, the Commander of the United States North-
19 ern Command, in consultation and coordination with
20 United States European Command and United
21 States Indo-Pacific Command, shall submit to the
22 congressional defense committees a report on the as-
23 sessment required by paragraph (1).

1 (2) FORM.—The report required by subpara-
2 graph (A) may be submitted in classified form, but
3 shall include an unclassified summary.

4 (3) AVAILABILITY.—Not later than February
5 15, 2022, the Commander of United States North-
6 ern Command shall make the report available to the
7 Secretary of Defense, the Under Secretary of De-
8 fense for Policy, the Under Secretary of Defense
9 (Comptroller), the Director of Cost Assessment and
10 Program Evaluation, the Chairman of the Joint
11 Chiefs of Staff, the Secretaries of the military de-
12 partments, and the chiefs of staff of each military
13 service.

14 **SEC. 1058. ANNUAL REPORT AND BRIEFING ON GLOBAL**
15 **FORCE MANAGEMENT ALLOCATION PLAN.**

16 (a) IN GENERAL.—Not later than October 31, 2022,
17 and annually thereafter through 2024, the Secretary of
18 Defense shall provide to the Committees on Armed Serv-
19 ices of the Senate and House of Representatives a classi-
20 fied report and a classified briefing on the Global Force
21 Management Allocation Plan and its implementation.

22 (b) REPORT.—Each report required by subsection (a)
23 shall include a summary describing the Global Force Man-
24 agement Allocation Plan being implemented as of October
25 1 of the year in which the report is provided.

1 (c) BRIEFING.—Each briefing required by subsection
2 (a) shall include the following:

3 (1) A summary of the major modifications to
4 global force allocation made during the preceding
5 fiscal year that deviated from the Global Force Man-
6 agement Allocation Plan for that fiscal year as a re-
7 sult of a shift in strategic priorities, requests for
8 forces, or other contingencies, and an explanation
9 for such modifications.

10 (2) A description of the major differences be-
11 tween the Global Force Management Allocation Plan
12 for the current fiscal year and the Global Force
13 Management Allocation Plan for the preceding fiscal
14 year.

15 (3) A description of any difference between the
16 actual global allocation of forces, as of October 1 of
17 the year in which the briefing is provided, and the
18 forces stipulated in the Global Force Management
19 Allocation Plan being implemented on that date.

20 **Subtitle F—District of Columbia**
21 **National Guard Home Rule**

22 **SEC. 1066. SHORT TITLE.**

23 This subtitle may be cited as the “District of Colum-
24 bia National Guard Home Rule Act”.

1 **SEC. 1067. EXTENSION OF NATIONAL GUARD AUTHORITIES**
2 **TO MAYOR OF THE DISTRICT OF COLUMBIA.**

3 (a) MAYOR AS COMMANDER-IN-CHIEF.—Section 6 of
4 the Act entitled “An Act to provide for the organization
5 of the militia of the District of Columbia, and for other
6 purposes”, approved March 1, 1889 (sec. 49–409, D.C.
7 Official Code), is amended by striking “President of the
8 United States” and inserting “Mayor of the District of
9 Columbia”.

10 (b) RESERVE CORPS.—Section 72 of such Act (sec.
11 49–407, D.C. Official Code) is amended by striking
12 “President of the United States” each place it appears
13 and inserting “Mayor of the District of Columbia”.

14 (c) APPOINTMENT OF COMMISSIONED OFFICERS.—
15 (1) Section 7(a) of such Act (sec. 49–301(a), D.C. Official
16 Code) is amended—

17 (A) by striking “President of the United
18 States” and inserting “Mayor of the District of Co-
19 lumbia”; and

20 (B) by striking “President.” and inserting
21 “Mayor.”.

22 (2) Section 9 of such Act (sec. 49–304, D.C. Official
23 Code) is amended by striking “President” and inserting
24 “Mayor of the District of Columbia”.

25 (3) Section 13 of such Act (sec. 49–305, D.C. Official
26 Code) is amended by striking “President of the United

1 States” and inserting “Mayor of the District of Colum-
2 bia”.

3 (4) Section 19 of such Act (sec. 49–311, D.C. Official
4 Code) is amended—

5 (A) in subsection (a), by striking “to the Sec-
6 retary of the Army” and all that follows through
7 “which board” and inserting “to a board of exam-
8 ination appointed by the Commanding General,
9 which”; and

10 (B) in subsection (b), by striking “the Sec-
11 retary of the Army” and all that follows through the
12 period and inserting “the Mayor of the District of
13 Columbia, together with any recommendations of the
14 Commanding General.”.

15 (5) Section 20 of such Act (sec. 49–312, D.C. Official
16 Code) is amended—

17 (A) by striking “President of the United
18 States” each place it appears and inserting “Mayor
19 of the District of Columbia”; and

20 (B) by striking “the President may retire” and
21 inserting “the Mayor may retire”.

22 (d) CALL FOR DUTY.—(1) Section 45 of such Act
23 (sec. 49–103, D.C. Official Code) is amended by striking
24 “, or for the United States Marshal” and all that follows
25 through “shall thereupon order” and inserting “to order”.

1 (2) Section 46 of such Act (sec. 49–104, D.C. Official
2 Code) is amended by striking “the President” and insert-
3 ing “the Mayor of the District of Columbia”.

4 (e) GENERAL COURTS MARTIAL.—Section 51 of such
5 Act (sec. 49–503, D.C. Official Code) is amended by strik-
6 ing “the President of the United States” and inserting
7 “the Mayor of the District of Columbia”.

8 **SEC. 1068. CONFORMING AMENDMENTS TO TITLE 10,**
9 **UNITED STATES CODE.**

10 (a) FAILURE TO SATISFACTORILY PERFORM PRE-
11 SCRIBED TRAINING.—Section 10148(b) of title 10, United
12 States Code, is amended by striking “the commanding
13 general of the District of Columbia National Guard” and
14 inserting “the Mayor of the District of Columbia”.

15 (b) APPOINTMENT OF CHIEF OF NATIONAL GUARD
16 BUREAU.—Section 10502(a)(1) of such title is amended
17 by striking “the commanding general of the District of
18 Columbia National Guard” and inserting “the Mayor of
19 the District of Columbia”.

20 (c) VICE CHIEF OF NATIONAL GUARD BUREAU.—
21 Section 10505(a)(1)(A) of such title is amended by strik-
22 ing “the commanding general of the District of Columbia
23 National Guard” and inserting “the Mayor of the District
24 of Columbia”.

1 (d) OTHER SENIOR NATIONAL GUARD BUREAU OF-
2 FICERS.—Section 10506(a)(1) of such title is amended by
3 striking “the commanding general of the District of Co-
4 lumbia National Guard” both places it appears and insert-
5 ing “the Mayor of the District of Columbia”.

6 (e) CONSENT FOR ACTIVE DUTY OR RELOCATION.—
7 (1) Section 12301 of such title is amended—

8 (A) in subsection (b), by striking “commanding
9 general of the District of Columbia National Guard”
10 in the second sentence and inserting “Mayor of the
11 District of Columbia”; and

12 (B) in subsection (d), by striking the period at
13 the end and inserting the following: “, or, in the
14 case of the District of Columbia National Guard, the
15 Mayor of the District of Columbia.”.

16 (2) Section 12406 of such title is amended by striking
17 “the commanding general of the National Guard of the
18 District of Columbia” and inserting “the Mayor of the
19 District of Columbia”.

20 (f) CONSENT FOR RELOCATION OF UNITS.—Section
21 18238 of such title is amended by striking “the com-
22 manding general of the National Guard of the District of
23 Columbia” and inserting “the Mayor of the District of Co-
24 lumbia”.

1 **SEC. 1069. CONFORMING AMENDMENTS TO TITLE 32,**
2 **UNITED STATES CODE.**

3 (a) MAINTENANCE OF OTHER TROOPS.—Section
4 109(c) of title 32, United States Code, is amended by
5 striking “(or commanding general in the case of the Dis-
6 trict of Columbia)”.

7 (b) DRUG INTERDICTION AND COUNTER-DRUG AC-
8 TIVITIES.—Section 112(h)(2) of such title is amended by
9 striking “the Commanding General of the National Guard
10 of the District of Columbia” and inserting “the Mayor of
11 the District of Columbia”.

12 (c) ADDITIONAL ASSISTANCE.—Section 113 of such
13 title is amended by adding at the end the following new
14 subsection:

15 “(e) INCLUSION OF DISTRICT OF COLUMBIA.—In
16 this section, the term ‘State’ includes the District of Co-
17 lumbia.”.

18 (d) APPOINTMENT OF ADJUTANT GENERAL.—Sec-
19 tion 314 of such title is amended—

20 (1) by striking subsection (b);

21 (2) by redesignating subsections (c) and (d) as
22 subsections (b) and (c), respectively; and

23 (3) in subsection (b) (as so redesignated), by
24 striking “the commanding general of the District of
25 Columbia National Guard” and inserting “the
26 Mayor of the District of Columbia,”.

1 (e) RELIEF FROM NATIONAL GUARD DUTY.—Sec-
2 tion 325(a)(2)(B) of such title is amended by striking
3 “commanding general of the District of Columbia Na-
4 tional Guard” and inserting “the Mayor of the District
5 of Columbia”.

6 (f) AUTHORITY TO ORDER TO PERFORM ACTIVE
7 GUARD AND RESERVE DUTY.—

8 (1) AUTHORITY.—Subsection (a) of section 328
9 of such title is amended by striking “the com-
10 manding general of the District of Columbia Na-
11 tional Guard” and inserting “the Mayor of the Dis-
12 trict of Columbia”.

13 (2) CLERICAL AMENDMENTS.—

14 (A) SECTION HEADING.—The heading of
15 such section is amended to read as follows:

16 “§ 328. Active Guard and Reserve duty: authority of
17 **chief executive**”.

18 (B) TABLE OF SECTIONS.—The table of
19 sections at the beginning of chapter 3 of such
20 title is amended by striking the item relating to
21 section 328 and inserting the following new
22 item:

“328. Active Guard and Reserve duty: authority of chief executive.”.

23 (g) PERSONNEL MATTERS.—Section 505 of such title
24 is amended by striking “commanding general of the Na-

1 tional Guard of the District of Columbia” in the first sen-
2 tence and inserting “Mayor of the District of Columbia”.

3 (h) NATIONAL GUARD CHALLENGE PROGRAM.—Sec-
4 tion 509 of such title is amended—

5 (1) in subsection (c)(1), by striking “the com-
6 manding general of the District of Columbia Na-
7 tional Guard, under which the Governor or the com-
8 manding general” and inserting “the Mayor of the
9 District of Columbia, under which the Governor or
10 the Mayor”;

11 (2) in subsection (g)(2), by striking “the com-
12 manding general of the District of Columbia Na-
13 tional Guard” and inserting “the Mayor of the Dis-
14 trict of Columbia”;

15 (3) in subsection (j), by striking “the com-
16 manding general of the District of Columbia Na-
17 tional Guard” and inserting “the Mayor of the Dis-
18 trict of Columbia”; and

19 (4) in subsection (k), by striking “the com-
20 manding general of the District of Columbia Na-
21 tional Guard” and inserting “the Mayor of the Dis-
22 trict of Columbia”.

23 (i) ISSUANCE OF SUPPLIES.—Section 702(a) of such
24 title is amended by striking “commanding general of the

1 National Guard of the District of Columbia” and inserting
2 “Mayor of the District of Columbia”.

3 (j) APPOINTMENT OF FISCAL OFFICER.—Section
4 708(a) of such title is amended by striking “commanding
5 general of the National Guard of the District of Colum-
6 bia” and inserting “Mayor of the District of Columbia”.

7 **SEC. 1070. CONFORMING AMENDMENT TO THE DISTRICT**
8 **OF COLUMBIA HOME RULE ACT.**

9 Section 602(b) of the District of Columbia Home
10 Rule Act (sec. 1–206.02(b), D.C. Official Code) is amend-
11 ed by striking “the National Guard of the District of Co-
12 lumbia,”.

13 **Subtitle G—Other Matters**

14 **SEC. 1071. TECHNICAL, CONFORMING, AND CLERICAL**
15 **AMENDMENTS.**

16 (a) TITLE 10, UNITED STATES CODE.—Title 10,
17 United States Code, is amended as follows:

18 (1) The table of chapters at the beginning of
19 part I of subtitle A is amended by striking the item
20 relating to the second section 19 (relating to cyber
21 matters).

22 (2) The table of sections at the beginning of
23 chapter 2 is amended by striking the item relating
24 to section 118 and inserting the following new item:

“118. Materiel readiness metrics and objectives for major weapon systems.”.

1 (3) The second section 118a, as added by sec-
2 tion 341 of the William M. (Mac) Thornberry Na-
3 tional Defense Authorization Act for Fiscal Year
4 2021 (Public Law 116–283), is redesignated as sec-
5 tion 118b, and the table of sections at the beginning
6 of chapter 2 of such title is conformed accordingly.

7 (4) Section 138(b)(2)(A)(i) is amended by
8 striking the semicolon.

9 (5) Section 196(d) is amended by striking “,”
10 and inserting “,”.

11 (6) Section 231a(e)(2) is amended by striking
12 “include the following,” and inserting “include”.

13 (7) Section 240b(b)(1)(B)(xiii) is amended by
14 striking “An” and inserting “A”.

15 (8) Section 240g(a)(3) is amended by striking
16 “; and” and inserting “;”.

17 (9) Section 393(b)(2)(D) is amended by insert-
18 ing a period at the end.

19 (10) Section 483(f)(3) is amended by inserting
20 “this” before “title”.

21 (11) Section 651(a) is amended by inserting a
22 comma after “3806(d)(1)”.

23 (12) The table of sections at the beginning of
24 chapter 39 is amended by adding a period at the end
25 of the item relating to section 691.

1 (13) Section 823(a)(2) (article 23(a)(2) of the
2 Uniform Code of Military Justice) is amended by in-
3 serting a comma after “Army”.

4 (14) Section 856(b) (article 56(b) of the Uni-
5 form Code of Military Justice) is amended by strik-
6 ing “subsection (d) of section 853a” and inserting
7 “subsection (e) of section 853a”.

8 (15) Section 1044e(g) is amended by striking
9 “number of Special Victims’ Counsel” and inserting
10 “number of Special Victims’ Counsels”.

11 (16) The table of sections at the beginning of
12 chapter 54 is amended by striking the item relating
13 to section 1065 and inserting the following new
14 item:

 “1065. Use of commissary stores and MWR facilities: certain veterans, care-
 givers for veterans, and Foreign Service officers.”.

15 (17) Section 1463(a)(4) is amended by striking
16 “that that” and inserting “that”.

17 (18) Section 1465(b)(2) is amended by striking
18 “the the” and inserting “the”.

19 (19) Section 1466(a) is amended, in the matter
20 preceding paragraph (1), by striking “Coast guard”
21 and inserting “Coast Guard”.

22 (20) Section 1554a(g)(2) is amended by strik-
23 ing “..” and inserting “.”.

24 (21) Section 1599h is amended—

1 (A) in subsection (a), by redesignating the
2 second paragraph (7) and paragraph (8) as
3 paragraphs (8) and (9), respectively; and

4 (B) in subsection (b)(1), by redesignating
5 the second subparagraph (G) and subparagraph
6 (H) as subparagraphs (H) and (I), respectively.

7 (22) Section 1705(a) is amended by striking “a
8 fund” and inserting “an account”.

9 (23) Section 1722a(a) is amended by striking
10 “,” and inserting “,”.

11 (24) Section 1788a(e) is amended—

12 (A) in paragraph (3), by striking “section
13 167(i)” and inserting “section 167(j)”;

14 (B) in paragraph (4), by striking “covered
15 personnel” and inserting “covered individuals”;
16 and

17 (C) in paragraph (5), in the matter pre-
18 ceding subparagraph (A), by striking “‘covered
19 personnel’” and inserting “‘covered individ-
20 uals’”.

21 (25) The table of chapters at the beginning of
22 Part III of subtitle A is amended, in the item relat-
23 ing to chapter 113, by striking the period after
24 “2200g”.

1 (26) Section 2107(a) is amended by striking
2 “or Space Force”.

3 (27) Section 2279b(b) is amended by redesignig-
4 nating the second paragraph (11) as paragraph
5 (12).

6 (28) Section 2321(f) is amended by striking
7 “the item” both places it appears and inserting “the
8 commercial product”.

9 (29) The second section 2350m (relating to
10 Execution of projects under the North Atlantic
11 Treaty Organization Security Investment Program),
12 as added by section 2503 of the William M. (Mac)
13 Thornberry National Defense Authorization Act for
14 Fiscal Year 2021 (Public Law 116–283) is redesignig-
15 nated as section 2350q and the table of sections at
16 the beginning of subchapter II of chapter 138 is
17 conformed accordingly.

18 (30) Section 2534(a) is amended—

19 (A) in paragraph (5), by striking “prin-
20 ciple” and inserting “principal”; and

21 (B) in paragraph (3), by striking “sub-
22 section (j)” and inserting “subsection (k)”.

23 (31) Section 2891a(e)(1) is amended by strik-
24 ing “the any” and inserting “the”.

1 (32) The table of sections at the beginning of
2 chapter 871 is amended by striking the item relating
3 to section 8749 and inserting the following new
4 item:

 “8749. Civil service mariners of Military Sealift Command: release of drug and
 alcohol test results to Coast Guard.”.

5 (33) The second section 9084, as added by sec-
6 tion 1601 of the William M. (Mac) Thornberry Na-
7 tional Defense Authorization Act for Fiscal Year
8 2021 (Public Law 116–283), is transferred to ap-
9 pear after section 9085 and redesignated as section
10 9086, and the table of sections at the beginning of
11 chapter 908 of such title is conformed accordingly.

12 (34) Section 9132 (relating to Regular Air
13 Force and Regular Space Force: reenlistment after
14 service as an officer) is redesignated as section
15 9138.

16 (35) The section heading for section 9401 is
17 amended to read as follows:

18 “**§ 9401. Members of Air Force and Space Force: de-**
19 **tail as students, observers, and investiga-**
20 **tors at educational institutions, indus-**
21 **trial plants, and hospitals”.**

22 (36) The section heading for section 9402 is
23 amended to read as follows:

1 **“§ 9402. Enlisted members of Air Force or Space**
2 **Force: schools”.**

3 (37) Section 9840 is amended in the second
4 sentence by striking “He” and inserting “The offi-
5 cer”.

6 (b) NDAA FOR FISCAL YEAR 2021.—Effective as of
7 January 1, 2021, and as if included therein as enacted,
8 section 1 of the William M. (Mac) Thornberry National
9 Defense Authorization Act for Fiscal Year 2021 (Public
10 Law 116–283) is amended—

11 (1) by inserting “(a) IN GENERAL.—” before
12 “This Act”; and

13 (2) by adding at the end the following:

14 “(b) REFERENCES.—Any reference in this or any
15 other Act to the ‘National Defense Authorization Act for
16 Fiscal Year 2021’ shall be deemed to be a reference to
17 the ‘William M. (Mac) Thornberry National Defense Au-
18 thorization Act for Fiscal Year 2021’.”.

19 (c) COORDINATION WITH OTHER AMENDMENTS
20 MADE BY THIS ACT.—For purposes of applying amend-
21 ments made by provisions of this Act other than this sec-
22 tion, the amendments made by this section shall be treated
23 as having been enacted immediately before any such
24 amendments by other provisions of this Act.

1 **SEC. 1072. ASSISTANT SECRETARY OF DEFENSE FOR INDO-**
2 **PACIFIC SECURITY AFFAIRS.**

3 Section 138(b) of title 10, United States Code, is
4 amended by adding at the end the following new para-
5 graph:

6 “(8) One of the Assistant Secretaries is the Assistant
7 Secretary of Defense for Indo-Pacific Security Affairs.
8 The principal duties of the Assistant Secretary shall be
9 to—

10 “(A) act as principal advisor to the Under Sec-
11 retary of Defense for Policy and the Secretary of
12 Defense on international security strategy and policy
13 on issues of interest to the Department of Defense
14 that relate to the nations and international organiza-
15 tions of China, East Asia, South and Southeast
16 Asia, including governments and defense establish-
17 ments; and

18 “(B) provide oversight of security cooperation
19 programs, including foreign military sales, in the
20 Indo-Pacific region.”.

21 **SEC. 1073. IMPROVEMENT OF TRANSPARENCY AND CON-**
22 **GRESSIONAL OVERSIGHT OF CIVIL RESERVE**
23 **AIR FLEET.**

24 (a) DEFINITIONS.—

1 (1) SECRETARY.—Paragraph (10) of section
2 9511 of title 10, United States Code, is amended to
3 read as follows:

4 “(4) The term ‘Secretary’ means the Secretary
5 of Defense.”.

6 (2) CONFORMING AMENDMENTS.—Chapter 961
7 of title 10, United States Code, as amended by para-
8 graphs (1) and (2), is further amended—

9 (A) in section 9511a by striking “Sec-
10 retary of Defense” each place it appears and in-
11 serting “Secretary”;

12 (B) in section 9512(e), by striking “Sec-
13 retary of Defense” and inserting “Secretary”;
14 and

15 (C) in section 9515, by striking “Secretary
16 of Defense” each place it appears and inserting
17 “Secretary”.

18 (b) ANNUAL REPORT ON CIVIL RESERVE AIR
19 FLEET.—Section 9516 of title 10, United States Code, is
20 amended—

21 (1) in subsection (d), by striking “When the
22 Secretary” and inserting “Subject to subsection (e),
23 when the Secretary”;

24 (2) by redesignating subsection (e) as sub-
25 section (f); and

1 (3) by inserting after subsection (d) the fol-
2 lowing new subsection:

3 “(e) ANNUAL REPORT.—Not later than 60 days after
4 the end of each fiscal year, the Secretary shall submit to
5 the Committees on Armed Services of the Senate and the
6 House of Representatives a report that—

7 “(1) identifies each contract for airlift services
8 awarded in the preceding fiscal year to a provider
9 that does not meet the requirements set forth in
10 subparagraphs (A) and (B) of subsection (a)(1); and

11 “(2) for each such contract—

12 “(A) specifies the dollar value of the
13 award; and

14 “(B) provides a detailed explanation of the
15 reasons for the award.”.

16 (c) TECHNICAL AMENDMENTS.—

17 (1) IN GENERAL.—Chapter 961 of title 10,
18 United States Code, as amended by subsections (a)
19 and (b), is further amended—

20 (A) by redesignating sections 9511a and
21 9512 as sections 9512 and 9513, respectively;

22 (B) in section 9511, by striking “section
23 9512” each place it appears and inserting “sec-
24 tion 9513”; and

1 (C) in section 9514, by redesignating sub-
2 section (g) as subsection (f).

3 (2) CLERICAL AMENDMENT.—The table of sec-
4 tions at the beginning of such chapter is amended
5 by striking the items relating to sections 9511a and
6 9512 and inserting the following new items:

“9512. Civil Reserve Air Fleet contracts: payment rate.

“9513. Contracts for the inclusion or incorporation of defense features.”.

7 (d) CHARTER AIR TRANSPORTATION OF MEMBERS
8 OF THE ARMED FORCES OR CARGO.—

9 (1) IN GENERAL.—Section 2640 of title 10,
10 United States Code, is amended—

11 (A) in the section heading, by inserting
12 “**or cargo**” after “**armed forces**”;

13 (B) in subsection (a)(1), by inserting “or
14 cargo” after “members of the armed forces”;

15 (C) in subsection (b), by inserting “or
16 cargo” after “members of the armed forces”;

17 (D) in subsection (d)(1), by inserting “or
18 cargo” after “members of the armed forces”;

19 (E) in subsection (e)—

20 (i) by inserting “or cargo” after
21 “members of the armed forces”; and

22 (ii) by inserting “or cargo” before the
23 period at the end;

1 (F) in subsection (f), by inserting “or
2 cargo” after “members of the armed forces”;
3 and

4 (G) in subsection (j)(1), by inserting
5 “‘cargo,’” after “‘air transportation’”.

6 (2) CLERICAL AMENDMENT.—The table of sec-
7 tions at the beginning of chapter 157 of title 10,
8 United States Code, is amended by striking the item
9 relating to section 2640 and inserting the following
10 new item:

“2640. Charter air transportation of members of the armed forces or cargo.”.

11 **SEC. 1074. ENHANCEMENTS TO NATIONAL MOBILIZATION**

12 **EXERCISES.**

13 Section 10208 of title 10, United States Code, is
14 amended by adding at the end the following new sub-
15 section:

16 “(c)(1) The Secretary shall, beginning in the first fis-
17 cal year that begins after the date of the enactment of
18 this subsection, and every 5 years thereafter, as part of
19 the major mobilization exercise under subsection (a), in-
20 clude the processes of the Selective Service System in
21 preparation for a draft, and submit to Congress a report
22 on the results of this exercise. The report may be sub-
23 mitted in classified form.

24 “(2) The exercise under this subsection—

1 “(A) shall include a review of national mobiliza-
2 tion strategic and operational concepts; and

3 “(B) shall include a simulation of a mobiliza-
4 tion of all armed forces and reserve units, with plans
5 and processes for incorporating Selective Service
6 System inductees.”.

7 **SEC. 1075. PROVIDING END-TO-END ELECTRONIC VOTING**
8 **SERVICES FOR ABSENT UNIFORMED SERV-**
9 **ICES VOTERS IN LOCATIONS WITH LIMITED**
10 **OR IMMATURE POSTAL SERVICE.**

11 (a) PLAN.—

12 (1) DEVELOPMENT.—In consultation with the
13 Chief Information Officer of the Department of De-
14 fense, the Presidential designee under the Uni-
15 formed and Overseas Citizens Absentee Voting Act
16 (52 U.S.C. 20301 et seq.) shall develop a plan for
17 providing end-to-end electronic voting services (in-
18 cluding services for registering to vote, requesting an
19 electronic ballot, completing the ballot, and return-
20 ing the ballot) in participating States for absent uni-
21 formed services voters under such Act who are de-
22 ployed or mobilized to locations with limited or im-
23 mature postal service (as determined by the Presi-
24 dential designee).

1 (2) SPECIFICATIONS.—The Presidential des-
2 ignee shall include in the plan developed under para-
3 graph (1)—

4 (A) methods to ensure that voters have the
5 opportunity to verify that their ballots are re-
6 ceived and tabulated correctly by the appro-
7 priate State and local election officials;

8 (B) methods to generate a verifiable and
9 auditable vote trail for the purposes of any re-
10 count or audit conducted with respect to an
11 election; and

12 (C) an assessment of whether commercially
13 available technologies may be used to carry out
14 any of the elements of the plan.

15 (3) CONSULTATION WITH STATE AND LOCAL
16 ELECTION OFFICIALS.—The Presidential designee
17 shall develop the plan under paragraph (1) in con-
18 sultation with appropriate State and local election
19 officials to ensure that the plan may be implemented
20 successfully in any State which agrees to participate
21 in the plan.

22 (4) USE OF CONTRACTORS.—To the extent the
23 Presidential designee determines to be appropriate,
24 the Presidential designee may include in the plan de-
25 veloped under paragraph (1) provisions for the use

1 of contractors to carry out any of the elements of
2 the plan.

3 (5) SUBMISSION.—Not later than one year after
4 the date of the enactment of this Act, the Presi-
5 dential designee shall submit the plan developed
6 under paragraph (1) to the Committees on Armed
7 Services of the House of Representatives and Sen-
8 ate.

9 (b) IMPLEMENTATION.—If the Presidential designee
10 determines it feasible, the Presidential designee shall im-
11 plement the plan developed under subsection (a)—

12 (1) for a trial group of voters in participating
13 States for elections for Federal office held in 2024;
14 and

15 (2) for all such voters in participating States
16 for elections for Federal office held in 2026 and any
17 succeeding year.

18 **SEC. 1076. RESPONSIBILITIES FOR NATIONAL MOBILIZA-**
19 **TION; PERSONNEL REQUIREMENTS.**

20 (a) EXECUTIVE AGENT FOR NATIONAL MOBILIZA-
21 TION.—The Secretary of Defense shall designate a senior
22 official within the Office of the Secretary of Defense as
23 the Executive Agent for National Mobilization. The Exec-
24 utive Agent for National Mobilization shall be responsible
25 for—

1 (1) developing, managing, and coordinating poli-
2 icy and plans that address the full spectrum of mili-
3 tary mobilization readiness, including full mobiliza-
4 tion of personnel from volunteers to draftees in the
5 event of a draft activation;

6 (2) providing Congress and the Selective Serv-
7 ice System with updated requirements and timelines
8 for obtaining draft inductees in the event of a na-
9 tional emergency requiring mass mobilization and
10 activation of the draft; and

11 (3) providing Congress with a plan, developed
12 in coordination with the Selective Service System, to
13 induct large numbers of volunteers who may respond
14 to a national call for volunteers during an emer-
15 gency.

16 (b) **PLAN REQUIRED.**—Not later than one year after
17 the date of the enactment of this Act, the Secretary of
18 Defense shall submit to Congress a plan for obtaining
19 draft inductees as part of a mobilization timeline for the
20 Selective Service System. The plan shall include a descrip-
21 tion of resources, locations, and capabilities of the Armed
22 Forces required to train, equip, and integrate drafted per-
23 sonnel into the total force, addressing scenarios that would
24 include 300,000, 600,000, and 1,000,000 new volunteer

1 and drafted personnel. The plan may be provided in classi-
2 fied form.

3 **SEC. 1077. UPDATE OF JOINT PUBLICATION 3-68: NON-**
4 **COMBATANT EVACUATION OPERATIONS.**

5 (a) FINDINGS.—Congress makes the following find-
6 ings:

7 (1) Noncombatant evacuation operations are
8 conducted by the Department of Defense to assist in
9 evacuating citizens and nationals of the United
10 States, Defense Department civilian personnel, and
11 designated host nation persons whose lives are in
12 danger from locations in a foreign nation to an ap-
13 propriate safe haven when directed by the Depart-
14 ment of State.

15 (2) Joint Publication 3-68: Noncombatant
16 Evacuation Operations has not been validated since
17 November 14, 2017.

18 (b) UPDATE OF PUBLICATION.—Not later than
19 March 1, 2022, the Chairman of the Joint Chiefs of Staff
20 shall update Joint Publication 3-68: Noncombatant Evac-
21 uation Operations.

22 **SEC. 1078. TREATMENT OF OPERATIONAL DATA FROM AF-**
23 **GHANISTAN.**

24 (a) SENSE OF CONGRESS.—It is the sense of Con-
25 gress that—

1 (1) an immense amount of operational data and
2 intelligence has been developed over the past two
3 decades of war in Afghanistan; and

4 (2) this information is valuable and must be ap-
5 propriately retained.

6 (b) OPERATIONAL DATA.—The Secretary of Defense
7 shall—

8 (1) archive and standardize operational data
9 from Afghanistan across the myriad of defense infor-
10 mation systems; and

11 (2) ensure the Afghanistan operational data is
12 structured, searchable, and usable across the joint
13 force.

14 (c) BRIEFING.—Not later than March 4, 2022, the
15 Under Secretary of Defense for Intelligence and Security
16 shall provide a briefing to the Committee on Armed Serv-
17 ices of the House of Representatives on how the Depart-
18 ment of Defense has removed, retained, and assured long-
19 term access to operational data from Afghanistan across
20 each military department and command. Such briefing
21 shall address—

22 (1) the manner in which the Department of De-
23 fense is standardizing and archiving intelligence and
24 operational data from Afghanistan across the myriad
25 of defense information systems; and

1 (2) the manner in which the Department is en-
2 suring access to Afghanistan operational data across
3 the joint force.

4 **SEC. 1079. DEFENSE RESOURCE BUDGETING AND ALLOCA-**
5 **TION COMMISSION.**

6 (a) ESTABLISHMENT.—There is established a com-
7 mission, to be known as the “Defense Resource Budgeting
8 and Allocation Commission”. The purpose of the Commis-
9 sion is to develop a consensus on an effective and strategic
10 approach to Department of Defense resource budgeting
11 and allocation, including—

12 (1) by conducting an examination of the plan-
13 ning, programming, budgeting, and execution meth-
14 odology of the Department; and

15 (2) by considering potential alternatives to such
16 methodology to maximize the ability of the Depart-
17 ment to equip itself in a timely manner to respond
18 to current and emerging threats.

19 (b) MEMBERSHIP.—

20 (1) COMPOSITION.—

21 (A) IN GENERAL.—Subject to subpara-
22 graph (B), the Commission shall be composed
23 of the following members:

24 (i) The Deputy Secretary of Defense.

1 (ii) The Director of Cost Assessment
2 and Program Evaluation for the Depart-
3 ment of Defense.

4 (iii) The Comptroller/Chief Financial
5 Officer for the Department of Defense.

6 (iv) The Deputy Director of the Office
7 of Management and Budget.

8 (v) Three members appointed by the
9 majority leader of the Senate, in consulta-
10 tion with the Chairman of the Committee
11 on Armed Services of the Senate, one of
12 whom shall be a member of the Senate and
13 two of whom shall not be.

14 (vi) Two members appointed by the
15 minority leader of the Senate, in consulta-
16 tion with the Ranking Member of the Com-
17 mittee on Armed Services of the Senate,
18 one of whom shall be a member of the Sen-
19 ate and one of whom shall not be.

20 (vii) Three members appointed by the
21 Speaker of the House of Representatives,
22 in consultation with the Chairman of the
23 Committee on Armed Services of the
24 House of Representatives, one of whom

1 shall be a member of the House of Rep-
2 resentatives and two of whom shall not be.

3 (viii) Two members appointed by the
4 minority leader of the House of Represent-
5 atives, in consultation with the ranking
6 member of the Committee on Armed Serv-
7 ices of the House of Representatives, one
8 of whom shall be a Member of the House
9 of Representatives and one of whom shall
10 not be.

11 (B) EXPERTISE.—The members of the
12 Commission who are not members of Congress
13 and who are appointed under clauses (v)
14 through (viii) of subparagraph (A) shall be indi-
15 viduals who are nationally recognized for exper-
16 tise, knowledge, or experience in—

17 (i) planning, programming, budgeting,
18 and execution methodology;

19 (ii) budgeting methodologies and inno-
20 vation; or

21 (iii) the implementation or oversight
22 of Department of Defense budgeting.

23 (C) CONFLICTS OF INTEREST.—An official
24 who appoints members of the Commission may
25 not appoint an individual as a member of the

1 Commission if such individual possesses any
2 personal or financial interest in the discharge of
3 any of the duties of the Commission.

4 (D) SECURITY CLEARANCES.—All mem-
5 bers of the Commission described in subpara-
6 graph (A) shall possess an appropriate security
7 clearance in accordance with applicable provi-
8 sions of law concerning the handling of classi-
9 fied information.

10 (2) CO-CHAIRS.—The Commission shall have
11 two co-chairs, selected from among the members of
12 the Commission. One co-chair of the Commission
13 shall be a member of the Democratic Party, and one
14 co-chair shall be a member of the Republican Party.
15 The individuals who serve as the co-chairs of the
16 Commission shall be jointly agreed upon by the
17 President, the majority leader of the Senate, the mi-
18 nority leader of the Senate, the Speaker of the
19 House of Representatives, and the minority leader of
20 the House of Representatives.

21 (c) APPOINTMENT; INITIAL MEETING.—

22 (1) APPOINTMENT.—Members of the Commis-
23 sion shall be appointed not later than 45 days after
24 the date of the enactment of this Act.

1 (2) INITIAL MEETING.—The Commission shall
2 hold its initial meeting on or before the date that is
3 60 days after the date of the enactment of this Act.

4 (d) MEETINGS; QUORUM; VACANCIES.—

5 (1) IN GENERAL.—After its initial meeting, the
6 Commission shall meet upon the call of the co-chairs
7 of the Commission.

8 (2) QUORUM.—Seven members of the Commis-
9 sion shall constitute a quorum for purposes of con-
10 ducting business, except that two members of the
11 Commission shall constitute a quorum for purposes
12 of receiving testimony.

13 (3) VACANCIES.—Any vacancy in the Commis-
14 sion shall not affect its powers, but shall be filled in
15 the same manner in which the original appointment
16 was made.

17 (4) QUORUM WITH VACANCIES.—If vacancies in
18 the Commission occur on any day that is 45 days
19 after the date of the enactment of this Act, a
20 quorum shall consist of a majority of the members
21 of the Commission as of such day.

22 (e) ACTIONS OF COMMISSION.—

23 (1) IN GENERAL.—The Commission shall act by
24 resolution agreed to by a majority of the members
25 of the Commission voting and present.

1 (2) PANELS.—The Commission may establish
2 panels composed of less than the full membership of
3 the Commission for purposes of carrying out the du-
4 ties of the Commission under this title. The actions
5 of any such panel shall be subject to the review and
6 control of the Commission. Any findings and deter-
7 minations made by such a panel shall not be consid-
8 ered the findings and determinations of the Commis-
9 sion unless approved by the Commission.

10 (3) DELEGATION.—Any member, agent, or staff
11 of the Commission may, if authorized by the co-
12 chairs of the Commission, take any action which the
13 Commission is authorized to take pursuant to this
14 title.

15 (f) DUTIES.—The duties of the Commission are as
16 follows:

17 (1) To define the core objectives and priorities
18 of the strategic approach referred to in subsection
19 (a).

20 (2) To weigh the costs and benefits of various
21 strategic options for the Department of Defense to
22 budget and allocate resources, including the plan-
23 ning, programming, budgeting, and execution meth-
24 odology in effect as of the date of the enactment of
25 this Act.

1 (3) To evaluate whether the strategic options
2 described in paragraph (2) are exclusive or com-
3plementary, the best means for executing such op-
4tions, and how the Department of Defense should
5incorporate and implement such options within its
6budgeting methodology and strategy.

7 (4) To review and make determinations on the
8difficult choices present within such options, includ-
9ing how the Department can budget at the speed of
10relevance to address current and emerging threats
11while maintaining an appropriate degree of oversight
12from Congress.

13 (5) To review adversarial budgeting methodolo-
14gies and strategies to understand if and how adver-
15saries are able to meet current and future threats
16more or less successfully than the United States.

17 (6) To evaluate the effectiveness of the current
18resource budgeting and allocation methodology to
19meet current and emerging threats to the national
20security of the United States.

21 (7) In weighing the options for defending the
22United States, to consider possible structures and
23authorities that need to be established, revised, or
24augmented within the Federal Government.

25 (g) POWERS OF COMMISSION.—

1 (1) IN GENERAL.—

2 (A) HEARINGS; SUBPOENAS.—The Com-
3 mission or, on the authorization of the Commis-
4 sion, any subcommittee or member thereof,
5 may, for the purpose of carrying out the provi-
6 sions of this section—

7 (i) hold such hearings and sit and act
8 at such times and places, take such testi-
9 mony, receive such evidence, and admin-
10 ister such oaths; and

11 (ii) require, by subpoena or otherwise,
12 the attendance and testimony of such wit-
13 nesses and the production of such books,
14 records, correspondence, memoranda, pa-
15 pers, and documents, as the Commission
16 or such designated subcommittee or des-
17 ignated member considers necessary.

18 (B) SERVICE OF SUBPOENAS.—Subpoenas
19 may be issued under subparagraph (A)(ii)
20 under the signature of the co-chairs of the
21 Commission, and may be served by any person
22 designated by such co-chairs.

23 (C) FAILURE OF WITNESSES TO AP-
24 PEAR.—The provisions of sections 102 through
25 104 of the Revised Statutes of the United

1 States (2 U.S.C. 192-194) shall apply in the
2 case of any failure of a witness to comply with
3 any subpoena or to testify when summoned
4 under authority of this section.

5 (2) CONTRACTING.—The Commission may, to
6 such extent and in such amounts as are provided in
7 advance in appropriation Acts, enter into contracts
8 to enable the Commission to discharge its duties
9 under this title.

10 (3) INFORMATION FROM FEDERAL AGENCIES.—
11 The Commission may secure directly from any execu-
12 tive department, agency, bureau, board, commis-
13 sion, office, independent establishment, or instru-
14 mentality of the Government information, sugges-
15 tions, estimates, and statistics for the purposes of
16 this title. Each such department, agency, bureau,
17 board, commission, office, establishment, or instru-
18 mentality shall, to the extent authorized by law, fur-
19 nish such information, suggestions, estimates, and
20 statistics directly to the Commission, upon request
21 of the co-chairs of the Commission. The Commission
22 shall handle and protect all classified information
23 provided to it under this paragraph in accordance
24 with applicable statutes and regulations.

25 (4) ASSISTANCE FROM FEDERAL AGENCIES.—

1 (A) The Secretary of Defense shall provide
2 to the Commission, on a nonreimbursable basis,
3 such administrative services, funds, staff, facili-
4 ties, and other support services as are necessary
5 for the performance of the Commission's duties
6 under this title.

7 (B) The Director of the Office of Manage-
8 ment and Budget may provide the Commission,
9 on a nonreimbursable basis, with such adminis-
10 trative services, staff, and other support serv-
11 ices as the Commission may request. In addi-
12 tion to the assistance set forth in paragraphs
13 (1) and (2), other departments and agencies of
14 the United States may provide the Commission
15 such services, funds, facilities, staff, and other
16 support as such departments and agencies con-
17 sider advisable and as may be authorized by
18 law.

19 (C) The Commission shall receive the full
20 and timely cooperation of any official, depart-
21 ment, or agency of the United States Govern-
22 ment whose assistance is necessary, as jointly
23 determined by the co-chairs selected under sub-
24 section (b)(2), or the fulfillment of the duties of

1 the Commission, including the provision of full
2 and current briefings and analyses.

3 (5) POSTAL SERVICES.—The Commission may
4 use the United States postal services in the same
5 manner and under the same conditions as the de-
6 partments and agencies of the United States.

7 (6) GIFTS.—No member or staff of the Com-
8 mission may receive a gift or benefit by reason of
9 the service of such member or staff to the Commis-
10 sion.

11 (h) STAFF OF COMMISSION.—

12 (1) IN GENERAL.—

13 (A) DETAILEES.—Any Federal Govern-
14 ment employee may be detailed to the Commis-
15 sion without reimbursement from the Commis-
16 sion, and such detailee shall retain the rights,
17 status, and privileges of his or her regular em-
18 ployment without interruption.

19 (B) SECURITY CLEARANCE.—All staff of
20 the Commission shall possess a security clear-
21 ance in accordance with applicable laws and
22 regulations concerning the handling of classified
23 information.

24 (2) CONSULTANT SERVICES.—(A) The Commis-
25 sion may procure the services of experts and consult-

1 ants in accordance with section 3109 of title 5,
2 United States Code, but at rates not to exceed the
3 daily rate paid a person occupying a position at level
4 IV of the Executive Schedule under section 5315 of
5 such title.

6 (B) All experts and consultants employed by
7 the Commission shall possess a security clearance in
8 accordance with applicable laws and regulations con-
9 cerning the handling of classified information.

10 (i) COMPENSATION AND TRAVEL EXPENSES.—

11 (1) COMPENSATION.—

12 (A) IN GENERAL.—Except as provided in
13 subparagraph (B), each member of the Com-
14 mission may be compensated at not to exceed
15 the daily equivalent of the annual rate of basic
16 pay in effect for a position at level IV of the
17 Executive Schedule under section 5315 of title
18 5, United States Code, for each day during
19 which that member is engaged in the actual
20 performance of the duties of the Commission
21 under this title.

22 (B) OFFICERS OR EMPLOYEES OF UNITED
23 STATES.—Members of the Commission who are
24 officers or employees of the United States or
25 Members of Congress shall receive no additional

1 pay by reason of their service on the Commis-
2 sion.

3 (2) TRAVEL EXPENSES.—While away from
4 their homes or regular places of business in the per-
5 formance of services for the Commission, members
6 of the Commission may be allowed travel expenses,
7 including per diem in lieu of subsistence, in the
8 same manner as persons employed intermittently in
9 the Government service are allowed expenses under
10 section 5703 of title 5, United States Code.

11 (j) TREATMENT OF INFORMATION RELATING TO NA-
12 TIONAL SECURITY.—

13 (1) IN GENERAL.—The Secretary of Defense
14 shall assume responsibility for the handling and dis-
15 position of any information related to the national
16 security of the United States that is received, con-
17 sidered, or used by the Commission under this title.
18 Any information related to the national security of
19 the United States that is provided to the Commis-
20 sion by the congressional armed services committees
21 may not be further provided or released without the
22 approval of the chairman of such committees.

23 (2) ACCESS AFTER TERMINATION OF COMMIS-
24 SION.—Notwithstanding any other provision of law,
25 after the termination of the Commission under sub-

1 section (k)(2), only the members and designated
2 staff of the Committees on Armed Services of the
3 Senate and House of Representatives, the Secretary
4 of Defense (and the designees of the Secretary), and
5 such other officials of the executive branch as the
6 President may designate shall have access to infor-
7 mation related to the national security of the United
8 States that is received, considered, or used by the
9 Commission.

10 (k) FINAL REPORT; TERMINATION.—

11 (1) FINAL REPORT.—Not later than September
12 1, 2022, the Commission shall submit to the Com-
13 mittees on Armed Services of the Senate and House
14 of Representatives, the Secretary of Defense, and
15 the Director of Office of Management and Budget a
16 final report containing the findings of the Commis-
17 sion.

18 (2) TERMINATION.—

19 (A) IN GENERAL.—The Commission, and
20 all the authorities of this section, shall termi-
21 nate at the end of the 120-day period beginning
22 on the date on which the final report under
23 paragraph (1) is submitted to the congressional
24 armed services committees.

1 (B) CONCLUSION OF ACTIVITIES.—The
2 Commission may use the 120-day period re-
3 ferred to in subparagraph (A) for the purposes
4 of concluding its activities, including providing
5 testimony to Congress concerning the final re-
6 port referred to in that paragraph and dissemi-
7 nating the report.

8 (I) ASSESSMENTS OF FINAL REPORT.—Not later
9 than 60 days after receipt of the final report under sub-
10 section (k)(1), the Secretary of Defense and the Director
11 of the Office of Management and Budget shall each sub-
12 mit to the Committees on Armed Service of the Senate
13 and House of Representatives an assessment by the Direc-
14 tor or the Secretary, as the case may be, of the final re-
15 port. Each such assessment shall include such comments
16 on the findings and recommendations contained in the
17 final report, as the Director or Secretary, as the case may
18 be, considers appropriate.

19 **SEC. 1080. COMMISSION ON AFGHANISTAN.**

20 (a) ESTABLISHMENT.—There is hereby established a
21 commission to be known as the “Commission on Afghani-
22 stan” (in this section referred to as the “Commission”).
23 The purpose of the Commission is to examine the war in
24 Afghanistan and make recommendations regarding lessons
25 learned.

1 (b) COMPOSITION.—

2 (1) MEMBERSHIP.—The Commission shall be
3 composed of 12 members appointed as follows:

4 (A) Three members appointed by the chair
5 of the Committee on Armed Services of the
6 House of Representatives.

7 (B) Three members appointed by the rank-
8 ing minority member of the Committee on
9 Armed Services of the House of Representa-
10 tives.

11 (C) Three members appointed by the chair
12 of the Committee on Armed Services of the
13 Senate.

14 (D) Three members appointed by the rank-
15 ing minority member of the Committee on
16 Armed Services of the Senate.

17 (2) CHAIR; VICE CHAIR.—

18 (A) CHAIR.—The chair of the Committee
19 on Armed Services of the House of Representa-
20 tive and the chair of the Committee on Armed
21 Services of the Senate shall jointly designate
22 one member of the Commission to serve as
23 chair of the Commission.

24 (B) VICE CHAIR.—The ranking minority
25 member of the Committee on Armed Services of

1 the House of Representative and the ranking
2 minority member of the Committee on Armed
3 Services of the Senate shall jointly designate
4 one member of the Commission to serve as vice
5 chair of the Commission.

6 (3) PERIOD OF APPOINTMENT; VACANCIES.—

7 Members shall be appointed for the life of the Com-
8 mission. Any vacancy in the Commission shall be
9 filled in the same manner as the original appoint-
10 ment.

11 (c) DUTIES.—

12 (1) REVIEW.—The Commission shall examine
13 the following periods of the war in Afghanistan;

14 (A) Generally, the entirety of the war be-
15 ginning with Operation Enduring Freedom in
16 2001 under the Bush administration.

17 (B) The period beginning in 2009 under
18 the Obama administration, when the United
19 States deployed an increased number of mem-
20 bers of the Armed Forces to Afghanistan, and
21 ending when such members of the Armed
22 Forces were reduced in 2011.

23 (C) The period beginning in August 2019
24 and ending in February 2020, covering the ne-
25 gotiation and execution of the U.S. Govern-

1 ment-Taliban agreement during the Trump Ad-
2 ministration.

3 (D) The period beginning in February
4 2020 and ending in August 2021, with the com-
5 pletion of the withdrawal of the Armed Forces
6 from Afghanistan under the Biden Administra-
7 tion.

8 (E) The period from 1996 to 2001, during
9 which the Taliban controlled the country, high-
10 lighting events or the absence of certain key
11 events that enabled conditions on the ground in
12 Afghanistan in 2001, including efforts to sup-
13 port the Northern Alliance and related resist-
14 ance groups, opportunities to eliminate terrorist
15 leaders like Osama Bin Laden and others, and
16 opportunities to address terror threats ema-
17 nating from Afghanistan prior to 2001.

18 (2) ASSESSMENT AND RECOMMENDATIONS.—
19 The Commission shall conduct a comprehensive as-
20 sessment of the war in Afghanistan and make rec-
21 ommendations to inform future operations with tac-
22 tical and strategic lessons learned, including the im-
23 pact of troop increases and decreases and date-cer-
24 tain deadlines.

25 (d) COOPERATION FROM GOVERNMENT.—

1 (1) COOPERATION.—In carrying out its duties,
2 the Commission shall receive the full and timely co-
3 operation of the Secretary of Defense in providing
4 the Commission with analysis, briefings, and other
5 information necessary for the fulfillment of its re-
6 sponsibilities.

7 (2) LIAISON.—The Secretary shall designate at
8 least one officer or employee of the Department of
9 Defense to serve as a liaison officer between the De-
10 partment and the Commission.

11 (e) REPORT.—

12 (1) FINAL REPORT.—Not later than August 31,
13 2022, and consistent with the protection of intel-
14 ligence sources and methods, the Commission shall
15 submit to the President, the Secretary of Defense,
16 and the appropriate congressional committees a re-
17 port on the Commission's findings, conclusions, and
18 recommendations. The report shall address each of
19 the following:

20 (A) The findings of the Commission with
21 respect to each of the periods referred to in
22 subsection (c)(1).

23 (B) Intelligence and information upon
24 which the Bush, Obama, Trump, and Biden ad-
25 ministrations made planning decisions.

1 (C) The impact of the reduction in the
2 number of members of the Armed Forces de-
3 ployed to Afghanistan in 2011.

4 (D) The assessments made for the security
5 conditions to create a viable peace agreement in
6 2019.

7 (E) The security conditions necessary to
8 make such agreement a reality.

9 (F) A detailed analysis of the security con-
10 ditions on the ground in Afghanistan during the
11 entirety of the war in Afghanistan.

12 (G) The circumstances under which the
13 Biden Administration withdrew the Armed
14 Forces from Afghanistan in 2021.

15 (H) The lessons learned from 20 years in
16 Afghanistan.

17 (I) The lessons learned from 20 years of
18 equipping and supporting the Afghan National
19 Security Force.

20 (2) INTERIM BRIEFING.—Not later than March
21 3, 2022, the Commission shall provide to the appro-
22 priate congressional committees a briefing on the
23 status of its review and assessment, and include a
24 discussion of any interim recommendations.

1 (3) FORM.—The report submitted to Congress
2 under paragraph (1) shall be submitted in unclassi-
3 fied form, but may include a classified annex.

4 (4) APPROPRIATE CONGRESSIONAL COMMIT-
5 TEES.—In this subsection, the term “appropriate
6 congressional committees” means—

7 (A) the Committee on Armed Services of
8 the House of Representatives, and the Com-
9 mittee on Armed Services of the Senate; and

10 (B) the Permanent Select Committee on
11 Intelligence of the House of Representatives
12 and the Select Committee on Intelligence of the
13 Senate.

14 (f) FUNDING.—Of the amounts authorized to be ap-
15 propriated by to this Act for the Department of Defense,
16 \$5,000,000 is available to fund the activities of the Com-
17 mission.

18 (g) TERMINATION.—The Commission shall terminate
19 6 months after the date on which it submits the report
20 required by subsection (e).

21 **SEC. 1081. TECHNOLOGY PILOT PROGRAM TO SUPPORT**
22 **BALLOT TRANSMISSION FOR ABSENT UNI-**
23 **FORMED SERVICES AND OVERSEAS VOTES.**

24 (a) IN GENERAL.—Not later than 60 days after the
25 date of enactment of this Act, the individual designated

1 as the Presidential designee under section 101(a) of the
2 Uniformed and Overseas Citizens Absentee Voting Act (52
3 U.S.C. 20301(a)) shall, subject to the availability of ap-
4 propriations, establish and administer a technology pilot
5 program under section 589 of the Military and Overseas
6 Voter Empowerment Act (52 U.S.C. 20311) to provide
7 grants to State and local jurisdictions responsible for the
8 administration of elections for Federal office for use as
9 described in subsection (b) to administer the general elec-
10 tions for Federal office held in November 2022 and the
11 general elections for Federal office held in November
12 2024.

13 (b) GRANT USES.—A State or local jurisdiction re-
14 sponsible for the administration of elections for Federal
15 office may only use grant funds provided under the pro-
16 gram established under subsection (a) for the implementa-
17 tion of technologies that support the ability to vote of indi-
18 viduals entitled to vote in an election under the Uniformed
19 and Overseas Citizens Absentee Voting Act (52 U.S.C.
20 20301 et seq.), including technologies that—

21 (1) improve the security of ballot transmission,
22 including through the use of cloud-based solutions,
23 to enable ballot transmission to meet existing Fed-
24 eral cybersecurity guidelines; and

1 (2) allow grant recipients to measure and re-
2 port on data with respect to the use and effective-
3 ness of technologies tested under the program.

4 (c) REPORTING REQUIREMENT.—Not later than 60
5 days after the date of general elections in a State in which
6 a State or local jurisdiction responsible for the administra-
7 tion of Federal elections has received a grant under the
8 program for that election, the grant recipient shall prepare
9 and submit to the Presidential designee a report on the
10 effectiveness of the technologies tested under the program
11 and recommendations on the future use of such tech-
12 nologies.

13 (d) RESTRICTION ON GRANTS TO STATE AND LOCAL
14 JURISDICTIONS.—The Presidential designee may not pro-
15 vide grants to a local jurisdiction for an election specified
16 in subsection (a) if the State entity responsible for the
17 administration of elections for Federal office in such State
18 has received a grant under the program for that election.

1 **SEC. 1082. RECOGNITION OF THE MEMORIAL, MEMORIAL**
2 **GARDEN, AND K9 MEMORIAL OF THE NA-**
3 **TIONAL NAVY UDT-SEAL MUSEUM IN FORT**
4 **PIERCE, FLORIDA, AS THE OFFICIAL NA-**
5 **TIONAL MEMORIAL, MEMORIAL GARDEN,**
6 **AND K9 MEMORIAL, RESPECTIVELY, OF NAVY**
7 **SEALS AND THEIR PREDECESSORS.**

8 The Memorial, Memorial Garden, and K9 Memorial
9 of the National Navy UDT-SEAL Museum, located at
10 3300 North Highway A1A, North Hutchinson Island, in
11 Fort Pierce, Florida, are recognized as the official national
12 memorial, memorial garden, and K9 memorial, respec-
13 tively, of Navy SEALs and their predecessors.

14 **SEC. 1083. SENSE OF CONGRESS ON THE LEGACY, CON-**
15 **TRIBUTIONS, AND SACRIFICES OF AMERICAN**
16 **INDIAN AND ALASKA NATIVES IN THE ARMED**
17 **FORCES.**

18 (a) FINDINGS.—Congress finds the following:

19 (1) The United States celebrates Native Amer-
20 ican History Month each November to recognize and
21 honor the history and achievements of Native Ameri-
22 cans.

23 (2) American Indian and Alaska Natives serve
24 in all branches of the Armed Forces, attend all serv-
25 ice academies, and defend our country with valiance,
26 pride, and honor.

1 (3) More than 30,000 active duty, reserve, and
2 National Guard members of the Armed Forces iden-
3 tify as Native American.

4 (4) American Indian and Alaska Natives have
5 served and continue to serve in the highest propor-
6 tions to population than any other ethnic group.

7 (5) American Indian and Alaska Natives have
8 served in every war, from the Revolutionary War to
9 current overseas conflicts.

10 (6) Native American veterans are Congressional
11 Medal of Honor, Congressional Gold and Silver Med-
12 als, Purple Heart, and Bronze Star Medal recipi-
13 ents.

14 (7) American Indian and Alaska Native women
15 serve in Armed Forces in higher proportions than
16 any other ethnic group.

17 (8) Native American Code Talkers and their
18 languages proved an invaluable asset during World
19 Wars I and II.

20 (9) Ira Hayes, Akimel O’odham (Pima) helped
21 to raise the American flag on Iwo Jima;

22 (10) Dr. Joseph Medicine Crow, Apsáalooke
23 (Crow), served in WWII and became a war chief.

24 (11) Numerous present and past military air-
25 craft, helicopters, and munitions programs bear the

1 names of Native American tribes and tribal leaders
2 to honor their legacy of martial prowess, including
3 the Apache, Kiowa, Black Hawk, Lakota, Chinook,
4 Huron, Iroquois, Comanche, Cayuse, Chickasaw,
5 Ute, Gray Eagle, Mescalero, Tomahawk, and more.

6 (12) Native American tribes commonly take
7 part in ceremonies alongside military units to bless
8 new aircraft and mark successful inception of new
9 fleets.

10 (13) More than 140,000 veterans across the
11 United States identify as Native American.

12 (14) Each November, the Department of De-
13 fense honors the unique and special relationship with
14 tribal communities during Native American Heritage
15 Month.

16 (b) SENSE OF CONGRESS.—It is the sense of Con-
17 gress that Congress—

18 (1) recognizes and honors the legacy and con-
19 tributions of American Indian and Alaska Natives
20 and tribal communities to the military of the United
21 States; and

22 (2) commits to ensuring progress for American
23 Indian and Alaska Native members of the Armed
24 Forces and veterans with regard to representation in
25 senior military leadership positions, improving access

1 to culturally competent resources and services, and
2 supporting families and tribal communities.

3 **SEC. 1084. NAME OF NAVAL MEDICAL CENTER CAMP**
4 **LEJEUNE.**

5 Naval Medical Center Camp Lejeune located on Ma-
6 rine Corps Base Camp Lejeune, North Carolina, shall
7 after the date of the enactment of this Act be known and
8 designated as the “Walter B. Jones Naval Medical Cen-
9 ter”. Any reference to Naval Medical Center Camp
10 Lejeune in any law, regulation, map, document, record,
11 or other paper of the United States shall be considered
12 to be a reference to the Walter B. Jones Naval Medical
13 Center.

14 **SEC. 1085. SENSE OF CONGRESS REGARDING NAMING A**
15 **WARSHIP THE USS FALLUJAH.**

16 It is the sense of Congress that the Secretary of the
17 Navy should name a warship the “USS Fallujah”.

18 **SEC. 1086. NAME OF AIR FORCE UTAH TEST AND TRAINING**
19 **RANGE.**

20 The Air Force Utah Test and Training Range shall
21 after the date of the enactment of this Act be known and
22 designated as the “Bishop Utah Test and Training
23 Range”. Any reference to such test and training range in
24 any law, regulation, map, document, record, or other

1 paper of the United States shall be considered to be a ref-
2 erence to the Bishop Utah Test and Training Range.

3 **SEC. 1087. NAME OF AIR FORCE UTAH TEST AND TRAINING**
4 **RANGE CONSOLIDATED MISSION CONTROL**
5 **CENTER.**

6 The Air Force Utah Test and Training Range Con-
7 solidated Mission Control Center shall after the date of
8 the enactment of this Act be known and designated as the
9 “Robert W. Bishop Utah Test and Training Range Com-
10 bined Mission Control Center”. Any reference to such
11 combined mission control center in any law, regulation,
12 map, document, record, or other paper of the United
13 States shall be considered to be a reference to the Robert
14 W. Bishop Utah Test and Training Range Combined Mis-
15 sion Control Center.

16 **SEC. 1088. SENSE OF CONGRESS REGARDING CRISIS AT**
17 **THE SOUTHWEST BORDER.**

18 (a) FINDINGS.—Congress makes the following find-
19 ings:

20 (1) There were 1,300,000 illegal crossings be-
21 tween January, 2021, and July, 2021, at the South-
22 west land border of the United States.

23 (2) The 212,672 migrant encounters on the
24 Southwest land border in July 2021 was a 21-year
25 high.

1 (3) Noncitizens with criminal convictions are
2 routinely encountered at ports of entry and between
3 ports of entry on the Southwest land border.

4 (4) Some of the inadmissible individuals en-
5 countered on the southwest border are known or
6 suspected terrorists.

7 (5) Transnational criminal organizations rou-
8 tinely move illicit drugs, counterfeit products, and
9 trafficked humans across the Southwest land border.

10 (b) SENSE OF CONGRESS.—It is the sense of Con-
11 gress that—

12 (1) the current level of illegal crossings and
13 trafficking on the Southwest border represents a na-
14 tional security threat;

15 (2) the Department of Defense has rightly con-
16 tributed personnel to aid the efforts of the United
17 States Government to address the crisis at the
18 Southwest border;

19 (3) the National Guard and active duty mem-
20 bers of the Armed Forces are to be commended for
21 their hard work and dedication in their response to
22 the crisis at the Southwest land border; and

23 (4) border security is a matter of national secu-
24 rity and the failure to address the crisis at the

1 Southwest border introduces significant risk to the
2 people of the United States.

3 **SEC. 1089. IMPROVEMENTS AND CLARIFICATIONS RELAT-**
4 **ING TO UNAUTHORIZED USE OF COMPUTERS**
5 **OF DEPARTMENT OF DEFENSE.**

6 The Secretary of Defense shall take such steps as
7 may be necessary to ensure that the electronic banner that
8 appears on the screens of computers of the Department
9 of Defense upon access of such computers (providing
10 warnings related to access and use of U.S. Government
11 computers) is updated to include language prohibiting
12 users from using government email for an unauthorized
13 purpose.

14 **TITLE XI—CIVILIAN PERSONNEL**
15 **MATTERS**

16 **SEC. 1101. ONE-YEAR EXTENSION OF AUTHORITY TO WAIVE**
17 **ANNUAL LIMITATION ON PREMIUM PAY AND**
18 **AGGREGATE LIMITATION ON PAY FOR FED-**
19 **ERAL CIVILIAN EMPLOYEES WORKING OVER-**
20 **SEAS.**

21 Subsection (a) of section 1101 of the Duncan Hunter
22 National Defense Authorization Act for Fiscal Year 2009
23 (Public Law 110–417; 122 Stat. 4615), as most recently
24 amended by section 1105 of the William M. (Mac) Thorn-
25 berry National Defense Authorization Act for Fiscal Year

1 2021 (Public Law 116–283), is further amended by strik-
2 ing “through 2021” and inserting “through 2022”.

3 **SEC. 1102. ONE-YEAR EXTENSION OF TEMPORARY AUTHOR-**
4 **ITY TO GRANT ALLOWANCES, BENEFITS, AND**
5 **GRATUITIES TO CIVILIAN PERSONNEL ON OF-**
6 **FICIAL DUTY IN A COMBAT ZONE.**

7 Paragraph (2) of section 1603(a) of the Emergency
8 Supplemental Appropriations Act for Defense, the Global
9 War on Terror, and Hurricane Recovery, 2006 (Public
10 Law 109–234; 120 Stat. 443), as added by section 1102
11 of the Duncan Hunter National Defense Authorization
12 Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat.
13 4616) and as most recently amended by section 1106 of
14 the of the William M. (Mac) Thornberry National Defense
15 Authorization Act for Fiscal Year 2021 (Public Law 116–
16 283), is further amended by striking “2022” and inserting
17 “2023”.

18 **SEC. 1103. DARPA PERSONNEL MANAGEMENT AUTHORITY**
19 **TO ATTRACT SCIENCE AND ENGINEERING EX-**
20 **PERTS.**

21 Section 1599h(b) of title 10, United States Code, is
22 amended—

23 (1) in paragraph (2)(B), by striking “and” at
24 the end;

1 (2) in paragraph (3), by striking the period and
2 inserting “; and”; and

3 (3) by adding at the end the following:

4 “(4) during any fiscal year, pay up to 15 indi-
5 viduals newly appointed pursuant to paragraph
6 (1)(B) the travel, transportation, and relocation ex-
7 penses and services described under sections 5724,
8 5724a, and 5724e of title 5.”.

9 **SEC. 1104. CIVILIAN PERSONNEL MANAGEMENT.**

10 Section 129(a) of title 10, United States Code, is
11 amended—

12 (1) in the first sentence, by striking “primarily”
13 and inserting “solely”;

14 (2) in the second sentence, by striking “solely”;
15 and

16 (3) by inserting after the second sentence the
17 following: “Funds appropriated to the Department
18 of Defense may not be obligated or expended for
19 term or temporary hiring authorities for enduring
20 functions.”.

21 **SEC. 1105. COMPTROLLER GENERAL REVIEW OF NAVAL**
22 **AUDIT SERVICE OPERATIONS.**

23 (a) **COMPTROLLER GENERAL REPORT.**—Not later
24 than one year after the date of enactment of this Act, the
25 Comptroller General of the United States shall submit to

1 congressional defense committees a report on the oper-
2 ations of the Naval Audit Service. Such report shall in-
3 clude—

4 (1) a description of current and historical budg-
5 etary resources and authorized full-time employees
6 provided to and utilized by the Naval Audit Service,
7 as well as of any planned or anticipated changes to
8 the Naval Audit Service's level of resources or staff;

9 (2) information on the workload of the Naval
10 Audit Service and where it devotes its resources;

11 (3) an assessment of the audit policies of the
12 Naval Audit Service, how it determines where to de-
13 vote resources, and its level of independence when
14 performing audits and reporting audit results; and

15 (4) an assessment of the potential impacts of
16 any planned or anticipated changes to the Naval
17 Audit Service's level of resources or staff.

18 (b) LIMITATION.—During the period beginning on
19 the date of enactment of this Act and ending on the date
20 that is 180 days after the date on which the report under
21 subsection (a) is submitted to the congressional defense
22 committees—

23 (1) no individual may assign, transfer, transi-
24 tion, merge, consolidate, or eliminate any function,
25 responsibility, authority, service, system, or program

1 that was carried out by the Naval Audit Service as
2 of January 1, 2021, to an entity other than the
3 Naval Audit Service; and

4 (2) the number of full-time employees author-
5 ized for the Naval Audit Service may not be reduced
6 below the total that is 10 percent less than the num-
7 ber that was authorized as of January 1, 2021.

8 (c) SECRETARY OF THE NAVY REPORT.—Not later
9 than the date that is 90 days after the date the report
10 under subsection (a) is submitted to the congressional de-
11 fense committees, the Secretary of the Navy shall submit
12 to the congressional defense committees a report, includ-
13 ing—

14 (1) the Navy’s assessment of the findings and
15 recommendations of the Comptroller General in re-
16 gard to the Naval Audit Service, including the
17 Navy’s plans to implement the Comptroller General’s
18 recommendations;

19 (2) any reports or studies completed since 2018
20 by the Navy or outside entities, including federally
21 funded research and development centers, into the
22 operations of the Naval Audit Service, and the
23 Navy’s response to the findings and recommenda-
24 tions of such reports; and

1 (3) the Secretary’s plans for any changes to the
2 activities, resources, staffing, authorities, respon-
3 sibilities, and mission of the Naval Audit Service.

4 **SEC. 1106. IMPLEMENTATION OF GAO RECOMMENDATIONS**
5 **ON TRACKING, RESPONSE, AND TRAINING**
6 **FOR CIVILIAN EMPLOYEES OF THE DEPART-**
7 **MENT OF DEFENSE REGARDING SEXUAL HAR-**
8 **ASSMENT AND ASSAULT.**

9 (a) PLAN REQUIRED.—

10 (1) IN GENERAL.—The Secretary of Defense
11 shall develop a plan to address the recommendations
12 in the report of the U.S. Government Accountability
13 Office titled “Sexual Harassment and Assault: Guid-
14 ance Needed to Ensure Consistent Tracking, Re-
15 sponse, and Training for DOD Civilians” (GAO–21–
16 113).

17 (2) ELEMENTS.—The plan required under
18 paragraph (1) shall, with respect to each rec-
19 ommendation in the report described in paragraph
20 (1) that the Secretary has implemented or intends to
21 implement, include—

22 (A) a summary of actions that have been
23 or will be taken to implement the recommenda-
24 tion; and

1 (B) a schedule, with specific milestones,
2 for completing implementation of the rec-
3 ommendation.

4 (b) SUBMISSION TO CONGRESSIONAL DEFENSE COM-
5 MITTEES.—Not later than one year after the date of the
6 enactment of this Act, the Secretary shall submit to the
7 congressional defense committees the plan required under
8 subsection (a).

9 (c) DEADLINE FOR IMPLEMENTATION.—

10 (1) IN GENERAL.—Except as provided in para-
11 graph (2), not later than 18 months after the date
12 of the enactment of this Act, the Secretary shall
13 carry out activities to implement the plan developed
14 under subsection (a).

15 (2) EXCEPTION FOR IMPLEMENTATION OF CER-
16 TAIN RECOMMENDATIONS.—

17 (A) DELAYED IMPLEMENTATION.—The
18 Secretary may initiate implementation of a rec-
19 ommendation in the report described in sub-
20 section (a)(1) after the date specified in para-
21 graph (1) if the Secretary provides the congres-
22 sional defense committees with a specific jus-
23 tification for the delay in implementation of
24 such recommendation on or before such date.

1 (B) NONIMPLEMENTATION.—The Sec-
2 retary may decide not to implement a rec-
3 ommendation in the report described in sub-
4 section (a)(1) if the Secretary provides to the
5 congressional defense committees, on or before
6 the date specified in paragraph (1)—

7 (i) a specific justification for the deci-
8 sion not to implement the recommendation;
9 and

10 (ii) a summary of alternative actions
11 the Secretary plans to take to address the
12 conditions underlying the recommendation.

13 **SEC. 1107. GUIDELINES FOR REDUCTIONS IN CIVILIAN PO-**
14 **SITIONS.**

15 Subsection (e) of section 1597 of title 10, United
16 States Code, is amended—

17 (1) in the subsection heading, by striking “RE-
18 Ductions BASED PRIMARILY ON PERFORMANCE”
19 and inserting “REDUCTIONS BASED PRIMARILY ON
20 SENIORITY AND VETERANS PREFERENCE”; and

21 (2) by striking “primarily on the basis of per-
22 formance, as determined under any applicable per-
23 formance management system” and inserting “fol-
24 lowing the order of retention prescribed in section
25 3502 of title 5”.

1 **SEC. 1108. REPEAL OF 2-YEAR PROBATIONARY PERIOD.**

2 (a) REPEAL.—

3 (1) IN GENERAL.—Section 1599e of title 10,
4 United States Code, is repealed.

5 (2) APPLICATION.—The modification of proba-
6 tionary periods for covered employees (as that term
7 is defined in such section 1599e as in effect on the
8 date immediately preceding the date of enactment of
9 this Act) by operation of the amendment made by
10 paragraph (1) shall only apply to an individual ap-
11 pointed as such an employee on or after such date
12 of enactment.

13 (b) TECHNICAL AND CONFORMING AMENDMENTS.—

14 (1) TITLE 10.—The table of sections for chap-
15 ter 81 of title 10, United States Code, is amended
16 by striking the item relating to section 1599e.

17 (2) TITLE 5.—Title 5, United States Code, is
18 amended—

19 (A) in section 3321(c), by striking “, or
20 any individual covered by section 1599e of title
21 10”;

22 (B) in section 3393(d), by striking the sec-
23 ond sentence;

24 (C) in section 7501(1), by striking “, ex-
25 cept as provided in section 1599e of title 10”;

1 (D) in section 7511(a)(1)(A)(ii), by strik-
2 ing “except as provided in section 1599e of title
3 10,”; and

4 (E) in section 7541(1)(A), by striking “or
5 section 1599e of title 10”.

6 **SEC. 1109. AMENDMENT TO DIVERSITY AND INCLUSION RE-**
7 **PORTING.**

8 Section 113 of title 10, United States Code, as
9 amended by section 551 of the National Defense Author-
10 ization Act for Fiscal Year 2021 (Public Law 116–283),
11 is amended—

12 (1) in subsection (c)(2), by inserting “of mem-
13 bers and civilian employees” after “inclusion”;

14 (2) in subsection (l)—

15 (A) in paragraph (1)—

16 (i) in subparagraph (A), by striking “;
17 and” and inserting a semicolon;

18 (ii) by redesignating subparagraph
19 (B) as subparagraph (C); and

20 (iii) by inserting after subparagraph
21 (A) the following new subparagraph (B):

22 “(B) efforts to reflect, across the civilian work-
23 force of the Department and of each armed force,
24 the diversity of the population of the United States;
25 and”; and

1 (B) in paragraph (2)(B), by inserting “and
2 civilian employees of the Department” after
3 “members of the armed forces”; and

4 (3) in subsection (m)—

5 (A) by redesignating paragraph (7) as
6 paragraph (8); and

7 (B) by inserting after paragraph (6) the
8 following new paragraph (7):

9 “(7) The number of civilian employees of the
10 Department, disaggregated by military department,
11 gender, race, and ethnicity—

12 “(A) in each grade of the General Sched-
13 ule;

14 “(B) in each grade of the Senior Executive
15 Service;

16 “(C) paid at levels above grade GS-15 of
17 the General Schedule but who are not members
18 of the Senior Executive Service;

19 “(D) paid under the Federal Wage Sys-
20 tem, and

21 “(E) paid under alternative pay systems.”.

1 **SEC. 1110. INCLUDING ACTIVE DUTY IN THE ARMED**
2 **FORCES IN MEETING SERVICE REQUIRE-**
3 **MENT FOR FEDERAL EMPLOYEE FAMILY AND**
4 **MEDICAL LEAVE.**

5 (a) FAMILY AND MEDICAL LEAVE ACT OF 1993.—
6 Section 101(2) of the Family and Medical Leave Act of
7 1993 (29 U.S.C. 2611(2)) is amended by adding at the
8 end the following:

9 “(F) ACTIVE DUTY AS MEMBER OF ARMED
10 FORCES.—For the purposes of determining
11 whether an individual who is a Federal officer
12 or employee (not including a Federal officer or
13 employee excluded under paragraph (2)(B)(i))
14 meets the service requirements specified in sub-
15 paragraph (A), the individual will be considered
16 to meet those requirements if the individual—

17 “(i) served on active duty as a mem-
18 ber of the armed forces for at least one
19 year; and

20 “(ii) whose separation from the armed
21 forces is characterized as honorable by the
22 Secretary concerned.”.

23 (b) TITLE 5.—Section 6381(1)(B) of title 5, United
24 States Code, is amended to read as follows:

25 “(B)(i) has completed at least 12 months
26 of service as an employee (as defined in section

1 2105) of the Government of the United States,
2 including service with the United States Postal
3 Service, the Postal Regulatory Commission, and
4 a nonappropriated fund instrumentality as de-
5 scribed in section 2105(c); or

6 “(ii)(I) served on active duty as a member
7 of the armed forces for at least one year; and

8 “(II) whose separation from the armed
9 forces is characterized as honorable by the Sec-
10 retary concerned;”.

11 **SEC. 1111. TREATMENT OF HOURS WORKED UNDER A**
12 **QUALIFIED TRADE-OF-TIME ARRANGEMENT.**

13 Section 5542 of title 5, United States Code, is
14 amended by adding at the end the following:

15 “(h)(1) Notwithstanding any other provision of this
16 section, any hours worked by a firefighter under a quali-
17 fied trade-of-time arrangement shall be disregarded for
18 purposes of any determination relating to eligibility for,
19 or the amount of, any overtime pay under this section.

20 “(2) For purposes of this subsection—

21 “(A) the term ‘qualified trade-of-time arrange-
22 ment’ means an arrangement under which 2 fire-
23 fighters who are employed by the same agency
24 agree, solely at their option and with the approval
25 of their employing agency, to substitute for one an-

1 other during scheduled work hours in the perform-
2 ance of work in the same capacity; and

3 “(B) the term ‘firefighter’ means a firefighter
4 as defined by section 8331(21) or 8401(14).”.

5 **SEC. 1112. MODIFICATION OF TEMPORARY AUTHORITY TO**
6 **APPOINT RETIRED MEMBERS OF THE ARMED**
7 **FORCES TO POSITIONS IN THE DEPARTMENT**
8 **OF DEFENSE.**

9 Section 1108(b) of the William M. (Mac) Thornberry
10 National Defense Authorization Act for Fiscal Year 2021
11 (Public Law 116–283) is amended to read as follows:

12 “(b) POSITIONS.—The positions in the Department
13 described in this subsection are positions in the competi-
14 tive service—

15 “(1) at any defense industrial base facility (as
16 that term is defined in section 2208(u)(3) of title
17 10, United States Code) that is part of the core lo-
18 gistics capabilities (as described in section 2464(a)
19 of such title); or

20 “(2) at any Major Range and Test Facility
21 Base (as that term is defined in section 196(i) of
22 such title).”.

1 **SEC. 1113. INCREASE IN ALLOWANCE BASED ON DUTY AT**
2 **REMOTE WORKSITES.**

3 (a) ASSESSMENT AND RATE.—Not later than March
4 31, 2022, the Director of the Office of Personnel Manage-
5 ment shall complete an assessment of the remote site pay
6 allowance under section 5942 of title 5, United States
7 Code, and propose a new rate of such allowance, adjusted
8 for inflation, and submit such assessment and rate to the
9 President and to Congress.

10 (b) APPLICATION.—Beginning on the first day of the
11 first pay period beginning after the date the Director sub-
12 mits the assessment and rate under subsection (a), such
13 rate shall, notwithstanding subsection (a) of such section
14 5942, be the rate of such allowance.

15 **SEC. 1114. LIMITING THE NUMBER OF LOCAL WAGE AREAS**
16 **DEFINED WITHIN A PAY LOCALITY.**

17 (a) LOCAL WAGE AREA LIMITATION.—Section
18 5343(a) of title 5, United States Code, is amended—

19 (1) in paragraph (1)(B)(i), by striking “(but
20 such” and all that follows through “are employed”);

21 (2) in paragraph (4), by striking “and” after
22 the semicolon;

23 (3) in paragraph (5), by striking the period at
24 the end and inserting “; and”; and

25 (4) by adding at the end of the following:

1 “(6) the Office of Personnel Management may
2 define not more than one local wage area within a
3 pay locality, except that this paragraph shall not
4 apply to the pay locality designated as ‘Rest of
5 United States’.”.

6 (b) PAY LOCALITY DEFINED.—Section 5342(a) of
7 title 5, United States Code, is amended—

8 (1) in paragraph (2)(C), by striking “and” at
9 the end;

10 (2) in paragraph (3), by striking the period at
11 the end and inserting “; and”; and

12 (3) by adding at the end the following:

13 “(4) ‘pay locality’ has the meaning given that
14 term under section 5302(5).”.

15 (c) REGULATIONS.—The Director of the Office of
16 Personnel Management shall prescribe any regulations
17 necessary to carry out this section and the amendments
18 made by this section, including regulations to ensure that
19 this section and the amendments made by this section
20 shall not have the effect of reducing any rate of basic pay
21 payable to any individual who is serving as a prevailing
22 rate employee (as defined under section 5342(a)(2) of title
23 5, United States Code).

1 (d) EFFECTIVE DATE.—This section and the amend-
2 ments made by this section shall apply with respect to fis-
3 cal year 2022 and each fiscal year thereafter.

4 **TITLE XII—MATTERS RELATING**
5 **TO FOREIGN NATIONS**
6 **Subtitle A—Assistance and**
7 **Training**

8 **SEC. 1201. EXTENSION OF SUPPORT OF SPECIAL OPER-**
9 **ATIONS FOR IRREGULAR WARFARE.**

10 Section 1202(a) of the National Defense Authoriza-
11 tion Act for Fiscal Year 2018 (Public Law 115–91; 131
12 Stat. 1639) is amended by striking “2023” and inserting
13 “2025”.

14 **Subtitle B—Matters Relating to**
15 **Afghanistan and Pakistan**

16 **SEC. 1211. CLARIFICATION OF CERTAIN MATTERS REGARD-**
17 **ING PROTECTION OF AFGHAN ALLIES.**

18 (a) IN GENERAL.—Section 602 of the Afghan Allies
19 Protection Act of 2009 (8 U.S.C. 1101 note) is amend-
20 ed—

21 (1) in subsection (b)(2)(C)—

22 (A) by striking “(I) IN GENERAL.—An
23 alien is described in this subparagraph if the
24 alien” and inserting the following:

1 “(i) IN GENERAL.—An alien is de-
2 scribed in this subparagraph if the alien”;
3 and

4 (B) by striking “(II) EMPLOYMENT RE-
5 QUIREMENTS.—An application” and inserting
6 the following:

7 “(ii) EMPLOYMENT REQUIREMENTS.—
8 An application”;

9 (2) in subsection (b)(2)(C)(i), by striking sub-
10 clause (I), and inserting the following:

11 “(I) was the spouse or child of a
12 principal alien described in subpara-
13 graph (A) who had submitted—

14 “(aa) an application to the
15 Chief of Mission pursuant to this
16 section; or

17 “(bb) a petition pursuant to
18 section 1059 of the National De-
19 fense Authorization Act for Fis-
20 cal Year 2006 (Public Law 109-
21 163; 8 U.S.C. 1101 note),

22 which included the alien as an accom-
23 panying spouse or child; and”;

24 (3) in subsection (b)(2)(C)(i)(II)—

1 (A) in item (aa), by inserting “application
2 or” before “petition”; and

3 (B) in item (bb), by inserting “application
4 or” before “petition”; and

5 (4) in subsection (b)(2)(C)(ii), by inserting “or
6 petition” after “application” each place such term
7 appears.

8 (b) SENSE OF CONGRESS.—It is the sense of Con-
9 gress that—

10 (1) it is our solemn responsibility to honor the
11 sacrifices made by, and the loyal service of, our
12 many Afghan partners who faithfully served along-
13 side our Armed Forces, our diplomats, and sup-
14 ported United States operations in Afghanistan for
15 the last 20 years;

16 (2) the United States Government must recog-
17 nize that commitment and seek to facilitate the safe
18 passage to the United States for those Afghan part-
19 ners through the Afghan Special Immigrant Visa
20 program;

21 (3) our Afghan partners performed their serv-
22 ices at great personal risk to themselves and their
23 families and that these Afghans, in their service to
24 our security as interpreters and in other capacities,

1 furthered our military and diplomatic mission in Af-
2 ghanistan; and

3 (4) the United States Government is grateful
4 for the loyalty of our Afghan partners and expresses
5 our deepest sympathies for what they have lost.

6 Congress reaffirms its commitment to continuing the work
7 that it has done to honor these Afghans and provide for
8 their safety through the Afghan Special Immigrant Visa
9 program as it has since the program's inception in 2009
10 including through the passage of legislation to extend the
11 Afghan Special Immigrant Visa program and provide ad-
12 ditional special immigrant visas.

13 **SEC. 1212. AFGHANISTAN SECURITY FORCES FUND.**

14 (a) AUTHORIZATION OF APPROPRIATIONS.—
15 Amounts are authorized to be appropriated and are au-
16 thorized to remain available through December 31, 2022,
17 for the Afghanistan Security Forces Fund for expenditure
18 on costs associated with the termination of Operation
19 Freedom's Sentinel and termination of related support to
20 the forces of the Ministry of Defense and the Ministry of
21 Interior Affairs of the Government of Afghanistan, and
22 may also be made available for storage costs for equipment
23 and other materiel taken into DoD stock pursuant to sub-
24 section (b) of this section, contract termination, and close
25 out costs.

1 (b) EQUIPMENT DISPOSITION.—

2 (1) ACCEPTANCE OF CERTAIN EQUIPMENT.—

3 Subject to paragraph (2), the Secretary of Defense
4 may accept equipment that was procured using
5 amounts authorized to be appropriated for the Af-
6 ghanistan Security Forces Fund by subsection (a) or
7 authorized to be appropriated pursuant to prior Acts
8 and was—

9 (A) intended for transfer to the security
10 forces of the Ministry of Defense and the Min-
11 istry of Interior Affairs of the Government of
12 Afghanistan; or

13 (B) previously accepted by the Government
14 of Afghanistan.

15 (2) TREATMENT AS DEPARTMENT OF DEFENSE
16 STOCKS.—Equipment accepted under the authority
17 provided under paragraph (1) may be treated as
18 stocks of the Department of Defense upon notifica-
19 tion to the congressional defense committees of such
20 treatment.

21 (3) AUTHORIZATION OF APPROPRIATIONS.—

22 Amounts authorized to be appropriated by this Act
23 for the Afghanistan Security Forces Fund for the
24 authority described in paragraph (1) may be used—

1 (A) for transportation, storage, and other
2 costs associated with taking equipment accepted
3 under the authority provided under paragraph
4 (1) into stocks of the Department of Defense
5 until alternate disposition is determined; and

6 (B) to pay for the costs of disposing of
7 such equipment if no other alternate use can be
8 found.

9 (4) QUARTERLY REPORTS ON EQUIPMENT DIS-
10 POSITION.—

11 (A) IN GENERAL.—Not later than 90 days
12 after the date of the enactment of this Act and
13 every 90 days thereafter during the period in
14 which the authority provided under paragraph
15 (1) is exercised, the Secretary shall submit to
16 the congressional defense committees a report
17 describing the equipment accepted during the
18 period covered by such report under the fol-
19 lowing:

20 (i) This subsection.

21 (ii) Any prior Act authorizing the ap-
22 propriation of funds for the Afghanistan
23 Security Forces Fund pursuant to which
24 such equipment was accepted during such
25 period.

1 (B) ELEMENTS.—Each report under sub-
2 paragraph (A) shall include, with respect to the
3 90-day period for which report is submitted and
4 cumulatively beginning with the date of the
5 submission of the first notification described in
6 subparagraph (A) —

7 (i) a list of any equipment accepted
8 during such period and treated as stocks of
9 the Department of Defense;

10 (ii) a description of the circumstances
11 that resulted in such equipment being
12 available for treatment as stocks of the De-
13 partment of Defense;

14 (iii) the cost associated with the stor-
15 age of maintenance of any accepted equip-
16 ment; and

17 (iv) the final disposition decisions or
18 actions for all accepted equipment.

19 **SEC. 1213. PROHIBITION ON PROVIDING FUNDS OR MATE-**
20 **RIAL RESOURCES OF THE DEPARTMENT OF**
21 **DEFENSE TO THE TALIBAN.**

22 The Secretary of Defense may not provide any funds
23 or material resources of the Department of Defense to the
24 Taliban.

1 **SEC. 1214. PROHIBITION ON TRANSPORTING CURRENCY TO**
2 **THE TALIBAN AND THE ISLAMIC EMIRATE OF**
3 **AFGHANISTAN.**

4 None of the amounts authorized to be appropriated
5 by this Act or otherwise made available to the Department
6 of Defense may be made available for the operation of any
7 aircraft of the Department of Defense to transport cur-
8 rency or other items of value to the Taliban, the Islamic
9 Emirate of Afghanistan, or any subsidiary, agent, or in-
10 strumentality of either the Taliban or the Islamic Emirate
11 of Afghanistan.

12 **SEC. 1215. EXTENSION AND MODIFICATION OF AUTHORITY**
13 **FOR REIMBURSEMENT OF CERTAIN COALI-**
14 **TION NATIONS FOR SUPPORT PROVIDED TO**
15 **UNITED STATES MILITARY OPERATIONS.**

16 Section 1233 of the National Defense Authorization
17 Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat.
18 393) is amended—

19 (1) in subsection (a), by striking “for the period
20 beginning on October 1, 2020, and ending on De-
21 cember 31, 2021” and inserting “for the period be-
22 ginning on October 1, 2021, and ending on Decem-
23 ber 31, 2022”; and

24 (2) in subsection (d)—

25 (A) by striking “during the period begin-
26 ning on October 1, 2020, and ending on De-

1 cember 31, 2021” and inserting “during the pe-
2 riod beginning on October 1, 2021, and ending
3 on December 31, 2022”; and

4 (B) by striking “\$180,000,000” and in-
5 serting “\$60,000,000”.

6 **SEC. 1216. QUARTERLY BRIEFINGS ON THE SECURITY ENVI-**
7 **RONMENT IN AFGHANISTAN AND UNITED**
8 **STATES MILITARY OPERATIONS RELATED TO**
9 **THE SECURITY OF, AND THREATS EMA-**
10 **NATING FROM, AFGHANISTAN.**

11 (a) IN GENERAL.—The Chairman of the Joint Chiefs
12 of Staff and the Secretary of Defense, acting through the
13 Under Secretary of Defense for Policy and the Under Sec-
14 retary of Defense for Intelligence and Security, shall pro-
15 vide to the congressional defense committees a quarterly
16 briefing on the security environment in Afghanistan and
17 United States military operations related to the security
18 of, and threats emanating from, Afghanistan.

19 (b) ELEMENTS.—Each quarterly briefing under sub-
20 section (a) shall including information relating to the fol-
21 lowing:

22 (1) The current security environment in Af-
23 ghanistan, including the following:

24 (A) An assessment of foreign terrorist or-
25 ganizations operating within Afghanistan, in-

1 including the operations of such organizations
2 against targets inside Afghanistan and abroad.

3 (B) An assessment of Taliban operations
4 against Afghan nationals who assisted United
5 States and coalition forces since 2001.

6 (2) The disposition of United States forces in
7 the region, including the following:

8 (A) An update on United States force pos-
9 ture and basing activity in the CENTCOM area
10 of operations as such relates to Afghanistan.

11 (B) A description of capabilities of forces
12 in the region to execute operations in Afghani-
13 stan.

14 (C) Relevant updates on ability and effec-
15 tiveness of over the horizon operations in Af-
16 ghanistan.

17 (3) Relevant updates of foreign military oper-
18 ations in the region, including the following:

19 (A) An assessment of foreign military op-
20 erations in the region as such relate to Afghani-
21 stan.

22 (B) An assessment of foreign military ca-
23 pabilities to execute operations in Afghanistan.

1 (C) An assessment of foreign militaries' re-
2 lationships with the Taliban or foreign terrorist
3 organizations inside Afghanistan.

4 (c) TIMING.—Each quarterly briefing under sub-
5 section (a) shall be conducted on date each quarter of each
6 fiscal year as agreed upon by the Chairman of the Joint
7 Chiefs of Staff, the Under Secretary of Defense for Policy,
8 the Under Secretary of Defense for Intelligence and Secu-
9 rity, and the congressional defense committees.

10 (d) CLASSIFICATION.—Each quarterly briefing under
11 subsection (a) shall be conducted in a classified format.

12 **SEC. 1217. QUARTERLY REPORT ON THE THREAT POTEN-**
13 **TIAL OF AL-QAEDA AND RELATED TERRORIST**
14 **GROUPS UNDER A TALIBAN REGIME IN AF-**
15 **GHANISTAN.**

16 (a) IN GENERAL.—The Secretary of Defense shall
17 prepare and submit to the appropriate congressional com-
18 mittees on a quarterly basis a report on the threat poten-
19 tial of Al-Qaeda and related terrorist groups under a
20 Taliban regime in Afghanistan.

21 (b) MATTERS TO BE INCLUDED.—The report re-
22 quired by subsection (a) shall include the implications of
23 Al-Qaeda and related terrorist groups, including the Is-
24 lamic State of Iraq and Syria (ISIS), the Islamic State
25 Khurasan (ISK), and the Haqqani Network, operating

1 within a Taliban-held Afghanistan, the region, and glob-
2 ally.

3 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
4 FINED.—In this section, the term “appropriate congress-
5 sional committees” means—

6 (1) the congressional defense committees; and

7 (2) the Committee on Foreign Relations of the
8 Senate and the Committee on Foreign Affairs of the
9 House of Representatives.

10 **SEC. 1218. SENSE OF CONGRESS.**

11 It is the sense of Congress that—

12 (1) the men and women of the United States
13 Armed Forces performed heroically by securing
14 Hamid Karzai International Airport and facilitating
15 the evacuation of thousands of United States citi-
16 zens;

17 (2) these servicemembers have executed the
18 largest Noncombatant Evacuation Operation (NEO)
19 in United States history, saving the lives of thou-
20 sands of men, women, and children;

21 (3) these servicemembers should be commended
22 for their courageous and noble service to their coun-
23 try, having acquitted themselves in a manner that
24 should make every American proud; and

1 (4) the service and lives of the 11 Marines, a
2 sailor, and a soldier who gave their lives in service
3 of this mission should be remembered for their valor
4 and humanity, having made the ultimate sacrifice in
5 service to their Nation.

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

8 **SEC. 1221. EXTENSION AND MODIFICATION OF AUTHORITY**
9 **TO PROVIDE ASSISTANCE TO VETTED SYRIAN**
10 **GROUPS AND INDIVIDUALS.**

11 (a) IN GENERAL.—Subsection (a) of section 1209 of
12 the Carl Levin and Howard P. “Buck” McKeon National
13 Defense Authorization Act for Fiscal Year 2015 (Public
14 Law 113–291; 128 Stat. 3451) is amended by striking
15 “December 31, 2021” and inserting “December 31,
16 2022”.

17 (b) NOTICE BEFORE PROVISION OF ASSISTANCE.—
18 Subsection (b)(2)(A) of such section is amended by strik-
19 ing “or fiscal year 2021” and inserting “fiscal year 2021,
20 or fiscal year 2022”.

1 **SEC. 1222. EXTENSION AND MODIFICATION OF AUTHORITY**
2 **TO SUPPORT OPERATIONS AND ACTIVITIES**
3 **OF THE OFFICE OF SECURITY COOPERATION**
4 **IN IRAQ.**

5 (a) LIMITATION ON AMOUNT.—Subsection (c) of sec-
6 tion 1215 of the National Defense Authorization Act for
7 Fiscal Year 2012 (10 U.S.C. 113 note) is amended—

8 (1) by striking “fiscal year 2021” and inserting
9 “fiscal year 2022”; and

10 (2) by striking “\$25,000,000” and inserting
11 “\$30,000,000”.

12 (b) SOURCE OF FUNDS.—Subsection (d) of such sec-
13 tion is amended by striking “fiscal year 2021” and insert-
14 ing “fiscal year 2022”.

15 **SEC. 1223. EXTENSION AND MODIFICATION OF AUTHORITY**
16 **TO PROVIDE ASSISTANCE TO COUNTER THE**
17 **ISLAMIC STATE OF IRAQ AND SYRIA.**

18 (a) IN GENERAL.—Subsection (a) of section 1236 of
19 the Carl Levin and Howard P. “Buck” McKeon National
20 Defense Authorization Act for Fiscal Year 2015 (Public
21 Law 113–291; 128 Stat. 3558) is amended by striking
22 “December 31, 2021” and inserting “December 31,
23 2022”.

24 (b) FUNDING.—Subsection (g) of such section is
25 amended—

1 (1) by striking “fiscal year 2021” and inserting
2 “fiscal year 2022”; and

3 (2) by striking “\$322,500,000” and inserting
4 “\$345,000,000”.

5 (c) LIMITATION ON AVAILABILITY OF FUNDS.—

6 (1) IN GENERAL.—Of the amounts made avail-
7 able for fiscal year 2021 (and available for obliga-
8 tion as of the date of the enactment of this Act) and
9 fiscal year 2022 to carry out section 1236 of the
10 Carl Levin and Howard P. “Buck” McKeon Na-
11 tional Defense Authorization Act for Fiscal Year
12 2015 (Public Law 113–291; 128 Stat. 3558), not
13 more than 50 percent may be obligated or expended
14 until the date on which the Secretary of Defense and
15 the Secretary of State submit to appropriate con-
16 gressional committees a report that contains the fol-
17 lowing:

18 (A) A comprehensive strategy and plan to
19 train and build lasting and sustainable military
20 capabilities of the Iraqi security forces using ex-
21 isting authorities.

22 (B) A whole-of-government plan to engage
23 the Government of Iraq and the Kurdistan Re-
24 gional Government in security sector reform to
25 professionalize, strengthen, and sustainably

1 build the capacity of Iraq's national defense
2 and security institutions.

3 (C) A description of the current status, ca-
4 pabilities, and operational capacity of remaining
5 Islamic State of Iraq and Syria elements active
6 in Iraq and Syria.

7 (2) **ADDITIONAL REPORTING REQUIREMENT.**—
8 The Secretary of Defense and Secretary of State
9 shall submit to appropriate congressional committees
10 a report that contains information relating to any
11 gross violations of human rights committed by units
12 of the Iraqi security forces.

13 (3) **APPROPRIATE CONGRESSIONAL COMMIT-**
14 **TEES DEFINED.**—In this subsection, the term “ap-
15 propriate congressional committees” means—

16 (A) the congressional defense committees;
17 and

18 (B) the Committee on Foreign Affairs of
19 the House of Representatives and the Com-
20 mittee on Foreign Relations of the Senate.

21 **SEC. 1224. PROHIBITION OF TRANSFERS TO BADR ORGANI-**
22 **ZATION.**

23 None of the amounts authorized to be appropriated
24 by this Act or otherwise made available to the Department

1 of Defense may be made available, directly or indirectly,
2 to the Badr Organization.

3 **SEC. 1225. PROHIBITION ON TRANSFERS TO IRAN.**

4 None of the amounts authorized to be appropriated
5 by this Act or otherwise made available to the Department
6 of Defense may be made available to transfer or facilitate
7 a transfer of pallets of currency, currency, or other items
8 of value to the Government of Iran, any subsidiary of such
9 Government, or any agent or instrumentality of Iran.

10 **SEC. 1226. REPORT ON IRAN-CHINA MILITARY TIES.**

11 Not later than 180 days after the date of the enact-
12 ment of this Act, and annually thereafter for 4 years, the
13 Secretary of Defense shall submit to the Committees on
14 Armed Services of the House of Representatives and the
15 Senate a report that includes a detailed assessment of—

16 (1) military ties between China and Iran since
17 the expiration of United Nations Security Resolution
18 2231 in October 2020, including in the form of joint
19 drills, weapons transfers, military visits, illicit pro-
20 curement activities, and other sources of Chinese
21 material support for Iranian military capabilities;
22 and

23 (2) the direct or indirect impact that the sus-
24 pension, issuance, or revocation of any waiver, li-

1 cense, or suspension of economic sanctions on Iran
2 may have on the use or effectiveness of such tools.

3 **SEC. 1227. REPORT ON IRANIAN MILITARY CAPABILITIES.**

4 Not later than 180 days after the date of the enact-
5 ment of this Act, and every 180 days thereafter, the Sec-
6 retary of Defense shall submit to the Committees on
7 Armed Services of the House of Representatives and the
8 Senate a report that includes a detailed description of—

9 (1) improvements to Iranian military capabili-
10 ties in the preceding 180-day period, including capa-
11 bilities of the Islamic Revolutionary Guard Corps,
12 the Quds Force, the Artesh, and the Basij, as well
13 as those of its terrorist proxies; and

14 (2) the direct or indirect impact that the sus-
15 pension, issuance, or revocation of any waiver, li-
16 cense, or suspension of economic sanctions on Iran
17 may have on such capabilities.

18 **SEC. 1228. REPORT ON IRANIAN TERRORIST PROXIES.**

19 Not later than 180 days after the date of the enact-
20 ment of this Act, and every 180 days thereafter, the Sec-
21 retary of Defense shall submit to the Committees on
22 Armed Services of the House of Representatives and the
23 Senate a report that includes a detailed description of—

24 (1) improvements to the military capabilities of
25 Iran-backed militias, including Lebanese Hezbollah,

1 Asa'ib ahl al-Haq, Harakat Hezbollah al-Nujaba,
2 Kata'ib Sayyid al-Shuhada, Kata'ib al-Imam Ali,
3 Kata'ib Hezbollah, the Badr Organization, the
4 Fatemiyoun, the Zainabiyoun, and Ansar Allah (also
5 known as the Houthis); and

6 (2) the direct or indirect impact that the sus-
7 pension, issuance, or revocation of any waiver, li-
8 cense, or suspension of economic sanctions on Iran
9 may have on such capabilities.

10 **Subtitle D—Matters Relating to** 11 **Russia**

12 **SEC. 1231. EXTENSION OF LIMITATION ON MILITARY CO-** 13 **OPERATION BETWEEN THE UNITED STATES** 14 **AND RUSSIA.**

15 Section 1232(a) of the National Defense Authoriza-
16 tion Act for Fiscal Year 2017 (Public Law 114–328; 130
17 Stat. 2488), is amended by striking “2020, or 2021” and
18 inserting “2020, 2021, or 2022”.

19 **SEC. 1232. PROHIBITION ON AVAILABILITY OF FUNDS RE-** 20 **LATING TO SOVEREIGNTY OF RUSSIA OVER** 21 **CRIMEA.**

22 (a) PROHIBITION.—None of the funds authorized to
23 be appropriated by this Act or otherwise made available
24 for fiscal year 2022 for the Department of Defense may

1 be obligated or expended to implement any activity that
2 recognizes the sovereignty of Russia over Crimea.

3 (b) WAIVER.—The Secretary of Defense, with the
4 concurrence of the Secretary of State, may waive the re-
5 striction on the obligation or expenditure of funds required
6 by subsection (a) if the Secretary of Defense—

7 (1) determines that to do so is in the national
8 security interest of the United States; and

9 (2) submits a notification of the waiver, at the
10 time the waiver is invoked, to the Committee on
11 Armed Services and the Committee on Foreign Af-
12 fairs of the House of Representatives and the Com-
13 mittee on Armed Services and the Committee on
14 Foreign Relations of the Senate.

15 **SEC. 1233. MODIFICATION AND EXTENSION OF UKRAINE SE-**
16 **CURITY ASSISTANCE INITIATIVE.**

17 Section 1250 of the National Defense Authorization
18 Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat.
19 1068) is amended as follows:

20 (1) In subsection (e)—

21 (A) in paragraph (1), by striking “funds
22 available for fiscal year 2021 pursuant to sub-
23 section (f)(6)” and inserting “funds available
24 for fiscal year 2022 pursuant to subsection
25 (f)(7)”;

1 (B) in paragraph (3), by striking “fiscal
2 year 2021” and inserting “fiscal year 2022”;
3 and

4 (C) in paragraph (5), by striking “Of the
5 funds available for fiscal year 2021 pursuant to
6 subsection (f)(6), \$75,000,000 shall be avail-
7 able” and inserting “Of the funds available for
8 fiscal year 2022 pursuant to subsection (f)(7),
9 \$50,000,000 shall be available”.

10 (2) In subsection (f), by adding at the end the
11 following:

12 “(7) For fiscal year 2022, \$300,000,000.”.

13 (3) In subsection (h), by striking “December
14 31, 2023” and inserting “December 31, 2024”.

15 **SEC. 1234. REPORT ON OPTIONS FOR ASSISTING THE GOV-**
16 **ERNMENT OF UKRAINE IN ADDRESSING INTE-**
17 **GRATED AIR AND MISSILE DEFENSE GAPS.**

18 (a) SENSE OF CONGRESS.—It is the sense of Con-
19 gress that—

20 (1) the United States remains a steadfast part-
21 ner of Ukraine; and

22 (2) it is in the United States national security
23 interest assist the Government of Ukraine in coun-
24 tering Russian military aggression.

1 (b) REPORT.—Not later than 90 days after the date
2 of the enactment of this Act, the Secretary of Defense
3 shall submit to the congressional defense committees a re-
4 port on options for how the United States could support
5 the Government of Ukraine in addressing integrated air
6 and missile defense gaps. Such report shall include options
7 for the foreign military sale of United States systems or
8 the transfer of existing systems that are not being allo-
9 cated through global force management.

10 **SEC. 1235. BIENNIAL REPORT ON RUSSIAN INFLUENCE OP-**
11 **ERATIONS AND CAMPAIGNS TARGETING**
12 **MILITARY ALLIANCES AND PARTNERSHIPS**
13 **OF WHICH THE UNITED STATES IS A MEM-**
14 **BER.**

15 (a) REPORT REQUIRED.—Not later than April 1,
16 2022, and on a biennial basis thereafter until April 1,
17 2024, the Secretary of Defense and the Secretary of State,
18 in coordination with the Director of National Intelligence
19 and the heads of any other appropriate department or
20 agency, shall jointly submit to the appropriate congres-
21 sional committees a report on Russian influence oper-
22 ations and campaigns that target United States military
23 alliances and partnerships.

24 (b) ELEMENTS.—The report required under sub-
25 section (a) shall include each of the following:

1 (1) An assessment of Russia's objectives for in-
2 fluence operations and campaigns targeting United
3 States military alliances and partnerships and how
4 such objectives relate to Russia's broader strategic
5 aims.

6 (2) The activities and roles of the Department
7 of Defense and Department of State in the United
8 States government strategy to counter such Russian
9 influence operations and campaigns.

10 (3) A comprehensive list of specific Russian
11 state and non-state entities, or those of any other
12 country with which Russia may cooperate, involved
13 in supporting such Russian influence operations and
14 campaigns and the role of each entity in such sup-
15 port.

16 (4) An identification of the tactics, techniques,
17 and procedures used in previous Russian influence
18 operations and campaigns.

19 (5) An assessment of the impact of previous
20 Russian influence operations and campaigns tar-
21 geting United States military alliances and partner-
22 ships, including the views of senior Russian officials
23 about the effectiveness of such operations and cam-
24 paigns in achieving Russian objectives.

1 (6) An identification of each United States ally
2 and partner, and each military alliance of which the
3 United States is a member, that has been targeted
4 by Russian influence operations and campaigns.

5 (7) An identification of each United States ally
6 and partner, and each military alliance of which the
7 United States is a member, that may be targeted in
8 future Russian influence operations and campaigns,
9 and an assessment of the likelihood that each such
10 ally, partner, or alliance will be targeted.

11 (8) An identification of tactics, techniques, and
12 procedures likely to be used in future Russian influ-
13 ence operations and campaigns targeting United
14 States military alliances and partnerships.

15 (9) Recommended authorities or activities for
16 the Department of Defense and Department of State
17 in the United States government strategy to counter
18 such Russian influence operations and campaigns.

19 (10) Any other matters the Secretaries deter-
20 mine appropriate.

21 (c) FORM; UPDATES.—

22 (1) FORM.—The report required under sub-
23 section (a) shall be submitted in unclassified form
24 and in a manner appropriate for release to the pub-
25 lic, but may include a classified annex.

1 (2) UPDATES.—Each report submitted pursu-
2 ant to subsection (a) after the submission of the
3 first report shall highlight changes and new develop-
4 ments that have occurred since the previous report
5 and may omit to restate in full the contents of any
6 previous report.

7 (d) DEFINITIONS.—In this section:

8 (1) APPROPRIATE CONGRESSIONAL COMMIT-
9 TEES.—The term “appropriate congressional com-
10 mittees” means—

11 (A) the congressional defense committees;

12 (B) the Permanent Select Committee on
13 Intelligence of the House of Representatives
14 and the Select Committee on Intelligence of the
15 Senate; and

16 (C) the Committee on Foreign Affairs of
17 the House of Representatives and the Com-
18 mittee on Foreign Relations of the Senate.

19 (2) UNITED STATES MILITARY ALLIANCES AND
20 PARTNERSHIPS.—The term “United States military
21 alliances and partnerships” includes each military
22 alliance or partnership of which the United States is
23 a member.

24 **SEC. 1236. SENSE OF CONGRESS ON GEORGIA.**

25 (a) FINDINGS.—Congress finds the following:

1 (1) Georgia is a valued friend of the United
2 States and has repeatedly demonstrated its commit-
3 ment to advancing the mutual interests of both
4 countries, including strong participation in the State
5 Partnership Program of the National Guard between
6 the Georgia National Guard and the Georgian armed
7 forces.

8 (2) The contributions of the Georgian armed
9 forces have been remarkable with members of the
10 Georgia National Guard having fought side-by-side
11 with Georgian soldiers in Iraq and Afghanistan.

12 (3) Georgia's geographic location gives it stra-
13 tegic importance as a transit corridor.

14 (4) The resilience of Georgia's democratic insti-
15 tutions is critical to its Euro-Atlantic integration.

16 (b) SENSE OF CONGRESS.—It is the sense of Con-
17 gress that the United States should—

18 (1) reaffirm support for an enduring strategic
19 partnership between the United States and Georgia;

20 (2) support Georgia's sovereignty and territorial
21 integrity within its internationally recognized bor-
22 ders and not recognize the independence of the
23 Abkhazia and South Ossetia regions currently occu-
24 pied by the Russian Federation;

1 (3) continue support for multi-domain security
2 assistance for Georgia in the form of lethal and non-
3 lethal measures to build resiliency, bolster deterrence
4 against Russian aggression, and promote stability in
5 the region, by—

6 (A) strengthening defensive capabilities
7 and promote readiness; and

8 (B) improving interoperability with NATO
9 forces;

10 (4) further enhance security cooperation and
11 engagement with Georgia and other Black Sea re-
12 gional partners; and

13 (5) continue to work with Georgia’s political
14 leaders to strengthen Georgia’s democratic institu-
15 tions.

16 **Subtitle E—Matters Relating to the**
17 **Indo-Pacific Region**

18 **SEC. 1241. SENSE OF CONGRESS ON A FREE AND OPEN**
19 **INDO-PACIFIC REGION.**

20 It is the sense of Congress that—

21 (1) the United States is steadfast in its commit-
22 ment to upholding the rules-based international
23 order, freedom of navigation, and shared values in a
24 free and open Indo-Pacific region;

1 (2) maintenance of a free and open Indo-Pacific
2 region is essential to global security and crucial to
3 the national security objectives of the United States,
4 its allies, and partners;

5 (3) United States alliances and partnerships are
6 the cornerstone of efforts to deter aggression and
7 counter malign activity by the Governments of the
8 People's Republic of China and the Democratic Peo-
9 ple's Republic of North Korea, and to ensure the
10 maintenance of a free and open Indo-Pacific region;

11 (4) the United States remains steadfast in its
12 commitments to allies and partners against aggres-
13 sion and malign activity, and will continue to
14 strengthen cooperation in bilateral relationships,
15 multilateral partnerships such as the Quad, and
16 other international fora to uphold global security
17 and shared principles; and

18 (5) the United States should continue to invest
19 in enhanced military posture and capabilities in the
20 United States Indo-Pacific Command area of re-
21 sponsibility.

1 **SEC. 1242. CLARIFICATION OF REQUIRED BUDGET INFOR-**
2 **MATION RELATED TO THE INDO-PACIFIC.**

3 Section 1251(e) of the National Defense Authoriza-
4 tion Act for Fiscal Year 2021 (Public Law 116–283) is
5 amended by adding at the end the following:

6 “(10) A description of the manner and extent
7 to which the amounts, summaries, and comparisons
8 required by this subsection directly address the
9 items identified in—

10 “(A) the independent assessment required
11 under section 1253 of the National Defense Au-
12 thorization Act for Fiscal Year 2020 (Public
13 Law 116-92); and

14 “(B) the plan required by subsection (d).”.

15 **SEC. 1243. REPORT ON COOPERATION BETWEEN THE NA-**
16 **TIONAL GUARD AND TAIWAN.**

17 (a) REPORT.—Not later than February 15, 2022, the
18 Secretary of Defense shall submit to appropriate congres-
19 sional committees a report on the feasibility and advis-
20 ability of enhanced cooperation between the National
21 Guard and Taiwan. Such report shall include the fol-
22 lowing:

23 (1) A description of the cooperation between the
24 National Guard and Taiwan during the 10 preceding
25 calendar years, including mutual visits, exercises,
26 training, and equipment opportunities.

1 (2) An evaluation of the feasibility and advis-
2 ability of enhancing cooperation between the Na-
3 tional Guard and Taiwan on a range of activities, in-
4 cluding—

5 (A) disaster and emergency response;

6 (B) cyber defense and communications se-
7 curity;

8 (C) military medical cooperation;

9 (D) cultural exchange and education of
10 members of the National Guard in Mandarin
11 Chinese; and

12 (E) programs for National Guard advisors
13 to assist in training the reserve components of
14 the military forces of Taiwan.

15 (3) Recommendations to enhance such coopera-
16 tion and improve interoperability, including through
17 familiarization visits, cooperative training and exer-
18 cises, and co-deployments.

19 (4) Any other matter the Secretary of Defense
20 determines appropriate.

21 (b) APPROPRIATE CONGRESSIONAL COMMITTEES.—

22 In this section, the term “appropriate congressional com-
23 mittees” means—

24 (1) the congressional defense committees;

1 (2) the Committee on Foreign Affairs of the
2 House of Representatives; and

3 (3) the Committee on Foreign Relations of the
4 Senate.

5 **SEC. 1244. REPORT ON MILITARY AND SECURITY DEVELOP-**
6 **MENTS INVOLVING THE PEOPLE'S REPUBLIC**
7 **OF CHINA.**

8 (a) IN GENERAL.—Not later than January 31, 2022,
9 and annually thereafter until January 31, 2026, the Sec-
10 retary of Defense, in consultation with the heads of other
11 Federal departments and agencies as appropriate, shall
12 submit to the appropriate congressional committees a re-
13 port, in both classified and unclassified form, on military
14 and security developments involving the People's Republic
15 of China.

16 (b) MATTERS TO BE ADDRESSED.—The report re-
17 quired by subsection (a) shall address the following:

18 (1) The current and probable future course of
19 military-technological development of the People's
20 Liberation Army and the tenets and probable devel-
21 opment of Chinese security strategy and military
22 strategy, and of military organizations and oper-
23 ational concepts, through the next 20 years.

24 (2) United States-China engagement and co-
25 operation on security matters during the period cov-

1 ered by the report, including through United States-
2 China military-to-military contacts, and the United
3 States strategy for such engagement and cooperation
4 in the future.

5 (c) MATTERS TO BE INCLUDED.—The report re-
6 quired by subsection (a) shall include analyses and fore-
7 casts of the following:

8 (1) The objectives, factors, and trends shaping
9 Chinese security strategy and military strategy.

10 (2) Developments in China’s defense policy,
11 military strategy, and the roles and missions of the
12 People’s Liberation Army.

13 (3) The People’s Liberation Army’s role in the
14 Chinese Communist Party, including the structure
15 and leadership of the Central Military Commission.

16 (4) Developments in the People’s Liberation
17 Army’s military doctrine, operational concepts, joint
18 command and organizational structures, and signifi-
19 cant military operations and deployments.

20 (5) Trends and developments in the People’s
21 Liberation Army’s budget and resources and strate-
22 gies and policies related to science and technology,
23 defense industry reform, and China’s use of espio-
24 nage and technology transfers.

1 (6) Developments and future course of the Peo-
2 ple's Liberation Army's theater and functional com-
3 mands, including their roles and missions, structure,
4 and the size, location, and capabilities of their stra-
5 tegic, land, sea, air, and other forces, and the
6 strengths or weaknesses thereof.

7 (7) A detailed summary of the order of battle
8 of the People's Liberation Army, including—

9 (A) anti-access and area denial capabili-
10 ties;

11 (B) ballistic and cruise missile inventories;

12 (C) cyberwarfare and electronic warfare
13 capabilities;

14 (D) space and counter space programs and
15 capabilities;

16 (E) nuclear program and capabilities; and

17 (F) command, control, communications,
18 computers, intelligence, surveillance, and recon-
19 naissance modernization program and capabili-
20 ties.

21 (8) Developments relating to the China Coast
22 Guard.

23 (9) Developments in the People's Liberation
24 Army's overseas presence, including military basing,
25 military logistics capabilities and infrastructure, ac-

1 cess to foreign ports or military bases, and whether
2 such presence could affect United States national se-
3 curity or defense interests.

4 (10) The relationship between Chinese overseas
5 investment and Chinese security and military strat-
6 egy objectives.

7 (11) A description of any significant sale or
8 transfer of military hardware, expertise, and tech-
9 nology to or from the People's Republic of China, in-
10 cluding a forecast of possible future sales and trans-
11 fers.

12 (12) Efforts, including by espionage and tech-
13 nology transfers through investment, by China to de-
14 velop, acquire, or gain access to advanced tech-
15 nologies that would enhance military capabilities.

16 (13) The People's Liberation Army's internal
17 security role and its affiliations with the People's
18 Armed Police and other Chinese law enforcement,
19 intelligence, and paramilitary entities, including any
20 activities supporting or implementing mass surveil-
21 lance, mass detentions, forced labor, or other gross
22 violations of human rights.

23 (14) A description of Chinese military-to-mili-
24 tary relationships with other countries, including the
25 Russian Federation.

1 (15) China's strategy regarding Taiwan and the
2 security situation in the Taiwan Strait.

3 (16) A description of China's maritime strat-
4 egy, its military and nonmilitary activities in the
5 South China Sea and East China Sea, to include
6 roles and activities of the People's Liberation Army
7 and China's maritime law enforcement and para-
8 military organizations.

9 (17) The current state of United States mili-
10 tary-to-military contacts with the People's Libera-
11 tion Army, including a summary of such contacts
12 during the period covered by the report, a descrip-
13 tion of such contacts for the 12-month period fol-
14 lowing the report, the Secretary's assessment of the
15 benefits of such contacts, and the Secretary's certifi-
16 cation whether or not any military-to-military ex-
17 change or contact was conducted during the period
18 covered by the report in violation of section 1201(a)
19 of the National Defense Authorization Act for Fiscal
20 Year 2000 (10 U.S.C. 311 note).

21 (18) Other significant military and security de-
22 velopments involving China that the Secretary of
23 Defense considers relevant to United States national
24 security.

1 (d) APPROPRIATE CONGRESSIONAL COMMITTEES.—

2 In this section, the term “appropriate congressional com-
3 mittees” means—

4 (1) the Committee on Armed Services, the
5 Committee on Foreign Relations, and the Select
6 Committee on Intelligence of the Senate; and

7 (2) the Committee on Armed Services, the
8 Committee on Foreign Affairs, and the Permanent
9 Select Committee on Intelligence of the House of
10 Representatives.

11 **SEC. 1245. BIENNIAL REPORT ON INFLUENCE OPERATIONS**
12 **AND CAMPAIGNS OF THE GOVERNMENT OF**
13 **THE PEOPLE’S REPUBLIC OF CHINA TAR-**
14 **GETING MILITARY ALLIANCES AND PART-**
15 **NERSHIPS OF WHICH THE UNITED STATES IS**
16 **A MEMBER.**

17 (a) IN GENERAL.—Not later than April 1, 2022, and
18 on a biennial basis thereafter until April 1, 2024, the Sec-
19 retary of Defense and the Secretary of State, in coordina-
20 tion with the Director of National Intelligence and the
21 heads of other Federal departments and agencies as ap-
22 propriate, shall submit to the appropriate congressional
23 committees a report on the influence operations and cam-
24 paigns of the Government of the People’s Republic of

1 China (PRC) targeting military alliances and partnerships
2 of which the United States is a member.

3 (b) MATTERS TO BE INCLUDED.—The report re-
4 quired by subsection (a) shall include the following:

5 (1) An assessment of the PRC Government's
6 objectives in such operations and campaigns and
7 how such objectives relate to the PRC Government's
8 broader strategic aims.

9 (2) The activities and roles of the Department
10 of Defense and Department of State in the United
11 States Government strategy to counter such influ-
12 ence operations and campaigns of the PRC Govern-
13 ment.

14 (3) A comprehensive list of specific PRC state
15 and non-state entities, or any other states with
16 which the PRC may cooperate, involved in sup-
17 porting such operations and campaigns and the role
18 of each such entity in supporting such operations
19 and campaigns.

20 (4) An identification of the tactics, techniques,
21 and procedures used in previous influence operations
22 and campaigns of the PRC Government.

23 (5) An assessment of the impact of previous in-
24 fluence operations and campaigns of the PRC Gov-
25 ernment, including the views of senior PRC Govern-

1 ment officials about their effectiveness in achieving
2 PRC Government objectives.

3 (6) An identification of all United States mili-
4 tary alliances and partnerships that have been tar-
5 geted by influence operations and campaigns of the
6 PRC Government.

7 (7) An identification of all United States mili-
8 tary alliances and partnerships that may be targeted
9 in future influence operations and campaigns of the
10 PRC Government and an assessment of the likeli-
11 hood that each such partnership or alliance will be
12 targeted.

13 (8) An identification of tactics, techniques, and
14 procedures likely to be used in future influence oper-
15 ations and campaigns of the PRC Government.

16 (9) Recommended authorities or activities for
17 the Department of Defense and Department of State
18 in the United States Government strategy to counter
19 such influence operations and campaigns of the PRC
20 Government.

21 (10) Any other matters the Secretaries deter-
22 mine to be appropriate.

23 (c) FORM.—The report required by subsection (a)
24 shall be submitted in unclassified form and appropriate

1 for release to the public, but may include a classified
2 annex.

3 (d) APPROPRIATE CONGRESSIONAL COMMITTEES
4 DEFINED.—In this section, the term “appropriate con-
5 gressional committees” means—

6 (1) the congressional defense committees;

7 (2) the Committee on Foreign Relations and
8 the Select Committee on Intelligence of the Senate;
9 and

10 (3) the Committee on Foreign Affairs and the
11 Permanent Select Committee on Intelligence of the
12 House of Representatives.

13 **SEC. 1246. REPORT ON EFFORTS BY THE PEOPLE’S REPUB-**
14 **LIC OF CHINA TO EXPAND ITS PRESENCE**
15 **AND INFLUENCE IN LATIN AMERICA AND THE**
16 **CARIBBEAN.**

17 (a) REPORT.—Not later than June 15, 2022, the
18 Secretary of Defense, with the concurrence of the Sec-
19 retary of State and in coordination with the Secretary of
20 the Treasury and the Director of National Intelligence,
21 shall submit to the appropriate congressional committees
22 a report that identifies efforts by the Government of the
23 People’s Republic of China to expand its presence and in-
24 fluence in Latin America and the Caribbean through dip-
25 lomatic, military, economic, and other means, and de-

1 scribes the implications of such efforts on the United
2 States' national defense and security interests.

3 (b) ELEMENTS.—The report required under sub-
4 section (a) shall include the following:

5 (1) An identification of—

6 (A) countries of Latin America and the
7 Caribbean with which the Government of the
8 People's Republic of China maintains especially
9 close diplomatic, military, and economic rela-
10 tionships;

11 (B) the number and content of strategic
12 partnership agreements or similar agreements,
13 including any non-public, secret, or informal
14 agreements, that the Government of the Peo-
15 ple's Republic of China has established with
16 countries and regional organizations of Latin
17 America and the Caribbean;

18 (C) countries of Latin America and the
19 Caribbean that have joined the Belt and Road
20 Initiative or the Asian Infrastructure Invest-
21 ment Bank;

22 (D) countries of Latin America and the
23 Caribbean to which the Government of the Peo-
24 ple's Republic of China provides foreign assist-
25 ance or disaster relief, including access to

1 COVID–19 vaccines, including a description of
2 the amount and purpose of, and any conditions
3 attached to, such assistance;

4 (E) countries and regional organizations of
5 Latin America and the Caribbean in which the
6 Government of the People’s Republic of China,
7 including its state-owned or state-directed en-
8 terprises and banks, have undertaken signifi-
9 cant investments, infrastructure projects, and
10 correspondent banking and lending activities at
11 the regional, national, and subnational levels;

12 (F) recent visits by senior officials of the
13 Government of the People’s Republic of China,
14 including its state-owned or state-directed en-
15 terprises and banks, to Latin America and the
16 Caribbean, and visits by senior officials from
17 Latin America and the Caribbean to the Peo-
18 ple’s Republic of China;

19 (G) the existence of any defense exchanges,
20 military or police education or training, and ex-
21 ercises between any military or police organiza-
22 tion of the Government of the People’s Republic
23 of China and military, police, or security-ori-
24 ented organizations of countries of Latin Amer-
25 ica and the Caribbean;

1 (H) countries and regional organizations of
2 Latin America and the Caribbean that maintain
3 diplomatic relations with Taiwan;

4 (I) any steps that the Government of the
5 People's Republic of China has taken to encour-
6 age countries and regional organizations of
7 Latin America and the Caribbean to switch dip-
8 lomatic relations to the People's Republic of
9 China instead of Taiwan; and

10 (J) any other matters the Secretary of De-
11 fense and the Secretary of State determine is
12 appropriate.

13 (2) A detailed description of—

14 (A) the relationship between the Govern-
15 ment of the People's Republic of China and the
16 Government of Venezuela and the Government
17 of Cuba;

18 (B) Government of the People's Republic
19 of China military installations, assets, and ac-
20 tivities in Latin America and the Caribbean
21 that currently exist or are planned for the fu-
22 ture;

23 (C) sales or transfers of defense articles
24 and services by the Government of the People's

1 Republic of China to countries of Latin Amer-
2 ica and the Caribbean;

3 (D) a comparison of sales and transfers of
4 defense articles and services to countries of
5 Latin America and the Caribbean by the Gov-
6 ernment of the People's Republic of China, the
7 Russian Federation, and the United States;

8 (E) any other form of military, para-
9 military, or security cooperation between the
10 Government of the People's Republic of China
11 and the governments of countries of Latin
12 America and the Caribbean;

13 (F) the nature, extent, and purpose of the
14 Government of the People's Republic of China's
15 intelligence activities in Latin America and the
16 Caribbean;

17 (G) the Government of the People's Re-
18 public of China's role in transnational crime in
19 Latin America and the Caribbean, including
20 trafficking and money laundering and including
21 any links to the People's Liberation Army;

22 (H) efforts by the Government of the Peo-
23 ple's Republic of China to expand the reach and
24 influence of its financial system within Latin
25 America and the Caribbean, through banking

1 activities and payments systems and through
2 goods and services related to the use of the dig-
3 ital yuan; and

4 (I) efforts by the Government of the Peo-
5 ple's Republic of China to build its media pres-
6 ence in Latin America and the Caribbean, and
7 any government-directed disinformation or in-
8 formation warfare campaigns in the region, in-
9 cluding for military purposes or with ties to the
10 People's Liberation Army.

11 (3) An assessment of—

12 (A) the specific objectives that the Govern-
13 ment of the People's Republic of China seeks to
14 achieve by expanding its presence and influence
15 in Latin America and the Caribbean, including
16 any objectives articulated in official documents
17 or statements;

18 (B) whether certain investments by the
19 Government of the People's Republic of China,
20 including in port projects, canal projects, and
21 telecommunications projects in Latin America
22 and the Caribbean, could have military uses or
23 dual use capability or could enable the Govern-
24 ment of the People's Republic of China to mon-

1 itor or intercept United States or host nation
2 communications;

3 (C) the degree to which the Government of
4 the People's Republic of China uses its presence
5 and influence in Latin America and the Carib-
6 bean to encourage, pressure, or coerce govern-
7 ments in the region to support its defense and
8 national security goals, including policy posi-
9 tions taken by it at international institutions;

10 (D) documented instances of governments
11 of countries of Latin America and the Carib-
12 bean silencing, or attempting to silence, local
13 critics of the Government of the People's Re-
14 public of China, including journalists, aca-
15 demics, and civil society representatives, in
16 order to placate the Government of the People's
17 Republic of China;

18 (E) the rationale for the Government of
19 the People's Republic of China becoming an ob-
20 server at the Organization of American States
21 and a non-borrowing member of the Inter-
22 American Development Bank and the Carib-
23 bean Development Bank;

24 (F) the relationship between the Govern-
25 ment of the People's Republic of China and the

1 Community of Latin American and Caribbean
2 States (CELAC), a regional organization that
3 excludes the United States, and the role of the
4 China-CELAC Forum in coordinating such re-
5 lationship; and

6 (G) the specific actions and activities un-
7 dertaken by the Government of the People's Re-
8 public of China in Latin America and the Car-
9ibbean that present the greatest threat or chal-
10 lenge to the United States' defense and national
11 security interests in the region.

12 (c) FORM.—The report required under subsection (a)
13 shall be submitted in unclassified form without any des-
14 ignation relating to dissemination control, but may include
15 a classified annex.

16 (d) DEFINITIONS.—In this Act:

17 (1) APPROPRIATE CONGRESSIONAL COMMIT-
18 TEES.—The term “appropriate congressional com-
19 mittees” means—

20 (A) the Committee on Armed Services, the
21 Committee on Foreign Affairs, the Committee
22 on Financial Services, the Committee on the
23 Judiciary, and the Permanent Select Committee
24 on Intelligence of the House of Representatives;
25 and

1 (B) the Committee on Armed Services, the
2 Committee on Foreign Relations, the Com-
3 mittee on Banking, Housing, and Urban Af-
4 fairs, the Committee on the Judiciary, and the
5 Select Committee on Intelligence of the Senate.

6 (2) LATIN AMERICA AND THE CARIBBEAN.—
7 The terms “Latin America and the Caribbean” and
8 “countries of Latin America and the Caribbean”
9 mean the countries and non-United States territories
10 of South America, Central America, the Caribbean,
11 and Mexico.

12 **SEC. 1247. SENSE OF CONGRESS ON TAIWAN DEFENSE RE-**
13 **LATIONS.**

14 It is the sense of Congress that—

15 (1) the Taiwan Relations Act (Public Law 96–
16 8; 22 U.S.C. 3301 et seq.) and the Six Assurances
17 provided by the United States to Taiwan in July
18 1982 are the foundation for United States-Taiwan
19 relations;

20 (2) as set forth in the Taiwan Relations Act,
21 the United States decision to establish diplomatic re-
22 lations with the People’s Republic of China rests
23 upon the expectation that the future of Taiwan will
24 be determined by peaceful means, and that any ef-
25 fort to determine the future of Taiwan by other than

1 peaceful means, including boycotts and embargoes,
2 is of grave concern to the United States;

3 (3) the increasingly coercive and aggressive be-
4 havior of the People's Republic of China toward Tai-
5 wan is contrary to the expectation of the peaceful
6 resolution of the future of Taiwan;

7 (4) as set forth in the Taiwan Relations Act,
8 the capacity to resist any resort to force or other
9 forms of coercion that would jeopardize the security,
10 or the social or economic system, of the people on
11 Taiwan should be maintained;

12 (5) the United States should continue to sup-
13 port the development of capable, ready, and modern
14 defense forces necessary for Taiwan to maintain a
15 sufficient self-defense capability, including by—

16 (A) supporting acquisition by Taiwan of
17 defense articles and services through foreign
18 military sales, direct commercial sales, and in-
19 dustrial cooperation, with an emphasis on capa-
20 bilities that support the asymmetric defense
21 strategy of Taiwan, including anti-ship, coastal
22 defense, anti-armor, air defense, undersea war-
23 fare, advanced command, control, communica-
24 tions, computers, intelligence, surveillance, and

1 reconnaissance, and resilient command and con-
2 trol capabilities;

3 (B) ensuring timely review of and response
4 to requests of Taiwan for defense articles and
5 services;

6 (C) conducting practical training and mili-
7 tary exercises with Taiwan that enable Taiwan
8 to maintain a sufficient self- defense capability,
9 as described in the Taiwan Relations Act;

10 (D) exchanges between defense officials
11 and officers of the United States and Taiwan at
12 the strategic, policy, and functional levels, con-
13 sistent with the Taiwan Travel Act (Public Law
14 115–135; 132 Stat. 341), especially for the pur-
15 poses of—

16 (i) enhancing cooperation on defense
17 planning;

18 (ii) improving the interoperability of
19 the military forces of the United States
20 and Taiwan; and

21 (iii) improving the reserve force of
22 Taiwan;

23 (E) identifying improvements in Taiwan's
24 ability to use asymmetric military capabilities to

1 enhance its defensive capabilities, as described
2 in the Taiwan Relations Act; and

3 (F) expanding cooperation in humanitarian
4 assistance and disaster relief; and

5 (6) the United States should be committed to
6 the defense of a free and open society in the face of
7 aggressive efforts by the Government of the People's
8 Republic of China to curtail or influence the free ex-
9 ercise of rights and democratic franchise.

10 **SEC. 1248. SENSE OF CONGRESS ON INVITING TAIWAN TO**
11 **THE RIM OF THE PACIFIC EXERCISE.**

12 It is the sense of Congress that the naval forces of
13 Taiwan should be invited to participate in the Rim of the
14 Pacific exercise conducted in 2022.

15 **SEC. 1249. SENSE OF CONGRESS ON ENHANCING DEFENSE**
16 **AND SECURITY COOPERATION WITH SINGA-**
17 **PORE.**

18 It is the sense of Congress as follows:

19 (1) The United States and Singapore have built
20 a strong, enduring, and forward-looking strategic
21 partnership based on long-standing and mutually
22 beneficial cooperation, including through security,
23 defense, economic, and people-to-people ties.

1 (2) Robust security cooperation between the
2 United States and Singapore is crucial to promoting
3 peace and stability in the Indo-Pacific region.

4 (3) The status of Singapore as a “Major Secu-
5 rity Cooperation Partner” of the United States, as
6 recognized in the Strategic Framework Agreement
7 between the United States and the Republic of
8 Singapore for a Closer Partnership in Defense and
9 Security, done at Washington, D.C. on July 12,
10 2005, plays an important role in the global network
11 of strategic partnerships, especially in promoting
12 maritime security and countering terrorism.

13 (4) The United States values Singapore’s provi-
14 sion of access to its military facilities, which sup-
15 ports the continued security presence of the United
16 States in Southeast Asia and across the Indo-Pacific
17 region.

18 (5) The United States should continue to wel-
19 come the presence of the military forces of Singa-
20 pore in the United States for exercises and training,
21 and should consider opportunities to expand such ac-
22 tivities at additional locations in the United States
23 as appropriate, including through cooperation mech-
24 anisms such as the memorandum of understanding
25 agreed to by the United States and Singapore in De-

1 cember 2019 to establish a fighter jet training de-
2 tachment in Guam.

3 (6) The United States should continue to
4 strengthen all aspects of the bilateral defense rela-
5 tionship with Singapore, which benefitted from the
6 signing of the 2015 enhanced Defense Cooperation
7 Agreement to expand cooperation in the military,
8 policy, strategic and technology spheres, as well as
9 cooperation in non-conventional security areas such
10 as piracy and transnational terrorism, humanitarian
11 assistance and disaster relief, cyber-security, and
12 biosecurity.

13 (7) As the United States and Singapore have
14 renewed the 1990 Memorandum of Understanding
15 Regarding the United States Use of Facilities in
16 Singapore and mark the 55th anniversary of bilat-
17 eral relations in 2021, the United States should—

18 (A) continue to enhance defense and secu-
19 rity cooperation with Singapore to promote
20 peace and stability in the Indo-Pacific region
21 based on common interests and shared values;

22 (B) reinforce the status of Singapore as a
23 major security cooperation partner of the
24 United States; and

1 (C) explore additional steps to better facili-
2 tate interoperability between the United States
3 Armed Forces and the military forces of Singa-
4 pore to promote peace and stability in the Indo-
5 Pacific region.

6 **SEC. 1250. SENSE OF CONGRESS.**

7 It is the sense of Congress that—

8 (1) South Korea continues to be a critical ally
9 of the United States;

10 (2) the presence of United States Armed Forces
11 in South Korea serves as a strong deterrent against
12 North Korean military aggression and as a critical
13 support platform for national security engagements
14 in the Indo-Pacific region;

15 (3) the presence of approximately 28,500 mem-
16 bers of the United States Armed Forces deployed to
17 South Korea serves not only as a stabilizing force to
18 the Korean peninsula but also as a reassurance to
19 all our allies in the region; and

20 (4) the United States should continue to—

21 (A) maintain and strengthen its bilateral
22 relationship with South Korea and with other
23 regional allies such as Japan; and

24 (B) maintain its existing robust military
25 presence in South Korea to deter aggression

1 against the United States and its allies and
2 partners.

3 **SEC. 1251. SENSE OF CONGRESS WITH RESPECT TO QATAR.**

4 It is the sense of Congress that—

5 (1) the United States and the country of Qatar
6 have built a strong, enduring, and forward-looking
7 strategic partnership based on long-standing and
8 mutually beneficial cooperation, including through
9 security, defense, and economic ties;

10 (2) robust security cooperation between the
11 United States and Qatar is crucial to promoting
12 peace and stability in the Middle East region;

13 (3) Qatar plays a unique role as host of the for-
14 ward headquarters for the United States Central
15 Command, and that partnership facilitates United
16 States coalition operations countering terrorism;

17 (4) Qatar is a major security cooperation part-
18 ner of the United States, as recognized in the 2018
19 Strategic Dialogue and the 2019 Memorandum of
20 Understanding to expand Al Udeid Air Base to im-
21 prove and expand accommodation for United States
22 military personnel;

23 (5) the United States values Qatar's provision
24 of access to its military facilities and its manage-
25 ment and financial assistance in expanding the Al

1 Udeid Air Base, which supports the continued secu-
2 rity presence of the United States in the Middle
3 East region; and

4 (6) the United States should continue to
5 strengthen the relationship between the United
6 States and Qatar, including through security and
7 economic cooperation.

8 **SEC. 1252. STATEMENT OF POLICY.**

9 (a) IN GENERAL.—It shall be the policy of the United
10 States to maintain the ability of the United States Armed
11 Forces to deny a *fait accompli* by a strategic competitor
12 against a covered defense partner.

13 (b) DEFINITIONS.—In this section:

14 (1) COVERED DEFENSE PARTNER.—The term
15 “covered defense partner” means a partner identi-
16 fied in the “Department of Defense Indo-Pacific
17 Strategy Report” issued on June 1, 2019, located
18 within 100 miles off the coast of a strategic compet-
19 itor.

20 (2) FAIT ACCOMPLI.—The term “*fait accompli*”
21 means the strategy of a strategic competitor de-
22 signed to allow such strategic competitor to use mili-
23 tary force to seize control of a covered defense part-
24 ner before the United States Armed Forces are able
25 to respond effectively.

1 (3) STRATEGIC COMPETITOR.—The term “stra-
2 tegic competitor” means a country labeled as a stra-
3 tegic competitor in the “Summary of the 2018 Na-
4 tional Defense Strategy of the United States of
5 America: Sharpening the American Military’s Com-
6 petitive Edge” issued by the Department of Defense
7 pursuant to section 113 of title 10, United States
8 Code.

9 **TITLE XIII—OTHER MATTERS**
10 **RELATING TO FOREIGN NA-**
11 **TIONS**

12 **Subtitle A—Matters Relating to**
13 **Europe and NATO**

14 **SEC. 1301. REPORT ON THE STATE OF UNITED STATES MILI-**
15 **TARY INVESTMENT IN EUROPE INCLUDING**
16 **THE EUROPEAN DETERRENCE INITIATIVE.**

17 Not later than February 25, 2022, the Secretary of
18 Defense, in coordination with the Commander of United
19 States European Command, shall submit to the congres-
20 sional defense committees a report assessing the current
21 state of United States defense investment in Europe, in-
22 cluding the European Deterrence Initiative. The report
23 shall include the following elements:

24 (1) An assessment of the current progress made
25 by the Department of Defense toward achieving the

1 goals of the European Deterrence Initiative over its
2 lifetime and a description of the major changes in
3 focus, resourcing, and emphasis that have occurred
4 over that lifetime.

5 (2) An assessment of the current state of
6 United States defense posture in Europe, including
7 a comprehensive assessment of the state of military
8 mobility and the current ability of the United States
9 to rapidly manifest and transit forces to Europe's
10 eastern front in a crisis with a contested logistics en-
11 vironment, and the corresponding levels and
12 timelines with respect to such ability.

13 (3) An assessment of United States defense lo-
14 gistics gaps or risks such as bridging equipment and
15 rail gauge mitigations that would be exacerbated in
16 a contingency.

17 (4) An assessment of the current state of
18 United States prepositioned stocks in Europe, in-
19 cluding the current timeline for their completion
20 under the European Deterrence Initiative.

21 (5) An assessment of the current state of
22 United States munitions in Europe, including their
23 current levels, the adequacy of those levels for
24 United States needs in a European contingency, and

1 a description of the Department's plan to bring
2 those munitions stocks to adequate levels.

3 (6) An assessment of the current state of fuel
4 availability and supporting infrastructure in Europe
5 and the adequacy of those supplies for United States
6 needs in a European contingency.

7 (7) A description of the manner and extent to
8 which United States military investment planning in
9 the European theater incorporates assessments of
10 relevant regulatory policies in the European theater
11 relating to installation energy and the planning and
12 design of military construction projects at these in-
13 stallations.

14 (8) An assessment of the current state of
15 United States anti-submarine warfare assets, organi-
16 zation, and resources in the European Command
17 and Second Fleet areas of responsibility, including—

18 (A) their sufficiency to counter Russian
19 submarine threats; and

20 (B) the sufficiency of United States sono-
21 buoy stocks, anti-submarine warfare platforms,
22 and undersea sensing equipment.

23 (9) An assessment of the current state of the
24 United States naval presence in the European Com-
25 mand area of responsibility and its ability to respond

1 to challenges in the Black Sea, Mediterranean, and
2 Arctic, including a description of any future plans
3 regarding increased naval force structure forward
4 stationed in Europe by 2025.

5 (10) An assessment of the current state of
6 United States Air Force operational planning and
7 resourcing in the European theater, including the
8 current state of prepositioned Air Force equipment,
9 activities, and relevant infrastructure.

10 (11) An assessment of the current state of
11 United States defense information warfare capabili-
12 ties in the European Command area of responsibility
13 and any defense resources required or defense poli-
14 cies needed to strengthen these efforts.

15 (12) An assessment of the current state of
16 United States military capabilities for countering
17 Russian aggression and hybrid warfare in the Euro-
18 pean theater, including cyber capabilities.

19 (13) An assessment of the current state of
20 United States military electromagnetic warfare capa-
21 bilities in the European theater.

22 (14) An assessment of the current state of
23 United States military sea- and airlift capabilities to
24 support contingency operations in the European the-
25 ater.

1 (15) An assessment of all purchases, invest-
2 ments, and expenditures made by any Armed Force
3 under the jurisdiction of the Secretary of a military
4 department and funded by the European Deterrence
5 Initiative, since its inception, that have been diverted
6 for purposes or uses other than the objectives of the
7 European Deterrence Initiative, including a list of
8 all purchases, investments, and expenditures that
9 have been funded under the European Deterrence
10 Initiative since its inception that were not ultimately
11 employed for the purposes of the initiative and their
12 respective dollar values.

13 (16) An assessment of the current state of Eu-
14 ropean Deterrence Initiative military construction ef-
15 forts in Europe.

16 (17) An analysis of the impact that deferred
17 military construction efforts authorized under sec-
18 tion 2808 of title 10, United States Code, have had
19 on the European Deterrence Initiative, including—

20 (A) impacts on timelines to establish a de-
21 terrence platform in Europe;

22 (B) implications for deterrence capabilities
23 in Europe; and

24 (C) a description of the Department of De-
25 fense's plan to address these impacts including

1 its intended final disposition for the impacted
2 military construction projects.

3 (18) A description of the current status of the
4 European Infrastructure Consolidation program, in-
5 cluding a list of all divestments completed under the
6 program after January 1, 2016, and all currently
7 contemplated divestments under the program.

8 (19) Any other information that the Secretary
9 of Defense determines relevant.

10 **SEC. 1302. SENSE OF CONGRESS ON UNITED STATES DE-**
11 **FENSE POSTURE IN EUROPE.**

12 It is the sense of Congress as follows:

13 (1) The United States is steadfastly committed
14 to upholding and strengthening its defense alliances
15 and partnerships in the European theater. The
16 North Atlantic Treaty Organization (NATO) alli-
17 ance is the bedrock of these relationships, which are
18 central to deterring Russian aggression, upholding
19 territorial integrity and sovereignty in Europe, coun-
20 tering malign efforts to undermine the rules-based
21 international order and disrupt shared values, fos-
22 tering international cooperation against collective
23 challenges, and advancing shared national security
24 objectives worldwide.

1 (2) United States allies in Europe have made
2 substantial strides on responsibility-sharing and de-
3 fense investment since the Wales Declaration in
4 2014 and should be commended for their ongoing ef-
5 forts to increase complementary investments in
6 NATO deterrence capacity. These efforts have pro-
7 vided an accumulated increase of more than
8 \$130,000,000,000 in foreign investments between
9 2016 and 2020 to strengthen trans-Atlantic secu-
10 rity, and it is essential that the United States con-
11 tinue to press NATO allies to achieve their Wales
12 Summit pledges and continue to make progress on
13 greater complementary defense investments.

14 (3) The behavior of the Russian Government
15 has not improved and has, in many aspects, become
16 increasingly belligerent since the invasion of Ukraine
17 in 2014, with respect to—

18 (A) military efforts to disrupt the terri-
19 torial integrity of sovereign countries in Eu-
20 rope;

21 (B) threats against the United States,
22 NATO, and other United States partners;

23 (C) intervention in allied democratic proc-
24 esses;

1 (D) efforts to disrupt United States alli-
2 ances, partnerships, and values;

3 (E) acts such as assassination and the use
4 of chemical weapons on the territory of other
5 sovereign countries; and

6 (F) other high-risk, disruptive efforts.

7 (4) Continued commitment to enhancing the
8 United States and allied force posture in Europe is
9 indispensable for efforts to establish and sustain a
10 credible deterrent against Russian aggression and
11 long-term strategic competition by the Russian gov-
12 ernment. The Secretary of Defense must continue
13 to—

14 (A) support the European Deterrence Ini-
15 tiative and other investments in a strengthened
16 United States and allied force posture in Eu-
17 rope;

18 (B) support rotational deployments and ro-
19 bust exercises in the European theater;

20 (C) complete efforts to establish
21 prepositioned stocks and effective staging infra-
22 structure to maintain credible deterrence
23 against Russian threats;

24 (D) invest effectively in multi-service,
25 cyber, information, and air defense efforts to

1 counter modern military challenges, enhance
2 the survivability and flexibility of the United
3 States force posture, logistics, and planning;
4 and

5 (E) consider whether additional forward-
6 positioned forces in Europe would reduce cost
7 and strain, enhance credibility, and strengthen
8 capabilities.

9 **SEC. 1303. SENSE OF CONGRESS ON SECURITY ASSISTANCE**
10 **TO THE BALTIC COUNTRIES.**

11 (a) FINDINGS.—Congress finds the following:

12 (1) The United States has cumulatively allo-
13 cated over \$498,965,000 in Department of Defense
14 partner capacity funding for the Baltic countries
15 since fiscal year 2018, including over \$219,000,000
16 for the Baltic security efforts known as the “Baltic
17 Security Initiative”, executed using sections 332 and
18 333 of title 10, United States Code, including assist-
19 ance with respect to air defense, maritime situa-
20 tional awareness, ammunition, C4ISR, anti-tank ca-
21 pability, special forces, and other defense capabili-
22 ties.

23 (2) The Secretary of Defense has completed the
24 comprehensive Baltic Defense Assessment required
25 by section 1246 of the National Defense Authoriza-

1 tion Act for Fiscal Year 2020 and has recommended
2 continued robust, comprehensive investment Baltic
3 security efforts in accordance with that assessment,
4 with assistance executed using such sections 332
5 and 333.

6 (3) The Secretary of Defense has assessed that
7 the authority granted by such sections 332 and 333
8 affords the most efficient and effective authority to
9 provide this assistance to the Baltic countries, and
10 that attempting to provide the assistance pursuant
11 to alternate authorities would hamper the Depart-
12 ment's ability to deliver assistance and implement
13 the investment program established by the Baltic
14 Defense Assessment.

15 (b) SENSE OF CONGRESS.—Congress strongly sup-
16 ports the robust assistance to accomplish United States
17 strategic objectives in accordance with sections 332 and
18 333 of title 10, United States Code, including by providing
19 assistance to the Baltic countries using those sections,
20 funded by the Baltic Security Initiative. It is the sense
21 of Congress that the security of the Baltic region is crucial
22 to the security of the NATO alliance and these efforts are
23 critical to ensure continued deterrence against Russian ag-
24 gression and bolster allied security.

1 **Subtitle B—Security Cooperation**
2 **and Assistance**

3 **SEC. 1311. EXTENSION OF AUTHORITY FOR CERTAIN PAY-**
4 **MENTS TO REDRESS INJURY AND LOSS.**

5 Section 1213(a) of the National Defense Authoriza-
6 tion Act for Fiscal Year 2020 (10 U.S.C. 2731 note) is
7 amended by striking “December 31, 2022” and inserting
8 “December 31, 2023”.

9 **SEC. 1312. FOREIGN AREA OFFICER ASSESSMENT AND RE-**
10 **VIEW.**

11 (a) FINDINGS.—Congress finds the following:

12 (1) Foreign Area Officers of the Army and
13 their equivalent positions in the other Armed Forces
14 (in this section referred to as “FAOs”) are trained
15 to manage, grow, and enhance security cooperation
16 relationships between the United States and foreign
17 partners and to build the overall military capacity
18 and capabilities of foreign partners.

19 (2) At present, some senior defense official po-
20 sitions in United States embassies are filled by offi-
21 cers lacking the necessary skills, training, and expe-
22 rience to strengthen the relationships between the
23 United States and its critical partners and allies.

24 (3) FAOs are trained to fill those positions, and
25 deficiencies in the equitable use, assessment, pro-

1 motion, diversity and inclusion of such officers, as
2 well as limitations on career opportunities, under-
3 mine the ability of the Department of Defense to
4 strengthen partnerships and alliances of the United
5 States.

6 (4) A federally funded research and develop-
7 ment center can provide a roadmap to correcting
8 these deficiencies, strengthening the FAO branch,
9 and placing qualified FAOs in positions of positive
10 influence over United States partnerships and alli-
11 ances.

12 (b) ASSESSMENT AND REVIEW REQUIRED.—

13 (1) IN GENERAL.—Not later than 60 days after
14 the date of the enactment of this Act, the Secretary
15 of Defense shall enter into an agreement with a fed-
16 erally funded research and development center to
17 conduct an independent assessment and comprehen-
18 sive review of the process by which Foreign Area Of-
19 ficers and their equivalent positions in the other
20 Armed Forces (in this section referred to as
21 “FAOs”) are recruited, selected, trained, assigned,
22 organized, promoted, retained, and used in security
23 cooperation offices, senior defense roles in U.S. em-
24 bassies, and in other critical roles of engagement
25 with allies and partners.

1 (2) ELEMENTS.—The assessment and review
2 conducted under paragraph (1) shall include the fol-
3 lowing:

4 (A) Identification and assessment of the
5 number and location of senior defense official
6 billets, including their grade structure and
7 availability to FAOs.

8 (B) A review of the cultural, racial, and
9 ethnic diversity of FAOs.

10 (C) An assessment of the assignment proc-
11 ess for FAOs.

12 (D) A review and assessment of the pro-
13 motion criteria, process, and possible pathways
14 for career advancement for FAOs.

15 (E) A review of the organization and cat-
16 egorization of FAOs by geographic region.

17 (F) An assessment of the training program
18 for FAOs and its effectiveness.

19 (G) An assessment of the available career
20 paths for FAOs.

21 (H) An assessment of the criteria used to
22 determine staffing requirements for senior de-
23 fense official positions and security cooperation
24 roles for uniformed officers.

1 (I) A review of the staffing of senior de-
2 fense official and security cooperation roles and
3 assessment to determine whether requirements
4 are being met through the staffing process.

5 (J) An assessment of how the broader uti-
6 lization of FAOs in key security cooperation
7 and embassy defense leadership billets would
8 improve the quality and professionalism of the
9 security cooperation workforce under section
10 384 of title 10, United States Code.

11 (K) A review of how many FAO opportuni-
12 ties are joint-qualifying and an assessment of
13 whether increasing the number of joint-qualified
14 opportunities for FAOs would increase recruit-
15 ment, retention, and promotion.

16 (L) Any other matters the Secretary deter-
17 mines relevant.

18 (c) RESULTS.—The federally funded research and de-
19 velopment center conducting the assessment and review
20 described in subsection (b) shall submit to the Secretary
21 the results of such assessment and review, which shall in-
22 clude the following:

23 (1) A summary of the research and activities
24 undertaken to carry out the assessment required by
25 subsection (b).

1 (2) Considerations and recommendations, in-
2 cluding legislative recommendations, to achieve the
3 following:

4 (A) Improving the assessment, promotion,
5 assignment selection, retention, and diversity of
6 FAOs.

7 (B) Assigning additional FAOs to positions
8 as senior defense officials.

9 (d) SUBMISSION TO CONGRESS.—

10 (1) IN GENERAL.—Not later than December 31,
11 2022, the Secretary shall submit to the Committees
12 on Armed Services of the Senate and the House of
13 Representatives—

14 (A) an unaltered copy of the results sub-
15 mitted pursuant to subsection (c); and

16 (B) the written responses of the Secretary
17 and the Chairman of the Joint Chiefs of Staff
18 to such results.

19 (2) FORM.—The submission under paragraph
20 (1) shall be submitted in unclassified form, but may
21 include a classified annex.

1 **SEC. 1313. WOMEN, PEACE, AND SECURITY ACT IMPLEMEN-**
2 **TATION AT MILITARY SERVICE ACADEMIES.**

3 (a) SENSE OF CONGRESS.—It is the sense of Con-
4 gress that \$15,000,000 should annually be made available
5 for activities that are—

6 (1) consistent with the Women, Peace, and Se-
7 curity Act of 2017 (Public Law 115–68; 131 Stat.
8 1202) and this section; and

9 (2) in furtherance of the national security prior-
10 ities of the United States.

11 (b) PROFESSIONAL MILITARY EDUCATION.—The
12 Secretary of Defense shall carry out activities consistent
13 with the Women, Peace, and Security Act of 2017 and
14 with this section, including by ensuring that professional
15 military education curriculum addresses—

16 (1) gender analysis;

17 (2) the meaningful participation of women in
18 national security activities; and

19 (3) the relationship between such participation
20 and security outcomes.

21 (c) BUILDING UNITED STATES CAPACITY.—

22 (1) MILITARY SERVICE ACADEMIES.—The Sec-
23 retary of Defense shall encourage the admission of
24 diverse individuals (including individuals who are
25 women) to each military service academy, including
26 by—

1 (A) establishing programs that hold com-
2 manding officers accountable for removing bi-
3 ases with respect to such individuals;

4 (B) ensuring that each military service
5 academy fosters a zero tolerance environment
6 for harassment towards such individuals; and

7 (C) ensuring that each military service
8 academy fosters equal opportunities for growth
9 that enable the full participation of such indi-
10 viduals in all training programs, career tracks,
11 and elements of the Department, especially in
12 elements of the Armed Forces previously closed
13 to women, such as infantry and special oper-
14 ations forces.

15 (2) PARTNERSHIPS WITH SCHOOLS AND NON-
16 PROFIT ORGANIZATIONS.—The Secretary of Defense
17 shall seek to enter into partnerships with elementary
18 schools, secondary schools, postsecondary edu-
19 cational institutions, and nonprofit organizations, to
20 support activities relating to the implementation of
21 the Women, Peace, and Security Act of 2017.

22 (3) BRIEFING.—Not later than one year after
23 the date of the enactment of this Act, the Director
24 of the Defense Security Cooperation Agency shall
25 provide to the appropriate committees of Congress a

1 briefing on efforts made at all levels to build partner
2 defense institution and security force capacity pursu-
3 ant to this section.

4 (4) DEFINITIONS.—In this subsection:

5 (A) The term “appropriate committees of
6 Congress” includes—

7 (i) the Committee on Armed Services,
8 the Committee on Foreign Affairs, and the
9 Committee on Transportation and Infra-
10 structure of the House of Representatives;
11 and

12 (ii) the Committee on Armed Services,
13 the Committee on Foreign Relations, and
14 the Committee on Commerce, Science, and
15 Transportation of the Senate.

16 (B) The terms “elementary school” and
17 “secondary school” have the meanings given
18 those terms in section 8101 of the Elementary
19 and Secondary Education Act of 1965 (20
20 U.S.C. 7801).

21 (C) The term “military service academy”
22 means the following:

23 (i) The United States Military Acad-
24 emy.

1 (ii) The United States Naval Acad-
2 emy.

3 (iii) The United States Air Force
4 Academy.

5 (iv) The United States Coast Guard
6 Academy.

7 (D) The term “postsecondary educational
8 institution” has the meaning given that term in
9 section 3 of the Carl D. Perkins Career and
10 Technical Education Act of 2006 (20 U.S.C.
11 2302).

12 **Subtitle C—Other Matters**

13 **SEC. 1321. EXTENSION OF AUTHORITY FOR DEPARTMENT** 14 **OF DEFENSE SUPPORT FOR STABILIZATION** 15 **ACTIVITIES IN NATIONAL SECURITY INTER-** 16 **EST OF THE UNITED STATES.**

17 Section 1210A(h) of the National Defense Authoriza-
18 tion Act for Fiscal Year 2020 (Public Law 116–92; 133
19 Stat. 1626) is amended by striking “December 31, 2021”
20 and inserting “December 31, 2022”.

1 **SEC. 1322. NOTIFICATION RELATING TO OVERSEAS HUMAN-**
2 **ITARIAN, DISASTER, AND CIVIC AID FUNDS**
3 **OBLIGATED IN SUPPORT OF OPERATION AL-**
4 **LIES REFUGE.**

5 Not later than 30 days after the date on which more
6 than \$100,000,000 of the amounts authorized to be ap-
7 propriated by the Act for overseas humanitarian, disaster,
8 and civic aid are obligated for expenses in support of Oper-
9 ation Allies Refuge, and every 90 days thereafter until all
10 such funds are obligated for Operation Allies Refuge, the
11 Secretary of Defense shall submit to the congressional de-
12 fense committees a notification that includes—

13 (1) the costs associated with the provision of
14 transportation, housing, medical services, and other
15 sustainment expenses for Afghan special immigrant
16 visa applicants and other Afghans at risk; and

17 (2) whether funds were obligated under a reim-
18 bursable or non-reimbursable basis.

19 **SEC. 1323. LIMITATION ON USE OF FUNDS FOR THE 2022**
20 **OLYMPIC AND PARALYMPIC WINTER GAMES**
21 **IN CHINA.**

22 (a) **LIMITATION.**—None of the funds authorized to
23 be appropriated or otherwise made available by this Act
24 may be made available to provide transportation for any
25 United States officer or official to attend, on official gov-

1 ernment business, the 2022 Olympic and Paralympic Win-
2 ter Games in the People's Republic of China.

3 (b) RULE OF CONSTRUCTION.—Nothing in this sec-
4 tion may be construed to limit the authorization of appro-
5 priations to provide security during the 2022 Olympic and
6 Paralympic Winter Games to any United States athlete
7 or associated support staff of the United States Olympic
8 and Paralympic Committee.

9 **SEC. 1324. REPORT ON HOSTILITIES INVOLVING UNITED**
10 **STATES ARMED FORCES.**

11 (a) IN GENERAL.—The President shall report to the
12 congressional defense committees, the Committee on For-
13 eign Relations of the Senate, and the Committee on For-
14 eign Affairs of the House of Representatives not later than
15 48 hours after any incident in which the United States
16 Armed Forces are involved in an attack or hostilities,
17 whether in an offensive or defensive capacity, unless the
18 President—

19 (1) otherwise reports the incident within 48
20 hours pursuant to section 4 of the War Powers Res-
21 olution (50 U.S.C. 1543); or

22 (2) has determined prior to the incident, and so
23 reported pursuant to section 1264 of the National
24 Defense Authorization Act for Fiscal Year 2018 (50
25 U.S.C. 1549), that the United States Armed Forces

1 involved in the incident would be operating under
2 specific statutory authorization within the meaning
3 of section 5(b) of the War Powers Resolution (50
4 U.S.C. 1544(b)).

5 (b) MATTERS TO BE INCLUDED.—Each report re-
6 quired by subsection (a) shall include—

7 (1) the statutory and operational authorities
8 under which the United States Armed Forces were
9 operating, including any relevant executive orders
10 and an identification of the operational activities au-
11 thorized under such executive orders;

12 (2) the date, location, duration, and other par-
13 ties involved;

14 (3) a description of the United States Armed
15 Forces involved and the mission of such Armed
16 Forces;

17 (4) the numbers of any combatant casualties
18 and civilian casualties; and

19 (5) any other information the President deter-
20 mines appropriate.

21 (c) FORM.—The report required by subsection (a)
22 shall be submitted in unclassified form, but may include
23 a classified annex.

1 **TITLE XIV—OTHER**
2 **AUTHORIZATIONS**
3 **Subtitle A—Military Programs**

4 **SEC. 1401. WORKING CAPITAL FUNDS.**

5 Funds are hereby authorized to be appropriated for
6 fiscal year 2022 for the use of the Armed Forces and other
7 activities and agencies of the Department of Defense for
8 providing capital for working capital and revolving funds,
9 as specified in the funding table in section 4501.

10 **SEC. 1402. CHEMICAL AGENTS AND MUNITIONS DESTRUC-**
11 **TION, DEFENSE.**

12 (a) **AUTHORIZATION OF APPROPRIATIONS.**—Funds
13 are hereby authorized to be appropriated for the Depart-
14 ment of Defense for fiscal year 2022 for expenses, not oth-
15 erwise provided for, for Chemical Agents and Munitions
16 Destruction, Defense, as specified in the funding table in
17 section 4501.

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

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

1 (2) the destruction of chemical warfare materiel
2 of the United States that is not covered by section
3 1412 of such Act.

4 **SEC. 1403. DRUG INTERDICTION AND COUNTER-DRUG AC-**
5 **TIVITIES, DEFENSE-WIDE.**

6 Funds are hereby authorized to be appropriated for
7 the Department of Defense for fiscal year 2022 for ex-
8 penses, not otherwise provided for, for Drug Interdiction
9 and Counter-Drug Activities, Defense-wide, as specified in
10 the funding table in section 4501.

11 **SEC. 1404. DEFENSE INSPECTOR GENERAL.**

12 Funds are hereby authorized to be appropriated for
13 the Department of Defense for fiscal year 2022 for ex-
14 penses, not otherwise provided for, for the Office of the
15 Inspector General of the Department of Defense, as speci-
16 fied in the funding table in section 4501.

17 **SEC. 1405. DEFENSE HEALTH PROGRAM.**

18 Funds are hereby authorized to be appropriated for
19 fiscal year 2022 for the Defense Health Program for use
20 of the Armed Forces and other activities and agencies of
21 the Department of Defense for providing for the health
22 of eligible beneficiaries, as specified in the funding table
23 in section 4501.

1 **Subtitle B—Other Matters**

2 **SEC. 1411. ACQUISITION OF STRATEGIC AND CRITICAL MA-** 3 **TERIALS FROM THE NATIONAL TECHNOLOGY** 4 **AND INDUSTRIAL BASE.**

5 The Strategic and Critical Materials Stock Piling Act
6 (50 U.S.C. 98 et seq.) is amended—

7 (1) in section 6(b)(2), by inserting “to consult
8 with producers and processors of such materials” be-
9 fore “to avoid”;

10 (2) in section 12, by adding at the end the fol-
11 lowing new paragraph:

12 “(3) The term ‘national technology and indus-
13 trial base’ has the meaning given in section 2500 of
14 title 10, United States Code.”; and

15 (3) in section 15(a)—

16 (A) in paragraph (3), by striking “and” at
17 the end;

18 (B) in paragraph (4), by striking the pe-
19 riod at the end and inserting “; and”; and

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

22 “(5) if domestic sources are unavailable to meet
23 the requirements defined in paragraphs (1) through
24 (4), by making efforts to prioritize the purchase of

1 strategic and critical materials from the national
2 technology and industrial base.”.

3 **SEC. 1412. AUTHORITY FOR TRANSFER OF FUNDS TO JOINT**
4 **DEPARTMENT OF DEFENSE-DEPARTMENT OF**
5 **VETERANS AFFAIRS MEDICAL FACILITY DEM-**
6 **ONSTRATION FUND FOR CAPTAIN JAMES A.**
7 **LOVELL HEALTH CARE CENTER, ILLINOIS.**

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

21 (b) **USE OF TRANSFERRED FUNDS.**—For the pur-
22 poses of subsection (b) of such section 1704, facility oper-
23 ations for which funds transferred under subsection (a)
24 may be used are operations of the Captain James A.
25 Lovell Federal Health Care Center, consisting of the

1 North Chicago Veterans Affairs Medical Center, the Navy
2 Ambulatory Care Center, and supporting facilities des-
3 igned as a combined Federal medical facility under an
4 operational agreement covered by section 706 of the Dun-
5 can Hunter National Defense Authorization Act for Fiscal
6 Year 2009 (Public Law 110-417; 122 Stat. 4500).

7 **SEC. 1413. AUTHORIZATION OF APPROPRIATIONS FOR**
8 **ARMED FORCES RETIREMENT HOME.**

9 There is hereby authorized to be appropriated for fis-
10 cal year 2022 from the Armed Forces Retirement Home
11 Trust Fund the sum of \$75,300,000 for the operation of
12 the Armed Forces Retirement Home.

13 **TITLE XV—CYBERSPACE-**
14 **RELATED MATTERS**
15 **Subtitle A—Cyber Threats**

16 **SEC. 1501. CYBER THREAT INFORMATION COLLABORATION**
17 **ENVIRONMENT.**

18 (a) IN GENERAL.—In consultation with the Cyber
19 Threat Data Standards and Interoperability Council es-
20 tablished pursuant to subsection (d), the Secretary of
21 Homeland Security, in coordination with the Secretary of
22 Defense and the Director of National Intelligence (acting
23 through the Director of the National Security Agency),
24 shall develop an information collaboration environment

1 and associated analytic tools that enable entities to iden-
2 tify, mitigate, and prevent malicious cyber activity to—

3 (1) provide limited access to appropriate and
4 operationally relevant data from unclassified and
5 classified intelligence about cybersecurity risks and
6 cybersecurity threats, as well as malware forensics
7 and data from network sensor programs, on a plat-
8 form that enables query and analysis;

9 (2) enable cross-correlation of data on cyberse-
10 curity risks and cybersecurity threats at the speed
11 and scale necessary for rapid detection and identi-
12 fication;

13 (3) facilitate a comprehensive understanding of
14 cybersecurity risks and cybersecurity threats; and

15 (4) facilitate collaborative analysis between the
16 Federal Government and private sector critical infra-
17 structure entities and information and analysis orga-
18 nizations.

19 (b) IMPLEMENTATION OF INFORMATION COLLABO-
20 RATION ENVIRONMENT.—

21 (1) EVALUATION.—Not later than 180 days
22 after the date of the enactment of this Act, the Sec-
23 retary of Homeland Security, acting through the Di-
24 rector of the Cybersecurity and Infrastructure Secu-
25 rity Agency of the Department of Homeland Secu-

1 rity, in coordination with the Secretary of Defense
2 and the Director of National Intelligence (acting
3 through the Director of the National Security Agen-
4 cy), shall—

5 (A) identify, inventory, and evaluate exist-
6 ing Federal sources of classified and unclassi-
7 fied information on cybersecurity threats;

8 (B) evaluate current programs, applica-
9 tions, or platforms intended to detect, identify,
10 analyze, and monitor cybersecurity risks and
11 cybersecurity threats; and

12 (C) coordinate with private sector critical
13 infrastructure entities and, as determined ap-
14 propriate by the Secretary of Homeland Secu-
15 rity, in consultation with the Secretary of De-
16 fense, other private sector entities, to identify
17 private sector cyber threat capabilities, needs,
18 and gaps.

19 (2) IMPLEMENTATION.—Not later than one
20 year after the evaluation required under paragraph
21 (1), the Secretary of Homeland Security, acting
22 through the Director of the Cybersecurity and Infra-
23 structure Security Agency, in coordination with the
24 Secretary of Defense and the Director of National
25 Intelligence (acting through the Director of the Na-

1 tional Security Agency), shall begin implementation
2 of the information collaboration environment devel-
3 oped pursuant to subsection (a) to enable partici-
4 pants in such environment to develop and run ana-
5 lytic tools referred to in such subsection on specified
6 data sets for the purpose of identifying, mitigating,
7 and preventing malicious cyber activity that is a
8 threat to government and critical infrastructure.
9 Such environment and use of such tools shall—

10 (A) operate in a manner consistent with
11 relevant privacy, civil rights, and civil liberties
12 policies and protections, including such policies
13 and protections established pursuant to section
14 1016 of the Intelligence Reform and Terrorism
15 Prevention Act of 2004 (6 U.S.C. 485);

16 (B) account for appropriate data standards
17 and interoperability requirements, consistent
18 with the standards set forth in subsection (d);

19 (C) enable integration of current applica-
20 tions, platforms, data, and information, includ-
21 ing classified information, in a manner that
22 supports integration of unclassified and classi-
23 fied information on cybersecurity risks and cy-
24 bersecurity threats;

1 (D) incorporate tools to manage access to
2 classified and unclassified data, as appropriate;

3 (E) ensure accessibility by entities the Sec-
4 retary of Homeland Security, in consultation
5 with the Secretary of Defense and the Director
6 of National Intelligence (acting through the Di-
7 rector of the National Security Agency), deter-
8 mines appropriate;

9 (F) allow for access by critical infrastruc-
10 ture stakeholders and other private sector part-
11 ners, at the discretion of the Secretary of
12 Homeland Security, in consultation with the
13 Secretary of Defense;

14 (G) deploy analytic tools across classifica-
15 tion levels to leverage all relevant data sets, as
16 appropriate;

17 (H) identify tools and analytical software
18 that can be applied and shared to manipulate,
19 transform, and display data and other identified
20 needs; and

21 (I) anticipate the integration of new tech-
22 nologies and data streams, including data from
23 government-sponsored network sensors or net-
24 work-monitoring programs deployed in support

1 of State, local, Tribal, and territorial govern-
2 ments or private sector entities.

3 (c) POST-DEPLOYMENT ASSESSMENT.—Not later
4 than two years after the implementation of the informa-
5 tion collaboration environment under subsection (b), the
6 Secretary of Homeland Security, the Secretary of Defense,
7 and the Director of National Intelligence (acting through
8 the Director of the National Security Agency) shall jointly
9 submit to Congress an assessment of whether to include
10 additional entities, including critical infrastructure infor-
11 mation sharing and analysis organizations, in such envi-
12 ronment.

13 (d) CYBER THREAT DATA STANDARDS AND INTER-
14 OPERABILITY COUNCIL.—

15 (1) ESTABLISHMENT.—There is established an
16 interagency council, to be known as the “Cyber
17 Threat Data Standards and Interoperability Coun-
18 cil” (in this subsection referred to as the “council”),
19 chaired by the Secretary of Homeland Security, to
20 establish data standards and requirements for public
21 and private sector entities to participate in the infor-
22 mation collaboration environment developed pursu-
23 ant to subsection (a).

24 (2) OTHER MEMBERSHIP.—

1 (A) PRINCIPAL MEMBERS.—In addition to
2 the Secretary of Homeland Security, the council
3 shall be composed of the Director of the Cyber-
4 security and Infrastructure Security Agency of
5 the Department of Homeland Security, the Sec-
6 retary of Defense, and the Director of National
7 Intelligence (acting through the Director of the
8 National Security Agency).

9 (B) ADDITIONAL MEMBERS.—The Presi-
10 dent shall identify and appoint council members
11 from public and private sector entities who
12 oversee programs that generate, collect, or dis-
13 seminate data or information related to the de-
14 tection, identification, analysis, and monitoring
15 of cybersecurity risks and cybersecurity threats,
16 based on recommendations submitted by the
17 Secretary of Homeland Security, the Secretary
18 of Defense, and the Director of National Intel-
19 ligence (acting through the Director of the Na-
20 tional Security Agency).

21 (3) DATA STREAMS.—The council shall identify,
22 designate, and periodically update programs that
23 shall participate in or be interoperable with the in-
24 formation collaboration environment developed pur-

1 suant to subsection (a), which may include the fol-
2 lowing:

3 (A) Network-monitoring and intrusion de-
4 tection programs.

5 (B) Cyber threat indicator sharing pro-
6 grams.

7 (C) Certain government-sponsored network
8 sensors or network-monitoring programs.

9 (C) Incident response and cybersecurity
10 technical assistance programs.

11 (D) Malware forensics and reverse-engi-
12 neering programs.

13 (4) DATA GOVERNANCE.—The council shall es-
14 tablish a committee comprised of the privacy officers
15 of the Department of Homeland Security, the De-
16 partment of Defense, and the National Security
17 Agency. Such committee shall establish procedures
18 and data governance structures, as necessary, to
19 protect sensitive data, comply with Federal regula-
20 tions and statutes, and respect existing consent
21 agreements with private sector critical infrastructure
22 entities that apply to critical infrastructure informa-
23 tion.

24 (5) RECOMMENDATIONS.—The council shall, as
25 appropriate, submit recommendations to the Presi-

1 dent to support the operation, adaptation, and secu-
2 rity of the information collaboration environment de-
3 veloped pursuant to subsection (a).

4 (e) DEFINITIONS.—In this section:

5 (1) CRITICAL INFRASTRUCTURE.—The term
6 “critical infrastructure” has the meaning given such
7 term in section 1016(e) of Public Law 107–56 (42
8 U.S.C. 5195c(e)).

9 (2) CRITICAL INFRASTRUCTURE INFORMA-
10 TION.—The term “critical infrastructure informa-
11 tion” has the meaning given such term in section
12 2222 of the Homeland Security Act of 2002 (6
13 U.S.C. 671).

14 (3) CYBER THREAT INDICATOR.—The term
15 “cyber threat indicator” has the meaning given such
16 term in section 102(6) of the Cybersecurity Act of
17 2015 (enacted as division N of the Consolidated Ap-
18 propriations Act, 2016 (Public Law 114–113; 6
19 U.S.C. 1501(6))).

20 (4) CYBERSECURITY RISK.—The term “cyberse-
21 curity risk” has the meaning given such term in sec-
22 tion 2209 of the Homeland Security Act of 2002 (6
23 U.S.C. 659).

24 (5) CYBERSECURITY THREAT.—The term “cy-
25 bersecurity threat” has the meaning given such term

1 in section 102(5) of the Cybersecurity Act of 2015
2 (enacted as division N of the Consolidated Appro-
3 priations Act, 2016 (Public Law 114–113; 6 U.S.C.
4 1501(5))).

5 (6) INFORMATION SHARING AND ANALYSIS OR-
6 GANIZATION.—The term “information sharing and
7 analysis organization” has the meaning given such
8 term in section 2222 of the Homeland Security Act
9 of 2002 (6 U.S.C. 671).

10 **SEC. 1502. ENTERPRISE-WIDE PROCUREMENT OF COMMER-**
11 **CIAL CYBER THREAT INFORMATION PROD-**
12 **UCTS.**

13 (a) PROGRAM.—No later than one year after the date
14 of the enactment of this Act, the Secretary of Defense,
15 acting through the Commander of Joint Force Head-
16 quarters-Department of Defense information products
17 Network, shall establish a program management office for
18 the enterprise-wide procurement of commercial cyber
19 threat information products. The program manager of
20 such program shall be responsible for the following:

21 (1) Surveying components of the Department
22 for the commercial cyber threat information product
23 needs of such components.

24 (2) Conducting market research of commercial
25 cyber threat information products.

1 (3) Developing requirements, both independ-
2 ently and through consultation with components, for
3 the acquisition of commercial cyber threat informa-
4 tion products.

5 (4) Developing and instituting model contract
6 language for the acquisition of commercial cyber
7 threat information products, including contract lan-
8 guage that facilitates Department of Defense compo-
9 nents' requirements for ingesting, sharing, using and
10 reusing, structuring, and analyzing data derived
11 from such products.

12 (5) Conducting procurement of commercial
13 cyber threat information products on behalf of the
14 Department of Defense, including negotiating con-
15 tracts with a fixed number of licenses based on ag-
16 gregate component demand and negotiation of exten-
17 sible contracts.

18 (b) COORDINATION.—In implementing this section,
19 each component of the Department of Defense shall co-
20 ordinate the commercial cyber threat information product
21 requirements and potential procurement plans relating to
22 such products of each such component with the program
23 management office established pursuant to subsection (a)
24 so as to enable the program management office to deter-
25 mine if satisfying such requirements or such procurement

1 of such products on an enterprise-wide basis would serve
2 the best interests of the Department.

3 (c) PROHIBITION.—Beginning not later than 540
4 days after the date of the enactment of this Act, no com-
5 ponent of the Department of Defense may independently
6 procure a commercial cyber threat information product
7 that has been procured by the program management office
8 established pursuant to subsection (a), unless—

9 (1) such component is able to procure such
10 product at a lower per-unit price than that available
11 through the program management office; or

12 (2) the program management office has ap-
13 proved such independent purchase.

14 (d) EXCEPTION.—The requirements of subsections
15 (b) and (c) shall not apply to the National Security Agen-
16 cy.

17 (e) DEFINITION.—In this section, the term “commer-
18 cial cyber threat information products” refers to commer-
19 cially-available data and indicators that facilitate discovery
20 and understanding of the targets, infrastructure, tools,
21 and tactics, techniques, and procedures of cyber threats.

1 **Subtitle B—Cyber Systems and**
2 **Operations**

3 **SEC. 1511. LEGACY INFORMATION TECHNOLOGIES AND**
4 **SYSTEMS ACCOUNTABILITY.**

5 (a) IN GENERAL.—Not later than 270 days after the
6 date of the enactment of this Act, the Secretaries of the
7 Army, Navy, and Air Force shall each initiate efforts to
8 identify legacy applications, software, and information
9 technology within their respective Departments.

10 (b) SPECIFICATIONS.—To carry out subsection (a),
11 that Secretaries of the Army, Navy, and Air Force shall
12 each document the following:

13 (1) An identification of the applications, soft-
14 ware, and information technologies that are consid-
15 ered active or operational, but which are judged to
16 no longer be required by the respective Department.

17 (2) Information relating to the sources of fund-
18 ing for the applications, software, and information
19 technologies identified under paragraph (1).

20 (3) An identification of the senior official re-
21 sponsible for each application, software, and infor-
22 mation technology identified under paragraph (1).

23 (4) A plan to discontinue use and funding for
24 each item application, software, and information
25 technology identified under paragraph (1).

1 (c) EXEMPTION.—Any effort substantially similar to
2 that described in subsection (a) that is being carried out
3 by the Secretary of the Army, Navy, or Air Force as of
4 the date of the enactment of this Act and completed not
5 later 180 days after such date shall be treated as satis-
6 fying the requirement under such subsection.

7 (d) REPORT.—Not later than 270 days after the date
8 of the enactment of this Act, the Secretaries of the Army,
9 Navy, and Air Force shall each submit to the congress-
10 sional defense committees the documentation required
11 under subsection (b).

12 **SEC. 1512. UPDATE RELATING TO RESPONSIBILITIES OF**
13 **CHIEF INFORMATION OFFICER.**

14 Paragraph (1) of section 142(b) of title 10, United
15 States Code, is amended—

16 (1) in subparagraphs (A), (B), and (C), by
17 striking “(other than with respect to business man-
18 agement)” each place it appears; and

19 (2) by amending subparagraph (D) to read as
20 follows:

21 “(D) exercises authority, direction, and control
22 over the Cybersecurity Directorate, or any successor
23 organization, of the National Security Agency;”.

1 **SEC. 1513. PROTECTIVE DOMAIN NAME SYSTEM WITHIN**
2 **THE DEPARTMENT OF DEFENSE.**

3 (a) IN GENERAL.—Not later than 120 days after the
4 date of the enactment of this Act, the Secretary shall en-
5 sure each component of the Department of Defense uses
6 a Protective Domain Name System (PDNS) instantiation
7 offered by the Department.

8 (b) EXEMPTIONS.—The Secretary of Defense may ex-
9 empt a component of the Department from using a PDNS
10 instantiation for any reason except for cost or technical
11 application.

12 (c) REPORT TO CONGRESS.—Not later than 150 days
13 after the date of the enactment of this Act, the Secretary
14 of Defense shall submit to the congressional defense com-
15 mittees a report that includes information relating to—

16 (1) each component of the Department that
17 uses a PDNS instantiation offered by the Depart-
18 ment;

19 (2) each component exempt from using a
20 PDNS instantiation pursuant to subsection (b); and

21 (3) efforts to ensure that the PDNS
22 instantiation offered by the Department connect and
23 share relevant and timely data.

1 **Subtitle C—Cyber Weapons**

2 **SEC. 1521. NOTIFICATION REQUIREMENTS REGARDING**
3 **CYBER WEAPONS.**

4 (a) **IN GENERAL.**—Not later than 120 days after the
5 date of the enactment of this Act, the Secretary of Defense
6 shall submit to the congressional defense committees a re-
7 port on the Department of Defense’s compliance respon-
8 sibilities regarding cyber capabilities. Such report shall
9 also include the Department’s definition of “cyber capa-
10 bility” that includes all software, hardware, middleware,
11 code, and other information technology developed using
12 amounts from the Cyberspace Activities Budget of the De-
13 partment of Defense that may used in operations author-
14 ized under title 10, United States Code.

15 (b) **LIMITATION.**—Of amounts authorized to be ap-
16 propriated by this Act or otherwise made available for fis-
17 cal year 2022 for operations and maintenance, Defense-
18 Wide, for the Office of the Secretary of Defense for travel,
19 not more than 75 percent of such amounts may be obli-
20 gated or expended until the Secretary of Defense has sub-
21 mitted to the congressional defense committees the report
22 required under subsection (a).

1 **SEC. 1522. CYBERSECURITY OF WEAPON SYSTEMS.**

2 Section 1640 of the National Defense Authorization
3 Act for Fiscal Year 2018 (Public Law 115–91; 10 U.S.C.
4 2224 note), is amended—

5 (1) in subsection (c)(1), by adding at the end
6 the following new subparagraphs:

7 “(E) Nuclear Command, Control, and
8 Communications (NC3).

9 “(F) Senior Leadership Enterprise.”; and

10 (2) by adding at the end the following new sub-
11 section:

12 “(f) BIENNIAL REPORTS.—Not later than June 30,
13 2022, and every six months thereafter through 2023, the
14 Secretary of Defense shall provide to the congressional de-
15 fense committees a report on the work of the Program,
16 including information relating to staffing and accomplish-
17 ments of during the immediately preceding six-month pe-
18 riod.”.

1 **Subtitle D—Other Cyber Matters**

2 **SEC. 1531. FEASIBILITY STUDY REGARDING ESTABLISH-**
3 **MENT WITHIN THE DEPARTMENT OF DE-**
4 **FENSE A DESIGNATED CENTRAL PROGRAM**
5 **OFFICE, HEADED BY A SENIOR DEPARTMENT**
6 **OFFICIAL, RESPONSIBLE FOR OVERSEEING**
7 **ALL ACADEMIC ENGAGEMENT PROGRAMS**
8 **FOCUSING ON CREATING CYBER TALENT**
9 **ACROSS THE DEPARTMENT.**

10 (a) IN GENERAL.—Not later than 270 days after the
11 date of the enactment of this Act, the Secretary of Defense
12 shall submit to the congressional defense committees a
13 feasibility study regarding the establishment within the
14 Department of Defense of a designated central program
15 office, headed by a senior Department official, responsible
16 for overseeing all academic engagement programs focusing
17 on creating cyber talent across the Department. Such
18 study shall examine the following:

19 (1) The manner in or through which such a
20 designated central program office would obligate and
21 expend amounts relating to cyber education initia-
22 tives.

23 (2) The manner in or through which such a
24 designated central program office would interact
25 with the consortium or consortia of universities (es-

1 established pursuant to section 1659 of the National
2 Defense Authorization Act for Fiscal Year 2020 (10
3 U.S.C. 391 note)) to assist the Secretary on cyberse-
4 curity matters.

5 (3) The reasons why cyber has unique pro-
6 grams apart from other science, technology, engi-
7 neering, and math programs.

8 (4) Whether the creation of the designated cen-
9 tral program office will have an estimated net sav-
10 ings for the Department.

11 (b) CONSULTATION.—In conducting the feasibility
12 study required under subsection (a), the Secretary of De-
13 fense shall consult with and solicit recommendations from
14 academic institutions and stakeholders. including primary,
15 secondary, and post-secondary educational institutions.

16 (c) DETERMINATION.—

17 (1) IN GENERAL.—Upon completion of the fea-
18 sibility study required under subsection (a), the Sec-
19 retary of Defense shall make a determination re-
20 garding the establishment within the Department of
21 Defense of a designated central program office re-
22 sponsible for each covered academic engagement
23 program across the Department.

24 (2) IMPLEMENTATION.—If the Secretary of De-
25 fense makes a determination under paragraph (1) in

1 the affirmative, the Secretary shall establish within
2 the Department of Defense a designated central pro-
3 gram office responsible for each covered academic
4 enrichment program across the Department. Not
5 later than 180 days after such a determination in
6 the affirmative, the Secretary shall promulgate such
7 rules and regulations as are necessary to so establish
8 such an office.

9 (3) **NEGATIVE DETERMINATION.**—If the Sec-
10 retary determines not to establish a designated cen-
11 tral program office under subsection (a), the Sec-
12 retary shall submit to Congress notice of such deter-
13 mination together with a justification for the deter-
14 mination.

15 (d) **COMPREHENSIVE REPORT.**—Not later than 270
16 days after the date of the enactment of this Act, the Sec-
17 retary of Defense shall submit to the congressional defense
18 committees a comprehensive report that updates the mat-
19 ters required for inclusion in the reports required pursu-
20 ant to section 1649 of the National Defense Authorization
21 Act for Fiscal Year 2020 (Public Law 116–92) and sec-
22 tion 1726(c) of the William M. (Mac) Thornberry National
23 Defense Authorization Act for Fiscal Year 2021 (Public
24 Law 116–283).

1 (e) DEFINITION.—In this section, the term “covered
2 academic engagement program” means each of the fol-
3 lowing:

4 (1) Any primary, secondary, or post-secondary
5 education program.

6 (2) Any recruitment or retention program.

7 (3) Any scholarship program.

8 (4) Any academic partnerships.

9 (5) Any general enrichment program.

10 **SEC. 1532. PROHIBITION ON CHIEF INFORMATION OFFICER**
11 **OF THE DEPARTMENT OF DEFENSE SERVING**
12 **AS PRINCIPAL CYBER ADVISOR OF THE DE-**
13 **PARTMENT.**

14 Section 932(c)(1) of the National Defense Authoriza-
15 tion Act for Fiscal Year 2014 (Public Law 113–66; 10
16 U.S.C. 2224 note) is amended by inserting after “civilian
17 officials of the Department of Defense” the following:
18 “(other than the Chief Information Officer of the Depart-
19 ment)”.

1 **TITLE XVI—SPACE ACTIVITIES,**
2 **STRATEGIC PROGRAMS, AND**
3 **INTELLIGENCE MATTERS**

4 **Subtitle A—Space Activities**

5 **SEC. 1601. IMPROVEMENTS TO TACTICALLY RESPONSIVE**
6 **SPACE LAUNCH PROGRAM.**

7 (a) SENSE OF CONGRESS.—It is the sense of Con-
8 gress that—

9 (1) the Space Force, in collaboration with the
10 United States Space Command, the military depart-
11 ments, relevant Defense Agencies and, where prac-
12 ticable, the National Reconnaissance Office, should
13 continue to build on the successful Space Safari
14 tactically responsive launch-2 mission of the Space
15 Force, which was a pathfinder to inform concepts of
16 operation regarding tactically responsive launches;
17 and

18 (2) future efforts regarding tactically responsive
19 launches should not be limited to only launch capa-
20 bilities, but should also include all aspects that are
21 needed for rapid reconstitution and responsiveness
22 to urgent requirements with respect to satellite
23 buses, payloads, operations, and ground infrastruc-
24 ture.

1 (b) PROGRAM.—Section 1609 of the William M.
2 (Mac) Thornberry National Defense Authorization Act for
3 Fiscal Year 2021 (Public Law 116–283) is amended—

4 (1) by striking “The Secretary” and inserting
5 “(a) PROGRAM.—The Secretary”; and

6 (2) by adding at the end the following new sub-
7 section:

8 “(b) SUPPORT.—

9 “(1) ELEMENTS.—The Secretary of Defense, in
10 consultation with the Director of National Intel-
11 ligence, shall support the tactically responsive launch
12 program under subsection (a) during the period cov-
13 ered by the future-years defense program submitted
14 to Congress under section 221 of title 10, United
15 States Code, in 2022 to ensure that the program ad-
16 dresses the following:

17 “(A) The ability to rapidly place on-orbit
18 systems to respond to urgent needs of the com-
19 manders of the combatant commands or to re-
20 constitute space assets and capabilities to sup-
21 port national security priorities if such assets
22 and capabilities are degraded, attacked, or oth-
23 erwise impaired, including such assets and ca-
24 pabilities relating to protected communications

1 and intelligence, surveillance, and reconnais-
2 sance.

3 “(B) The entire launch process, including
4 with respect to launch services, satellite bus and
5 payload availability, and operations and
6 sustainment on-orbit.

7 “(2) PLAN.—As a part of the defense budget
8 materials (as defined in section 239 of title 10,
9 United States Code) for fiscal year 2023, the Sec-
10 retary of Defense, in consultation with the Director
11 of National Intelligence, shall submit to Congress a
12 plan for the tactically responsive launch program to
13 address the elements under paragraph (1). Such
14 plan shall include the following:

15 “(A) Lessons learned from the Space Sa-
16 fari tactically responsive launch-2 mission of
17 the Space Force, and how to incorporate such
18 lessons into future efforts regarding tactically
19 responsive launches.

20 “(B) How to achieve responsive acquisition
21 timelines within the adaptive acquisition frame-
22 work for space acquisition pursuant to section
23 807.

24 “(C) Plans to address supply chain issues
25 and leverage commercial capabilities to support

1 future reconstitution and urgent space require-
2 ments leveraging the tactically responsive
3 launch program under subsection (a).”.

4 **SEC. 1602. NATIONAL SECURITY SPACE LAUNCH PROGRAM.**

5 (a) SENSE OF CONGRESS.—It is the sense of Con-
6 gress that—

7 (1) the Department of Defense and the Na-
8 tional Reconnaissance Office should, to the extent
9 practicable, use launch services under a phase two
10 contract of the National Security Space Launch pro-
11 gram; and

12 (2) for missions that fall outside of the require-
13 ments of phase two of the National Security Space
14 Launch program, the Department of Defense and
15 the National Reconnaissance Office should continue
16 to leverage the growing launch provider base of the
17 United States, including those companies that pro-
18 vide smaller and ride-share launch capabilities, to
19 incentivize sustained investment in domestic launch
20 capabilities.

21 (b) POLICY.—With respect to entering into contracts
22 for launch services during the period beginning on the date
23 of the enactment of this Act and ending September 30,
24 2024, it shall be the policy of the Department of Defense
25 and the National Reconnaissance Office to—

1 (1) use the National Security Space Launch
2 program to the extent practicable to procure launch
3 services that are met under the requirements of
4 phase two; and

5 (2) maximize continuous competition for launch
6 services as the Space Force initiates planning for
7 phase three, specifically for those technology areas
8 that are unique to existing and emerging national
9 security requirements.

10 (c) NOTIFICATION.—If the Secretary of Defense or
11 the Director of the National Reconnaissance Office deter-
12 mines that a program requiring launch services that could
13 be met using phase two contracts will instead use an alter-
14 native launch procurement approach, not later than seven
15 days after the date of such determination, the Secretary
16 of Defense or, as appropriate, the Director of National
17 Intelligence, shall submit to the appropriate congressional
18 committees—

19 (1) a notification of such determination;

20 (2) a certification that the alternative launch
21 procurement approach is in the national security in-
22 terest of the United States; and

23 (3) an outline of the cost analysis and any
24 other rationale for such determination.

25 (d) REPORT.—

1 (1) REQUIREMENT.—Not later than 90 days
2 after the date of the enactment of this Act, the Sec-
3 retary of Defense, in coordination with the Chief of
4 Space Operations and the Director of the Space De-
5 velopment Agency, and in consultation with the Di-
6 rector of National Intelligence (including with re-
7 spect to the views of the Director of the National
8 Reconnaissance Office), shall submit to the appro-
9 priate congressional committees a report on the
10 plans of the Secretary to address, with respect to
11 launches that would be procured in addition to or
12 outside of launches under phase two, the emerging
13 launch requirements in the areas of space access,
14 mobility, and logistics that cannot be met by phase
15 two capabilities, as of the date of the report.

16 (2) ELEMENTS.—The report under paragraph
17 (1) shall include the following:

18 (A) An examination of the benefits of com-
19 peting up to two launches per year outside of
20 phase two to accelerate the rapid development
21 and on-orbit deployment of enabling and trans-
22 formational technologies required to address
23 emerging requirements, including with respect
24 to—

- 1 (i) delivery of in-space transportation,
2 logistics and on-orbit servicing capabilities
3 to enhance the persistence, sensitivity, and
4 resiliency of national security space mis-
5 sions in a contested space environment;
- 6 (ii) proliferated low-Earth orbit con-
7 stellation deployment;
- 8 (iii) routine access to extended orbits
9 beyond geostationary orbits, including
10 cislunar orbits;
- 11 (iv) greater cislunar awareness capa-
12 bilities;
- 13 (v) payload fairings that exceed cur-
14 rent launch requirements;
- 15 (vi) increased responsiveness for heavy
16 lift capability;
- 17 (vii) the ability to transfer orbits, in-
18 cluding point-to-point orbital transfers;
- 19 (viii) capacity and capability to exe-
20 cute secondary deployments;
- 21 (ix) high-performance upper stages;
- 22 (x) vertical integration; and
- 23 (xi) other new missions that are out-
24 side the parameters of the nine design ref-

1 erence missions that exist as of the date of
2 the enactment of this Act;

3 (B) A description of how competing space
4 access, mobility, and logistics launches could
5 aid in establishing a new acquisition framework
6 to—

7 (i) promote the potential for addi-
8 tional open and sustainable competition for
9 phase three; and

10 (ii) re-examine the balance of mission
11 assurance versus risk tolerance to reflect
12 new resilient spacecraft architectures and
13 reduce workload on the Federal Govern-
14 ment and industry to perform mission as-
15 surance where appropriate.

16 (C) An analysis of how the matters under
17 subparagraphs (A) and (B) may help continue
18 to reduce the cost per launch of national secu-
19 rity payloads.

20 (D) An examination of the effects to the
21 National Security Space Launch program if
22 contracted launch providers cannot meet all
23 phase two requirements, including with respect
24 to—

1 (i) the effects to national security
2 launch resiliency; and

3 (ii) the cost effects of a launch market
4 that lacks full competition.

5 (3) FORM.—The report under paragraph (1)
6 shall be submitted in unclassified form, but may in-
7 clude a classified appendix.

8 (4) BRIEFING.—Not later than 30 days after
9 the date of the enactment of this Act, the Secretary,
10 in consultation with the Director of National Intel-
11 ligence, shall provide to the appropriate congres-
12 sional committees a briefing on the report under
13 paragraph (1).

14 (e) DEFINITIONS.—In this section:

15 (1) The term “appropriate congressional com-
16 mittees” means—

17 (A) the congressional defense committees;

18 and

19 (B) the Permanent Select Committee on
20 Intelligence of the House of Representatives
21 and the Select Committee on Intelligence of the
22 Senate.

23 (2) The term “phase three” means, with re-
24 spect to the National Security Space Launch pro-

1 gram, launch missions ordered under the program
2 after fiscal year 2024.

3 (3) The term “phase two” means, with respect
4 to the National Security Space Launch program,
5 launch missions ordered under the program during
6 fiscal years 2020 through 2024.

7 **SEC. 1603. CLASSIFICATION REVIEW OF PROGRAMS OF THE**
8 **SPACE FORCE.**

9 (a) CLASSIFICATION REVIEW.—The Chief of Space
10 Operations shall—

11 (1) not later than 120 days after the date of
12 the enactment of this Act, conduct a review of each
13 classified program managed under the authority of
14 the Space Force to determine whether—

15 (A) the level of classification of the pro-
16 gram could be changed to a lower level; or

17 (B) the program could be declassified; and

18 (2) not later than 90 days after the date on
19 which the Chief completes such review, commence
20 the change to the classification level or the declas-
21 sification as determined in such review.

22 (b) COORDINATION.—The Chief of Space Operations
23 shall carry out the review under subsection (a)(1) in co-
24 ordination with the Assistant Secretary of Defense for

1 Space Policy and, as the Chief determines appropriate, the
2 heads of other elements of the Department of Defense.

3 (c) REPORT.—Not later than 60 days after the date
4 on which the Chief of Space Operations completes the re-
5 view under subsection (a)(1), the Chief, in coordination
6 with the Assistant Secretary of Defense for Space Policy,
7 shall submit to the congressional defense committees a re-
8 port identifying each program managed under the author-
9 ity of the Space Force covered by a determination regard-
10 ing changing the classification level of the program or de-
11 classifying the program, including—

12 (1) the timeline for implementing such change
13 or declassification; and

14 (2) any risks that exist in implementing such
15 change or declassification.

16 **SEC. 1604. REPORT ON RANGE OF THE FUTURE INITIATIVE**
17 **OF THE SPACE FORCE.**

18 (a) FINDINGS.—Congress finds that in a report sub-
19 mitted to Congress by the Chief of Space Operations, the
20 Chief highlighted a need for changes to current law to im-
21 prove installation infrastructure at the launch ranges of
22 the Space Force, and stated that “If we fail to do this
23 effectively our installations will become a limiting factor
24 to launch capability.”.

1 (b) REPORT.—Not later than 90 days after the date
2 of the enactment of this Act, the Chief of Space Oper-
3 ations shall submit to the congressional defense commit-
4 tees a report containing the following:

5 (1) A detailed plan to carry out the Space
6 Force “Range of the Future” initiative, including
7 the estimated funding required to implement the
8 plan.

9 (2) Identification of any specific authorities the
10 Chief determines need to be modified by law to im-
11 prove the ability of the Space Force to address long-
12 term challenges to the physical infrastructure at the
13 launch ranges of the Space Force, and an expla-
14 nation for why such modified authorities are needed.

15 (3) Any additional proposals that would support
16 improved infrastructure at the launch ranges of the
17 Space Force, including recommendations for legisla-
18 tive action to carry out such proposals.

19 **SEC. 1605. NORMS OF BEHAVIOR FOR INTERNATIONAL**
20 **RULES-BASED ORDER IN SPACE.**

21 (a) PRIORITIZED OBJECTIVES.—Not later than 90
22 days after the date of the enactment of this Act, the cov-
23 ered officials shall each submit to the National Space
24 Council a list of prioritized objectives with respect to es-
25 tablishing norms of behavior to be addressed through bi-

1 lateral and multilateral negotiations relating to an inter-
2 national rules-based order in space, including with respect
3 to events that create space debris, rendezvous and prox-
4 imity operations, and other appropriate matters.

5 (b) CONSOLIDATED LIST AND FRAMEWORK.—Not
6 later than 45 days after the date on which the National
7 Space Council has received the list of prioritized objectives
8 from each covered official under subsection (a), the Coun-
9 cil shall consolidate such prioritized objectives in a single
10 list. The Secretary of State, in collaboration with other
11 heads of relevant departments and agencies of the Federal
12 Government, shall use such consolidated list as a guide
13 to establish a framework for bilateral and multilateral ne-
14 gotiations described in such subsection.

15 (c) SUBMISSION TO CONGRESS.—Not later than
16 seven days after the date on which the National Space
17 Council consolidates the list of prioritized objectives under
18 subsection (b) in a single list, the Council shall submit
19 to the appropriate congressional committees such consoli-
20 dated list, disaggregated by the covered official who sub-
21 mitted each such prioritized objective.

22 (d) DEFINITIONS.—In this section:

23 (1) The term “appropriate congressional com-
24 mittees” means—

25 (A) the congressional defense committees;

1 (B) the Committee on Foreign Affairs, the
2 Committee on Science, Space, and Technology,
3 and the Permanent Select Committee on Intel-
4 ligence of the House of Representatives; and

5 (C) the Committee on Foreign Relations,
6 the Committee on Commerce, Science, and
7 Transportation, and the Select Committee on
8 Intelligence of the Senate.

9 (2) The term “covered official” means each of
10 the following:

11 (A) The Under Secretary of Defense for
12 Policy, in consultation with the Chief of Space
13 Operations, the Commander of the United
14 States Space Command, and the Director of the
15 National Geospatial-Intelligence Agency.

16 (B) The Assistant Secretary of State for
17 Arms Control, Verification, and Compliance.

18 (C) The Administrator of the National
19 Aeronautics and Space Administration.

20 (D) The Director of the National Recon-
21 naissance Office.

22 **SEC. 1606. PROGRAMS OF RECORD OF SPACE FORCE AND**
23 **COMMERCIAL CAPABILITIES.**

24 Section 957(c) of the National Defense Authorization
25 Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C.

1 9016 note) is amended by adding at the end the following
2 new paragraph:

3 “(5) PROGRAMS OF RECORD AND COMMERCIAL
4 CAPABILITIES.—The Service Acquisition Executive
5 for Space Systems and Programs may not establish
6 a program of record for the Space Force unless the
7 Service Acquisition Executive first—

8 “(A) determines that there is no commer-
9 cially available capability that would meet the
10 threshold objectives for that proposed program;
11 and

12 “(B) submits to the congressional defense
13 committees such determination.”.

14 **SEC. 1607. CLARIFICATION OF DOMESTIC SERVICES AND**
15 **CAPABILITIES IN LEVERAGING COMMERCIAL**
16 **SATELLITE REMOTE SENSING.**

17 (a) DOMESTIC DEFINED.—Section 1612(c) of the
18 William M. (Mac) Thornberry National Defense Author-
19 ization Act for Fiscal Year 2021 (Public Law 116–283;
20 10 U.S.C. 441 note) is amended—

21 (1) by redesignating paragraph (4) as para-
22 graph (5); and

23 (2) by inserting after paragraph (3) the fol-
24 lowing new paragraph (4):

1 “(4) The term ‘domestic’ includes, with respect
2 to commercial capabilities or services covered by this
3 section, capabilities or services provided by compa-
4 nies that operate in the United States and have ac-
5 tive mitigation agreements pursuant to the National
6 Industrial Security Program.”.

7 (b) EFFECTIVE DATE.—The amendments made by
8 subsection (a) shall take effect as if included in the enact-
9 ment of the William M. (Mac) Thornberry National De-
10 fense Authorization Act for Fiscal Year 2021 (Public Law
11 116–283), including with respect to any requests for pro-
12 posals or rules issued pursuant to section 1612 of such
13 Act.

14 **SEC. 1608. NATIONAL SECURITY COUNCIL BRIEFING ON PO-**
15 **TENTIAL HARMFUL INTERFERENCE TO**
16 **GLOBAL POSITIONING SYSTEM.**

17 (a) REQUIREMENT.—Not later than 30 days after the
18 date of the enactment of this Act, the Secretary of Defense
19 shall provide to the National Security Council, the Sec-
20 retary of Commerce, and the Commissioners of the Fed-
21 eral Communications Commission a briefing at the highest
22 level of classification on the current assessment of the De-
23 partment of Defense, as of the date of the briefing, regard-
24 ing the potential for harmful interference to the Global
25 Positioning System, or other tactical or strategic systems

1 of the Department of Defense, from commercial terrestrial
2 operations and mobile satellite services using the 1525–
3 1559 megahertz band and the 1626.5–1660.5 megahertz
4 band.

5 (b) MATTERS INCLUDED.—The briefing under sub-
6 section (a) shall include—

7 (1) potential operational impacts that have been
8 studied within the megahertz bands specified in such
9 subsection; and

10 (2) impacts that could be mitigated, if any, in-
11 cluding how such mitigations could be implemented.

12 (c) CONGRESSIONAL BRIEFING.—Not later than
13 seven days after the date on which the Secretary provides
14 the briefing under subsection (a), the Secretary shall pro-
15 vide to the appropriate congressional committees such
16 briefing.

17 (d) INDEPENDENT TECHNICAL REVIEW.—The Sec-
18 retary shall carry out subsections (a) an (c) regardless of
19 whether the independent technical review conducted pur-
20 suant to section 1663 of the William M. (Mac) Thornberry
21 National Defense Authorization Act for Fiscal Year 2021
22 (Public Law 116–283) has been completed.

23 (e) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
24 FINED.—In this section, the term “appropriate congres-
25 sional committees” means—

1 (1) the congressional defense committees; and
2 (2) the Committee on Energy and Commerce of
3 the House of Representatives and the Committee on
4 Commerce, Science, and Transportation of the Sen-
5 ate.

6 **Subtitle B—Defense Intelligence**
7 **and Intelligence-Related Activities**

8 **SEC. 1611. NOTIFICATION OF CERTAIN THREATS TO**
9 **UNITED STATES ARMED FORCES BY FOREIGN**
10 **GOVERNMENTS.**

11 (a) DETERMINATION THAT FOREIGN GOVERNMENT
12 INTENDS TO CAUSE THE DEATH OF OR SERIOUS BODILY
13 INJURY TO MEMBERS OF THE ARMED FORCES.—The
14 Secretary of Defense shall carry out the notification re-
15 quirements under subsection (b) whenever the Secretary,
16 in consultation with the Director of National Intelligence,
17 determines with high confidence that, on or after the date
18 of the enactment of this Act, an official of a foreign gov-
19 ernment plans or takes some other substantial step that
20 is intended to cause the death of, or serious bodily injury
21 to, any member of the United States Armed Forces,
22 whether through direct means or indirect means, including
23 through a promise or agreement by the foreign govern-
24 ment to pay anything of pecuniary value to an individual

1 or organization in exchange for causing such death or in-
2 jury.

3 (b) NOTICE TO CONGRESS.—

4 (1) NOTIFICATION.—Except as provided in
5 paragraph (3), not later than 14 days after making
6 a determination under subsection (a), the Secretary
7 shall notify the congressional leadership, the con-
8 gressional intelligence committees and, consistent
9 with the protection of sources and methods, the ap-
10 propriate congressional committees of such deter-
11 mination. Such notification shall include, at a min-
12 imum, the following:

13 (A) A description of the nature and extent
14 of the effort by the foreign government to tar-
15 get members of the United States Armed
16 Forces.

17 (B) An assessment of what specific offi-
18 cials, agents, entities, and departments within
19 the foreign government ordered, authorized, or
20 had knowledge of the effort.

21 (C) An assessment of the motivations of
22 the foreign government for undertaking such an
23 effort.

24 (D) An assessment of whether the effort of
25 the foreign government was a substantial factor

1 in the death or serious bodily injury of any
2 member of the United States Armed Forces.

3 (E) Any other information the Secretary
4 determines appropriate.

5 (2) OPTION FOR BRIEFING.—Upon the request
6 of a congressional recipient specified in paragraph
7 (1) after being notified of a determination under
8 such paragraph, the Secretary shall provide to the
9 recipient a briefing on the contents of the notifica-
10 tion.

11 (3) PROTECTION OF SOURCES AND METH-
12 ODS.—This subsection shall be carried out in a man-
13 ner that is consistent with the protection of sources
14 and methods.

15 (c) DEFINITIONS.—In this section:

16 (1) The term “anything of pecuniary value” has
17 the meaning given that term in section 1958(b)(1)
18 of title 18, United States Code.

19 (2) The term “appropriate congressional com-
20 mittees” means the following:

21 (A) The Committee on Armed Services and
22 the Committee on Foreign Affairs of the House
23 of Representatives.

1 (B) The Committee on Armed Services and
2 the Committee on Foreign Relations of the Sen-
3 ate.

4 (3) The terms “congressional intelligence com-
5 mittees” and “intelligence community” have the
6 meaning given those terms in section 3 of the Na-
7 tional Security Act of 1947 (50 U.S.C. 3003).

8 (4) The term “congressional leadership” in-
9 cludes the following:

10 (A) The majority leader of the Senate.

11 (B) The minority leader of the Senate.

12 (C) The Speaker of the House of Rep-
13 resentatives.

14 (D) The minority leader of the House of
15 Representatives.

16 (5) The term “determines with high con-
17 fidence”—

18 (A) means that the official making the de-
19 termination—

20 (i) has concluded that the judgments
21 in the determination are based on sound
22 analytic argumentation and high-quality,
23 consistent reporting from multiple sources,
24 including through clandestinely obtained

1 documents, clandestine and open source re-
2 porting, and in-depth expertise;

3 (ii) with respect to such judgments,
4 has concluded that the intelligence commu-
5 nity has few intelligence gaps and few as-
6 sumptions underlying the analytic line and
7 that the intelligence community has con-
8 cluded that the potential for deception is
9 low; and

10 (iii) has examined long-standing ana-
11 lytic judgments and considered alternatives
12 in making the determination; but

13 (B) does not mean that the official making
14 the determination has concluded that the judg-
15 ments in the determination are fact or cer-
16 tainty.

17 (6) The term “direct means” means without the
18 use of intermediaries.

19 (7) The term “foreign government” means the
20 government of a foreign country with which the
21 United States is at peace.

22 (8) The term “indirect means” means through,
23 or with the assistance of, intermediaries.

1 **SEC. 1612. STRATEGY AND PLAN TO IMPLEMENT CERTAIN**
2 **DEFENSE INTELLIGENCE REFORMS.**

3 (a) STRATEGY AND PLAN.—The Secretary of De-
4 fense, in coordination with the Director of National Intel-
5 ligence, shall develop and implement a strategy and plan
6 to better support the intelligence priorities of the com-
7 manders of the combatant commands, including with re-
8 spect to efforts to counter in the open malign activities
9 of adversaries of the United States.

10 (b) MATTERS INCLUDED IN PLAN.—The plan under
11 subsection (a) shall include the following:

12 (1) A plan to adapt policies and procedures to
13 assemble and release facts about the malign activi-
14 ties of an adversary described in such subsection in
15 a timely way and in forms that allow for greater dis-
16 tribution and release.

17 (2) A plan to develop and publish validated pri-
18 ority intelligence requirements of the commanders of
19 the combatant commands.

20 (3) A plan to elevate open-source intelligence to
21 a foundational intelligence for strategic intelligence
22 that is treated on par with information collected
23 from classified means (for example, human intel-
24 ligence, signals intelligence, and geospatial intel-
25 ligence).

1 (4) A plan for expanding the use of unclassified
2 intelligence in order to combat threats from
3 disinformation and misinformation by foreign adver-
4 saries.

5 (5) A review by each element of the intelligence
6 community of the approaches used by that ele-
7 ment—

8 (A) with respect to intelligence that has
9 not been processed or analyzed, to separate out
10 data from the sources and methods by which
11 the data is obtained (commonly known as
12 “tearlining”); and

13 (B) with respect to finished intelligence
14 products that relate to malign activities of an
15 adversary described in subsection (a), to down-
16 grade the classification level of the product.

17 (c) CONGRESSIONAL BRIEFING.—Not later than one
18 year after the date of the enactment of this Act, and annu-
19 ally thereafter through December 31, 2026, the Secretary
20 and the Director shall jointly provide to the appropriate
21 congressional committees a briefing on the strategy and
22 plan under subsection (a).

23 (d) APPROPRIATE CONGRESSIONAL COMMITTEES
24 DEFINED.—In this section, the term “appropriate con-
25 gressional committees” means the following:

1 (1) The congressional defense committees.

2 (2) The Committee on the Judiciary and the
3 Permanent Select Committee on Intelligence of the
4 House of Representatives.

5 (3) The Committee on the Judiciary and the
6 Select Committee on Intelligence of the Senate.

7 **SEC. 1613. AUTHORITY OF UNDER SECRETARY OF DEFENSE**
8 **FOR INTELLIGENCE AND SECURITY TO EN-**
9 **GAGE IN FUNDRAISING FOR CERTAIN NON-**
10 **PROFIT ORGANIZATIONS.**

11 Section 422 of title 10, United States Code, is
12 amended by adding at the end the following new sub-
13 section:

14 “(c) FUNDRAISING.—(1) The Under Secretary of De-
15 fense for Intelligence and Security may engage in fund-
16 raising in an official capacity for the benefit of nonprofit
17 organizations that provide support—

18 “(A) to surviving dependents of deceased em-
19 ployees of the Defense Intelligence Enterprise; or

20 “(B) for the welfare, education, or recreation of
21 employees and former employees of the Defense In-
22 telligence Enterprise and the dependents of such em-
23 ployees and former employees.

24 “(2) The Under Secretary may delegate the authority
25 under paragraph (1) to—

1 “(A) the heads of the components of the De-
2 partment of Defense that are elements of the intel-
3 ligence community;

4 “(B) the senior intelligence officers of the
5 Armed Forces and the regional and functional com-
6 batant commands;

7 “(C) the Director for Intelligence of the Joint
8 Chiefs of Staff; and

9 “(D) the senior officials of other elements of
10 the Department of Defense that perform intelligence
11 functions.

12 “(3) Not later than seven days after the date on
13 which the Under Secretary or an official specified in para-
14 graph (2) engages in fundraising pursuant to paragraph
15 (1), or at the time at which the Under Secretary or an
16 official makes a determination to engage in such fund-
17 raising, the Under Secretary shall notify the appropriate
18 congressional committees of such fundraising.

19 “(4) In this subsection:

20 “(A) The term ‘appropriate congressional com-
21 mittees’ means—

22 “(i) the Committees on Armed Services of
23 the House of Representatives and the Senate;
24 and

1 “(ii) the Permanent Select Committee on
2 Intelligence of the House of Representatives
3 and the Select Committee on Intelligence of the
4 Senate.

5 “(B) The term ‘Defense Intelligence Enterprise’
6 has the meaning given that term in section
7 426(b)(4)(B) of this title.

8 “(C) The term ‘fundraising’ means the raising
9 of funds through the active participation in the pro-
10 motion, production, or presentation of an event de-
11 signed to raise funds and does not include the direct
12 solicitation of money by any other means.

13 “(D) The term ‘intelligence community’ has the
14 meaning given that term in section 3 of the National
15 Security Act of 1947 (50 U.S.C. 3003).”.

16 **SEC. 1614. EXECUTIVE AGENT FOR EXPLOSIVE ORDNANCE**
17 **INTELLIGENCE.**

18 (a) IN GENERAL.—Subchapter I of chapter 21 of title
19 10, United States Code, is amended by adding at the end
20 the following new section:

21 **“§ 430c. Executive agent for explosive ordnance intel-**
22 **ligence**

23 “(a) DESIGNATION.—The Secretary of Defense shall
24 designate the Director of the Defense Intelligence Agency
25 as the executive agent for explosive ordnance intelligence.

1 “(b) DEFINITIONS.—In this section:

2 “(1) The term ‘explosive ordnance intelligence’
3 means technical intelligence relating to explosive
4 ordnance (as defined in section 283(d) of this title),
5 including with respect to the processing, production,
6 dissemination, integration, exploitation, evaluation,
7 feedback, and analysis of explosive ordnance using
8 the skills, techniques, principles, and knowledge of
9 explosive ordnance disposal personnel regarding
10 fuzing, firing systems, ordnance disassembly, and
11 development of render safe techniques, procedures
12 and tools, publications, and applied technologies.

13 “(2) The term ‘executive agent’ has the mean-
14 ing given the term ‘DoD Executive Agent’ in Direc-
15 tive 5101.1.”.

16 (b) CLERICAL AMENDMENT.—The table of sections
17 at the beginning of such chapter is amended by inserting
18 after the item relating to section 430b the following new
19 item:

“430c. Executive agent for explosive ordnance intelligence.”.

20 (c) DATE OF DESIGNATION.—The Secretary of De-
21 fense shall make the designation under section 430c of
22 title 10, United States Code, as added by subsection (a),
23 by not later than 30 days after the date of the enactment
24 of this Act.

1 **SEC. 1615. INCLUSION OF EXPLOSIVE ORDNANCE INTEL-**
2 **LIGENCE IN DEFENSE INTELLIGENCE AGEN-**
3 **CY ACTIVITIES.**

4 Section 105 of the National Security Act of 1947 (50
5 U.S.C. 3038) is amended—

6 (1) in subsection (b)(5), by striking “human in-
7 telligence and” and inserting “explosive ordnance in-
8 telligence, human intelligence, and”; and

9 (2) by adding at the end the following new sub-
10 section:

11 “(e) **EXPLOSIVE ORDNANCE INTELLIGENCE DE-**
12 **FINED.**—In this section, the term ‘explosive ordnance in-
13 telligence’ means technical intelligence relating to explo-
14 sive ordnance (as defined in section 283(d) of title 10,
15 United States Code), including with respect to the proc-
16 essing, production, dissemination, integration, exploi-
17 tation, evaluation, feedback, and analysis of explosive ord-
18 nance using the skills, techniques, principles, and knowl-
19 edge of explosive ordnance disposal personnel regarding
20 fuzing, firing systems, ordnance disassembly, and develop-
21 ment of render safe techniques, procedures and tools, pub-
22 lications, and applied technologies.”.

1 **Subtitle C—Nuclear Forces**

2 **SEC. 1621. EXERCISES OF NUCLEAR COMMAND, CONTROL,**
3 **AND COMMUNICATIONS SYSTEM.**

4 (a) **REQUIREMENT.**—Chapter 24 of title 10, United
5 States Code, is amended by adding at the end the fol-
6 lowing new section:

7 **“§ 499b. Exercises of nuclear command, control, and**
8 **communications system**

9 “(a) **REQUIRED EXERCISES.**—Except as provided by
10 subsection (b), beginning 2022, the President shall partici-
11 pate in a large-scale exercise of the nuclear command, con-
12 trol, and communications system during the first year of
13 each term of the President, and may participate in such
14 additional exercises as the President determines appro-
15 priate.

16 “(b) **WAIVER.**—The President may waive, on a case-
17 by-case basis, the requirement to participate in an exercise
18 under subsection (a) if the President—

19 “(1) determines that participating in such an
20 exercise is infeasible by reason of a war declared by
21 Congress, a national emergency declared by the
22 President or Congress, a public health emergency
23 declared by the Secretary of Health and Human
24 Services under section 319 of the Public Health

1 Service Act (42 U.S.C. 247d), or other similar exi-
2 gent circumstance; and

3 “(2) submits to the congressional defense com-
4 mittees a notice of the waiver and a description of
5 such determination.”.

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

“499b. Exercises of nuclear command, control, and communications system.”.

9 **SEC. 1622. INDEPENDENT REVIEW OF NUCLEAR COMMAND,**
10 **CONTROL, AND COMMUNICATIONS SYSTEM.**

11 (a) REVIEW.—Not later than 30 days after the date
12 of the enactment of this Act, the Secretary of Defense
13 shall seek to enter into an agreement with the National
14 Academies of Sciences, Engineering, and Medicine under
15 which the National Academies shall conduct a review of
16 the current plans, policies, and programs of the nuclear
17 command, control, and communications system, and such
18 plans, policies, and programs that are planned through
19 2030.

20 (b) MATTERS INCLUDED.—The review under sub-
21 section (a) shall include a review of each of the following:

22 (1) The plans, policies, and programs described
23 in such subsection.

1 (2) The programmatic challenges and risks to
2 the nuclear command, control, and communications
3 system.

4 (3) Emerging technologies and how such tech-
5 nologies may be applied to the next generation of the
6 nuclear command, control, and communications sys-
7 tem.

8 (4) The security and surety of the nuclear com-
9 mand, control, and communications system.

10 (5) Threats to the nuclear command, control,
11 and communications system that may occur through
12 2030.

13 (c) BRIEFING.—Not later than September 1, 2022,
14 the National Academies shall provide the congressional de-
15 fense committees an interim briefing on the review under
16 subsection (a).

17 (d) REPORT.—Not later than March 1, 2023, the Na-
18 tional Academies shall submit to the Secretary and the
19 congressional defense committees a report containing the
20 review under subsection (a).

21 **SEC. 1623. REVIEW OF SAFETY, SECURITY, AND RELI-**
22 **ABILITY OF NUCLEAR WEAPONS AND RE-**
23 **LATED SYSTEMS.**

24 (a) FINDINGS.—Congress finds the following:

1 (1) On December 20, 1990, Secretary of De-
2 fense Cheney chartered a five-person independent
3 committee known as the Federal Advisory Com-
4 mittee on Nuclear Failsafe and Risk Reduction to
5 assess the capability of the nuclear weapon com-
6 mand and control system to meet the dual require-
7 ments of assurance against unauthorized use of nu-
8 clear weapons and assurance of timely, reliable exe-
9 cution when authorized, and to identify opportunities
10 for positive measures to enhance failsafe features.

11 (2) The Federal Advisory Committee, chaired
12 by Ambassador Jeane J. Kirkpatrick, recommended
13 changes in the nuclear enterprise, as well as policy
14 proposals to reduce the risks posed by unauthorized
15 launches and miscalculation.

16 (3) The Federal Advisory Committee found, un-
17 ambiguously, that “failsafe and oversight enhance-
18 ments are possible”.

19 (4) Since 1990, new threats to the nuclear en-
20 terprise have arisen in the cyber, space, and infor-
21 mation warfare domains.

22 (5) Ensuring the continued assurance of the
23 nuclear command, control, and communications in-
24 frastructure is essential to the national security of
25 the United States.

1 (b) REVIEW.—The Secretary of Defense shall provide
2 for the conduct of an independent review of the safety,
3 security, and reliability of covered nuclear systems. The
4 Secretary shall ensure that such review is conducted in
5 a manner similar to the review conducted by the Federal
6 Advisory Committee on Nuclear Failsafe and Risk Reduc-
7 tion.

8 (c) MATTERS INCLUDED.—The review conducted
9 pursuant to subsection (b) shall include the following:

10 (1) Plans for modernizing the covered nuclear
11 systems, including options and recommendations for
12 technical, procedural, and policy measures that could
13 strengthen safeguards, improve the security and reli-
14 ability of digital technologies, and prevent cyber-re-
15 lated and other risks that could lead to the unau-
16 thorized or inadvertent use of nuclear weapons as
17 the result of an accident, misinterpretation, mis-
18 calculation, terrorism, unexpected technological
19 breakthrough, or deliberate act.

20 (2) Options and recommendations for nuclear
21 risk reduction measures, focusing on confidence
22 building and predictability, that the United States
23 could carry out alone or with near-peer adversaries
24 to strengthen safeguards against the unauthorized

1 or inadvertent use of a nuclear weapon and to re-
2 duce nuclear risks.

3 (d) SUBMISSION.—Not later than one year after the
4 date of the enactment of this Act, the Secretary shall sub-
5 mit to the congressional defense committees the review
6 conducted pursuant to subsection (b).

7 (e) PREVIOUS REVIEW.—Not later than 30 days after
8 the date of the enactment of this Act, the Secretary shall
9 submit to the congressional defense committees the final
10 report of the Federal Advisory Committee on Nuclear
11 Failsafe and Risk Reduction.

12 (f) COVERED NUCLEAR SYSTEMS DEFINED.—In this
13 section, the term “covered nuclear systems” means the fol-
14 lowing systems of the United States:

15 (1) The nuclear weapons systems.

16 (2) The nuclear command, control, and commu-
17 nications system.

18 (3) The integrated tactical warning/attack as-
19 sessment system.

20 **SEC. 1624. REVIEW OF ENGINEERING AND MANUFAC-**
21 **TURING DEVELOPMENT CONTRACT FOR**
22 **GROUND-BASED STRATEGIC DETERRENT**
23 **PROGRAM.**

24 (a) FINDINGS.—Congress finds the following:

1 (1) In September 2020, the Air Force awarded
2 the engineering and manufacturing development con-
3 tract for the ground-based strategic deterrent pro-
4 gram.

5 (2) The total development cost of the ground-
6 based strategic deterrent program is expected to be
7 approximately \$100,000,000,000.

8 (3) The Vice Chairman of the Joint Chiefs of
9 Staff recently noted that “we have got to make [the
10 ground-based strategic deterrent program] more af-
11 fordable. A three-stage, solid rocket ICBM should
12 not cost as much as the forecast says it costs for
13 now. After meeting with the program office at Nor-
14 throp Grumman multiple times I think that program
15 can come in significantly cheaper. It’s designed cor-
16 rectly. It’s a digital engineering process that should
17 be able to build things quickly and much more effec-
18 tively.”.

19 (4) The Air Force has placed significant impor-
20 tance on digital engineering in achieving cost and
21 schedule requirements with respect to the ground-
22 based strategic deterrent program.

23 (b) REVIEW.—

24 (1) REQUIREMENT.—The Secretary of the Air
25 Force shall provide for the conduct of a review of

1 the implementation and the execution of the engi-
2 neering and manufacturing development contract for
3 the ground-based strategic deterrent program.

4 (2) MATTERS INCLUDED.—The review under
5 paragraph (1) shall include the following:

6 (A) An analysis of the ability of the Air
7 Force to implement industry best practices dur-
8 ing the engineering and manufacturing develop-
9 ment phase of the ground-based strategic deter-
10 rent program.

11 (B) A review of the challenges the Air
12 Force faces in implementing such industry best
13 practices.

14 (C) A review of the ability of the Air Force
15 to leverage digital engineering during such engi-
16 neering and manufacturing development phase.

17 (D) A review of any options that may be
18 available to the Air Force to reduce cost and in-
19 troduce competition within the operations and
20 maintenance phase of the ground-based stra-
21 tegic deterrent program.

22 (E) Recommendations to improve the cost,
23 schedule, and program management of the
24 ground-based strategic deterrent program.

1 (3) EXPERTISE.—The Secretary shall ensure
2 that the review under paragraph (1) is conducted by
3 individuals from the public and private sector, in-
4 cluding not fewer than two individuals—

5 (A) who are not employees or officers of
6 the Department of Defense or a contractor of
7 the Department; and

8 (B) who have experience outside of the de-
9 fense industry.

10 (4) PROVISION OF INFORMATION.—The Sec-
11 retary shall provide to the individuals conducting the
12 review under paragraph (1) all information nec-
13 essary for the review.

14 (5) SECURITY CLEARANCES.—The Secretary
15 shall ensure that each individual who conducts the
16 review under paragraph (1) holds a security clear-
17 ance at the appropriate level for such review.

18 (c) REPORT.—Not later than 270 days after the date
19 of the enactment of this Act, the Secretary shall submit
20 to the congressional defense committees a report con-
21 taining the review under subsection (b)(1). The report
22 shall be submitted in unclassified form and shall include
23 a classified annex.

24 (d) BRIEFING.—Not later than 90 days after the date
25 on which the Secretary submits the report under sub-

1 section (c), the Secretary shall provide to the congressional
2 defense committees a briefing on implementing the rec-
3 ommendations contained in the review under subsection
4 (b)(1).

5 **SEC. 1625. LONG-RANGE STANDOFF WEAPON.**

6 (a) LIMITATION.—The Secretary of the Air Force
7 may not award a procurement contract for the long-range
8 standoff weapon until the Secretary submits to the con-
9 gressional defense committees each of the following:

10 (1) An updated cost estimate for the procure-
11 ment portion of the long-range standoff weapon pro-
12 gram that is—

13 (A) informed by the engineering and man-
14 ufacturing development contract, including with
15 respect to any completed flight tests; and

16 (B) independently validated by the Direc-
17 tor of Cost Assessment and Program Evalua-
18 tion.

19 (2) A certification that the future-years defense
20 program submitted to Congress under section 221 of
21 title 10, United States Code, includes, or will in-
22 clude, estimated funding for the program in the
23 amounts specified in the cost estimate under para-
24 graph (1).

1 (3) A copy of the justification and approval
2 documentation regarding the Secretary determining
3 to award a sole-source contract for the program, in-
4 cluding with respect to how the Secretary will man-
5 age the cost of the program in the absence of com-
6 petition.

7 (b) BRIEFING.—Not later than 90 days after the date
8 of the enactment of this Act, the Secretary of the Air
9 Force shall provide to the congressional defense commit-
10 tees a briefing on the execution of the engineering and
11 manufacturing development contract for the long-range
12 standoff weapon, including with respect to—

13 (1) how the timely development of the long-
14 range standoff weapon may serve as a hedge to
15 delays in other nuclear modernization efforts;

16 (2) the effects of potential delays in the W80–
17 4 warhead program on the ability of the long-range
18 standoff weapon to achieve the initial operational ca-
19 pability schedule under section 217 of the National
20 Defense Authorization Act for Fiscal Year 2014
21 (Public Law 113–66; 127 Stat. 706), as most re-
22 cently amended by section 1668 of the National De-
23 fense Authorization Act for Fiscal Year 2020 (Pub-
24 lic Law 116–92; 133 Stat. 1774);

1 (3) options to adjust the budget profile of the
2 long-range standoff weapon program to ensure the
3 program remains on schedule;

4 (4) a plan to reconcile, with respect to the pro-
5 curement portion of the program, the Air Force
6 service cost position and the estimate by the Direc-
7 tor of Cost Assessment and Program Evaluation;
8 and

9 (5) a plan to ensure best value to the United
10 States for such procurement portion.

11 **SEC. 1626. PROHIBITION ON REDUCTION OF THE INTER-**
12 **CONTINENTAL BALLISTIC MISSILES OF THE**
13 **UNITED STATES.**

14 (a) PROHIBITION.—Except as provided in subsection
15 (b), none of the funds authorized to be appropriated by
16 this Act or otherwise made available for fiscal year 2022
17 for the Department of Defense may be obligated or ex-
18 pended for the following, and the Department may not
19 otherwise take any action to do the following:

20 (1) Reduce, or prepare to reduce, the respon-
21 siveness or alert level of the intercontinental ballistic
22 missiles of the United States.

23 (2) Reduce, or prepare to reduce, the quantity
24 of deployed intercontinental ballistic missiles of the
25 United States to a number less than 400.

1 (b) EXCEPTION.—The prohibition in subsection (a)
2 shall not apply to any of the following activities:

3 (1) The maintenance or sustainment of inter-
4 continental ballistic missiles.

5 (2) Ensuring the safety, security, or reliability
6 of intercontinental ballistic missiles.

7 **SEC. 1627. LIMITATION ON AVAILABILITY OF CERTAIN**
8 **FUNDS UNTIL SUBMISSION OF INFORMATION**
9 **RELATING TO PROPOSED BUDGET FOR NU-**
10 **CLEAR-ARMED SEA-LAUNCHED CRUISE MIS-**
11 **SILE.**

12 Of the funds authorized to be appropriated by this
13 Act or otherwise made available for fiscal year 2022 for
14 the Department of Defense for travel by any personnel
15 of the Office of the Secretary of the Navy, not more than
16 75 percent may be obligated or expended until the Sec-
17 retary of the Navy submits to the congressional defense
18 committees all written communications by personnel of the
19 Department of Defense regarding the proposed budget
20 amount or limitation for the nuclear-armed sea-launched
21 cruise missile contained in the defense budget materials
22 (as defined by section 231(f) of title 10, United States
23 Code) for fiscal year 2022.

1 **SEC. 1628. LIMITATION ON AVAILABILITY OF CERTAIN**
2 **FUNDS UNTIL SUBMISSION OF INFORMATION**
3 **RELATING TO NUCLEAR-ARMED SEA-**
4 **LAUNCHED CRUISE MISSILE.**

5 Of the funds authorized to be appropriated by this
6 Act or otherwise made available for fiscal year 2022 for
7 the Department of Defense for travel by any personnel
8 of the Office of the Secretary of Defense (other than travel
9 by the Secretary of Defense or the Deputy Secretary of
10 Defense), not more than 75 percent may be obligated or
11 expended until the Secretary—

12 (1) submits to the congressional defense com-
13 mittees the analysis of alternatives for the nuclear-
14 armed sea-launched cruise missile; and

15 (2) provides to such committees a briefing on
16 such analysis of alternatives.

17 **SEC. 1629. ANNUAL CERTIFICATION ON READINESS OF MIN-**
18 **UTEMAN III INTERCONTINENTAL BALLISTIC**
19 **MISSILES.**

20 Not later than March 1, 2022, and annually there-
21 after until the date on which the ground-based strategic
22 deterrent weapon achieves initial operating capability, the
23 Chairman of the Joint Chiefs of Staff shall certify to the
24 congressional defense committees whether the state of the
25 readiness of Minuteman III intercontinental ballistic mis-
26 siles requires placing heavy bombers equipped with nuclear

1 gravity bombs or air-launched nuclear cruise missiles, and
2 associated refueling tanker aircraft, on alert status.

3 **SEC. 1630. COST ESTIMATE TO RE-ALERT LONG-RANGE**
4 **BOMBERS.**

5 (a) FINDINGS.—Congress finds the following:

6 (1) On April 20th, 2021, before the Committee
7 on Armed Services of the Senate, the Commander of
8 the United States Strategic Command, Admiral
9 Charles A. Richard, said that the basic design cri-
10 teria in the triad is that “you cannot allow a failure
11 of any one leg of the triad to prevent you from being
12 able to do everything the President has ordered you
13 to do.”.

14 (2) Admiral Richard further stated that in the
15 event of one leg atrophying, “You are completely de-
16 pendent on the submarine leg, and I’ve already told
17 the Secretary of Defense that under those conditions
18 I would request to re-alert the bombers.”.

19 (b) COST ESTIMATE.—The Secretary of the Air
20 Force shall develop a cost estimate with respect to re-
21 alerting long-range bombers in the absence of a ground-
22 based leg of the nuclear triad.

1 **SEC. 1631. NOTIFICATION REGARDING INTERCONTINENTAL**
2 **BALLISTIC MISSILES OF CHINA.**

3 (a) REQUIREMENT.—If the Commander of the
4 United States Strategic Command determines that the
5 number of intercontinental ballistic missiles in the active
6 inventory of China exceeds the number of intercontinental
7 ballistic missiles in the active inventory of the United
8 States, or that the number of nuclear warheads equipped
9 on such missiles of China exceeds the number of nuclear
10 warheads equipped on such missiles of the United States,
11 the Commander shall submit to the congressional defense
12 committees—

- 13 (1) a notification of such determination;
- 14 (2) an assessment of the composition of the
15 intercontinental ballistic missiles of China, including
16 the types of nuclear warheads equipped on such mis-
17 siles; and
- 18 (3) a strategy for deterring China.

19 (b) FORM.—The notification under paragraph (1) of
20 subsection (a) shall be submitted in unclassified form, and
21 the assessment and strategy under paragraphs (2) and (3)
22 of such subsection may be submitted in classified form.

23 (c) TERMINATION.—The requirement under sub-
24 section (a) shall terminate on the date that is four years
25 after the date of the enactment of this Act.

1 **SEC. 1632. INFORMATION REGARDING REVIEW OF MINUTE-**
2 **MAN III SERVICE LIFE EXTENSION PROGRAM.**

3 (a) REQUIREMENT.—The Secretary of Defense shall
4 submit to the congressional defense committees all scoping
5 documents relating to any covered review, including the
6 names, titles, and backgrounds of the individuals of the
7 federally funded research and development center who are
8 conducting the review. The Secretary shall submit such
9 information by the date that is the later of the following:

10 (1) 15 days after the date on which the covered
11 review is initiated.

12 (2) 15 days after the date of the enactment of
13 this Act.

14 (b) COVERED REVIEW.—In this section, the term
15 “covered review” means any review initiated in 2021 or
16 2022 by a federally funded research and development cen-
17 ter regarding a service life extension program for Minute-
18 man III intercontinental ballistic missiles.

19 **SEC. 1633. SENSE OF CONGRESS REGARDING NUCLEAR**
20 **POSTURE REVIEW.**

21 It is the sense of Congress that the nuclear posture
22 review initiated in 2021 should address the following:

23 (1) An assessment of the current and projected
24 nuclear capabilities of Russia and China;

25 (2) the role of nuclear forces in United States
26 military strategy, planning, and programming;

1 (3) the relationship between deterrence, tar-
2 geting, and arms control;

3 (4) the role of missile defenses, conventional
4 strike forces, and other capabilities play in deter-
5 mining the role and size of nuclear forces;

6 (5) the levels and composition of nuclear deliv-
7 ery systems required to implement national strategy;

8 (6) the nuclear weapons complex required to
9 implement such strategy, including with respect to
10 modernization; and

11 (7) the active and inactive nuclear weapons
12 stockpile required to implement such strategy, in-
13 cluding with respect to the replacement and modi-
14 fication of nuclear weapons.

15 **Subtitle D—Missile Defense** 16 **Programs**

17 **SEC. 1641. DIRECTED ENERGY PROGRAMS FOR BALLISTIC** 18 **AND HYPERSONIC MISSILE DEFENSE.**

19 (a) FINDINGS.—Congress finds the following:

20 (1) In the fiscal year 2021 budget request of
21 the Department of Defense, the Secretary of De-
22 fense removed all funding from the Missile Defense
23 Agency to conduct research, engineering, or develop-
24 ment for directed energy technologies that could be
25 applicable for ballistic and hypersonic missile de-

1 fense, and this removal of funding continued in the
2 fiscal year 2022 budget request of the Department,
3 despite Congress appropriating funding for fiscal
4 year 2021 for these efforts.

5 (2) In January 2020, an independent Senior
6 Executive Review Team noted that “If successfully
7 developed, the unique features of diode pumped al-
8 kali laser, an efficient electrically powered, relatively
9 short wavelength gas laser with the potential to de-
10 liver megawatt power with near diffraction limited
11 beam quality from a single aperture would provide
12 the Department of Defense and the Missile Defense
13 Agency with an important strategic technology with
14 the potential for an attractive size, weight, and
15 power. Such a system would have potential capa-
16 bility use cases across all services/agencies.”. How-
17 ever, the Under Secretary of Defense for Research
18 and Engineering did not support continued inves-
19 tigation of this promising technology by the Missile
20 Defense Agency.

21 (3) In addition to diode pumped alkali lasers,
22 there are other directed energy applications that
23 have the potential to contribute to ballistic and
24 hypersonic missile defense architecture, including
25 microwave and short pulse lasers technologies.

1 (b) SENSE OF CONGRESS.—It is the sense of Con-
2 gress that the Director of the Missile Defense Agency
3 should continue to fund promising directed energy tech-
4 nologies for ballistic and hypersonic missile defense, in co-
5 ordination with the directed energy roadmap of the Under
6 Secretary of Defense for Research and Engineering, with
7 the intent to transfer technologies to the military depart-
8 ments as appropriate.

9 (c) AUTHORITY OF THE MISSILE DEFENSE AGEN-
10 CY.—

11 (1) DELEGATION.—The Secretary of Defense
12 shall delegate to the Director of the Missile Defense
13 Agency the authority to budget for, direct, and man-
14 age directed energy programs applicable for ballistic
15 and hypersonic missile defense missions, in coordina-
16 tion with other directed energy efforts of the De-
17 partment of Defense.

18 (2) PRIORITIZATION.—In budgeting for and di-
19 recting directed energy programs applicable for bal-
20 listic and hypersonic defensive missions pursuant to
21 paragraph (1), the Director of the Missile Defense
22 Agency shall—

23 (A) prioritize the early research and devel-
24 opment of technologies; and

1 (B) address the transition of such tech-
2 nologies to industry to support future oper-
3 ationally relevant capabilities.

4 **SEC. 1642. NOTIFICATION OF CHANGES TO NON-STANDARD**
5 **ACQUISITION AND REQUIREMENTS PROC-**
6 **ESSES AND RESPONSIBILITIES OF MISSILE**
7 **DEFENSE AGENCY.**

8 (a) NOTICE AND WAIT.—

9 (1) REQUIREMENT.—The Secretary of Defense
10 may not make any changes to the missile defense
11 non-standard acquisition and requirements processes
12 and responsibilities described in paragraph (2) until
13 the Secretary, without delegation, on or after the
14 date of the enactment of this Act—

15 (A) has consulted with the Under Sec-
16 retary of Defense for Research and Engineer-
17 ing, the Under Secretary of Defense for Acqui-
18 sition and Sustainment, the Under Secretary of
19 Defense for Policy, the Secretaries of the mili-
20 tary departments, the Chairman of the Joint
21 Chiefs of Staff, the Commander of the United
22 States Strategic Command, the Commander of
23 the United States Northern Command, and the
24 Director of the Missile Defense Agency;

1 (B) certifies to the congressional defense
2 committees that the Secretary has coordinated
3 the changes with, and received the views of, the
4 individuals referred to in subparagraph (A);

5 (C) submits to the congressional defense
6 committees a report that contains—

7 (i) a description of the changes, the
8 rationale for the changes, and the views of
9 the individuals referred to in subparagraph
10 (A) with respect to such changes;

11 (ii) a certification that the changes
12 will not impair the missile defense capabili-
13 ties of the United States nor degrade the
14 unique special acquisition authorities of the
15 Missile Defense Agency; and

16 (iii) with respect to any such changes
17 to Department of Defense Directive
18 5134.09, a final draft of the proposed
19 modified directive, both in an electronic
20 format and in a hard copy format;

21 (D) with respect to any such changes to
22 Department of Defense Directive 5134.09, pro-
23 vides to such committees a briefing on the pro-
24 posed modified directive described in subpara-
25 graph (C)(ii); and

1 (E) a period of 120 days has elapsed fol-
2 lowing the date on which the Secretary submits
3 the report under subparagraph (C).

4 (2) NON-STANDARD ACQUISITION AND RE-
5 QUIREMENTS PROCESSES AND RESPONSIBILITIES
6 DESCRIBED.—The non-standard acquisition and re-
7 quirements processes and responsibilities described
8 in this paragraph are such processes and responsibil-
9 ities described in—

10 (A) the memorandum of the Secretary of
11 Defense titled “Missile Defense Program Direc-
12 tion” signed on January 2, 2002;

13 (B) Department of Defense Directive
14 5134.09, as in effect on the date of the enact-
15 ment of this Act; and

16 (C) United States Strategic Command In-
17 struction 538–3 titled “MD Warfighter Involve-
18 ment Process”.

19 (b) CONFORMING AMENDMENTS.—

20 (1) FY20 NDAA.—Section 1688 of the National
21 Defense Authorization Act for Fiscal Year 2020
22 (Public Law 116– 92; 133 Stat. 1787) is amended—

23 (A) by striking subsection (b); and

24 (B) by redesignating subsection (c) as sub-
25 section (b).

1 (2) FY21 NDAA.—Section 1641 of the William
2 M. (Mac) Thornberry National Defense Authoriza-
3 tion Act for Fiscal Year 2021 (Public Law 116–
4 283; 134 Stat. 4061) is amended—

5 (A) by striking subsection (c); and

6 (B) by redesignating subsection (d) as sub-
7 section (c).

8 **SEC. 1643. MISSILE DEFENSE RADAR IN HAWAII.**

9 (a) SENSE OF CONGRESS.—It is the sense of Con-
10 gress that—

11 (1) Hawaii should have discrimination radar
12 coverage against intercontinental ballistic missiles
13 that is equivalent to such coverage provided to the
14 contiguous United States and Alaska once the long
15 range discrimination radar achieves operational ca-
16 pability at Clear Air Force Base, Alaska; and

17 (2) to achieve such equivalent discrimination
18 radar coverage, the Secretary of Defense, acting
19 through the Director of the Missile Defense Agency,
20 should—

21 (A) restore the discrimination radar for
22 homeland defense planned to be located in Ha-
23 waii; and

24 (B) request adequate funding for the radar
25 in the future-years defense program submitted

1 to Congress under section 221 of title 10,
2 United States Code, for the radar to achieve
3 operational capability by not later than Decem-
4 ber 31, 2028, when the next generation inter-
5 ceptor is anticipated to achieve initial operating
6 capability.

7 (b) CERTIFICATION.—As a part of the defense budget
8 materials (as defined in section 239 of title 10, United
9 States Code) for fiscal year 2023, the Director of the Mis-
10 sile Defense Agency shall certify to the congressional de-
11 fense committees that—

12 (1) the future-years defense program submitted
13 to Congress under section 221 of title 10, United
14 States Code, in 2022 includes adequate amounts of
15 estimated funding to develop, construct, test, and in-
16 tegrate into the missile defense system the discrimi-
17 nation radar for homeland defense planned to be lo-
18 cated in Hawaii; and

19 (2) such radar and associated in-flight inter-
20 ceptor communications system data terminal will be
21 operational by not later than December 31, 2028.

22 **SEC. 1644. GUAM INTEGRATED AIR AND MISSILE DEFENSE**
23 **SYSTEM.**

24 (a) ARCHITECTURE AND ACQUISITION.—The Sec-
25 retary of Defense shall identify the architecture and acqui-

1 sition approach for implementing a 360-degree integrated
2 air and missile defense capability to defend the people, in-
3 frastructure, and territory of Guam from advanced cruise,
4 ballistic, and hypersonic missile threats.

5 (b) REQUIREMENTS.—The architecture identified
6 under subsection (a) shall have the ability to—

7 (1) integrate numerous multi-domain sensors,
8 interceptors, and command and control systems
9 while maintaining high kill chain performance
10 against advanced threats;

11 (2) address robust discrimination and electro-
12 magnetic compatibility with other sensors;

13 (3) engage directly, or coordinate engagements
14 with other integrated air and missile defense sys-
15 tems, to defeat the spectrum of cruise, ballistic, and
16 hypersonic threats;

17 (4) leverage existing programs of record to ex-
18 pedite the development and deployment of the archi-
19 tecture during the five-year period beginning on the
20 date of the enactment of this Act, with an objective
21 of achieving initial operating capability in 2025, in-
22 cluding with respect to—

23 (A) the Aegis ballistic missile defense sys-
24 tem;

25 (B) standard missile-3 and -6 variants;

1 (C) the terminal high altitude area defense
2 system;

3 (D) the Patriot air and missile defense sys-
4 tem;

5 (E) the integrated battle control system;
6 and

7 (F) the lower tier air and missile defense
8 sensor and other lower tier capabilities, as ap-
9 plicable;

10 (5) integrate future systems and interceptors
11 that have the capability to defeat hypersonic missiles
12 in the glide and terminal phases, including integra-
13 tion of passive measures to protect assets in Guam;
14 and

15 (6) incentivize competition within the acquisi-
16 tion of the architecture and rapid procurement and
17 deployment wherever possible.

18 (c) REPORT.—Not later than 60 days after the date
19 of the enactment of this Act, the Secretary shall submit
20 to the congressional defense committees a report on the
21 architecture and acquisition approach identified under
22 subsection (a).

1 **SEC. 1645. LIMITATION ON AVAILABILITY OF FUNDS UNTIL**
2 **RECEIPT OF CERTAIN REPORT ON GUAM.**

3 Of the funds authorized to be appropriated by this
4 Act or otherwise made available for fiscal year 2022 for
5 the Department of Defense for the Office of Cost Assess-
6 ment and Program Evaluation, not more than 75 percent
7 may be obligated or expended until the date on which the
8 Secretary of Defense submits to the congressional defense
9 committees the report on the defense of Guam from inte-
10 grated air and missile threats required by section 1650
11 of the William M. (Mac) Thornberry National Defense Au-
12 thorization Act for Fiscal Year 2021(Public Law 116–
13 283).

14 **SEC. 1646. REPEAL OF TRANSITION OF BALLISTIC MISSILE**
15 **DEFENSE PROGRAMS TO MILITARY DEPART-**
16 **MENTS .**

17 Section 1676 of the National Defense Authorization
18 Act for Fiscal Year 2018 (Public Law 115–91; 10 U.S.C.
19 2431 note) is amended by striking subsection (b).

20 **SEC. 1647. CERTIFICATION REQUIRED FOR RUSSIA AND**
21 **CHINA TO TOUR CERTAIN MISSILE DEFENSE**
22 **SITES.**

23 (a) CERTIFICATION.—Before the Secretary of De-
24 fense makes a determination with respect to allowing a
25 foreign national of Russia or China to tour a covered site,

1 the Secretary shall submit to the congressional defense
2 committees a certification that—

3 (1) the Secretary has determined that such tour
4 is in the national security interest of the United
5 States, including the justifications for such deter-
6 mination; and

7 (2) the Secretary will not share any technical
8 data relating to the covered site with the foreign na-
9 tionals.

10 (b) TIMING.—The Secretary may not conduct a tour
11 described in subsection (a) until a period of 45 days has
12 elapsed following the date on which the Secretary submits
13 the certification for that tour under such subsection.

14 (c) COVERED SITE.—In this section, the term “cov-
15 ered site” means any of the following:

16 (1) The combat information center of a naval
17 ship equipped with the Aegis ballistic missile defense
18 system.

19 (2) An Aegis Ashore site.

20 (3) A terminal high altitude area defense bat-
21 tery.

22 (4) A ground-based midcourse defense inter-
23 ceptor silo.

1 **SEC. 1648. SENSE OF CONGRESS ON NEXT GENERATION IN-**
2 **TERCEPTOR PROGRAM.**

3 It is the sense of Congress that—

4 (1) in accordance with the national missile de-
5 fense policy under section 1681 of the National De-
6 fense Authorization Act for Fiscal Year 2017 (Pub-
7 lic Law 114– 328; 10 U.S.C. 2431 note), it is in the
8 national security interest of the United States to de-
9 sign, test, and begin deployment of the next genera-
10 tion interceptor by not later than September 30,
11 2028; and

12 (2) the Secretary of Defense should—

13 (A) maintain competition for the next gen-
14 eration interceptor program through, at a min-
15 imum, the critical design reviews of the pro-
16 gram;

17 (B) uphold “fly before you buy” principals
18 in carrying out such program;

19 (C) continue to incorporate lessons learned
20 from the redesigned kill vehicle program to
21 avoid any similar technical issues; and

22 (D) continue to maintain continuous en-
23 gagement with the intelligence community to
24 ensure the next generation interceptor program
25 is outpacing intercontinental ballistic missile

1 threats to the homeland of the United States
2 posed by rogue nations.

3 **Subtitle E—Other Matters**

4 **SEC. 1651. COOPERATIVE THREAT REDUCTION FUNDS.**

5 (a) FUNDING ALLOCATION.—Of the \$344,849,000
6 authorized to be appropriated to the Department of De-
7 fense for fiscal year 2022 in section 301 and made avail-
8 able by the funding table in division D for the Department
9 of Defense Cooperative Threat Reduction Program estab-
10 lished under section 1321 of the Department of Defense
11 Cooperative Threat Reduction Act (50 U.S.C. 3711), the
12 following amounts may be obligated for the purposes spec-
13 ified:

14 (1) For strategic offensive arms elimination,
15 \$2,997,000.

16 (2) For chemical security and elimination,
17 \$13,250,000.

18 (3) For global nuclear security, \$17,767,000.

19 (4) For biological threat reduction,
20 \$124,022,000.

21 (5) For proliferation prevention, \$58,754,000.

22 (6) For activities designated as Other Program
23 Support, \$23,059,000.

24 (b) SPECIFICATION OF COOPERATIVE THREAT RE-
25 Duction Funds.—Funds appropriated pursuant to the

1 authorization of appropriations in section 301 and made
2 available by the funding table in division D for the Depart-
3 ment of Defense Cooperative Threat Reduction Program
4 shall be available for obligation for fiscal years 2022,
5 2023, and 2024.

6 **SEC. 1652. ESTABLISHMENT OF OFFICE TO ADDRESS UN-**
7 **IDENTIFIED AERIAL PHENOMENA.**

8 (a) ESTABLISHMENT.—Not later than 180 days after
9 the date of the enactment of this Act, the Secretary of
10 Defense, in coordination with the Director of National In-
11 telligence, shall establish an office within the Office of the
12 Secretary of Defense to carry out, on a Department-wide
13 basis, the mission currently performed by the Unidentified
14 Aerial Phenomenon Task Force as of the date of the en-
15 actment of this Act.

16 (b) DUTIES.—The duties of the office established
17 under subsection (a) shall include the following:

18 (1) Developing procedures to synchronize and
19 standardize the collection, reporting, and analysis of
20 incidents regarding unidentified aerial phenomena
21 across the Department of Defense.

22 (2) Developing processes and procedures to en-
23 sure that such incidents from each military depart-
24 ment are reported and incorporated in a centralized
25 repository.

1 (3) Establishing procedures to require the time-
2 ly and consistent reporting of such incidents.

3 (4) Evaluating links between unidentified aerial
4 phenomena and adversarial foreign governments,
5 other foreign governments, or nonstate actors.

6 (5) Evaluating the threat that such incidents
7 present to the United States.

8 (6) Coordinating with other departments and
9 agencies of the Federal Government, as appropriate.

10 (7) Coordinating with allies and partners of the
11 United States, as appropriate, to better assess the
12 nature and extent of unidentified aerial phenomena.

13 (c) ANNUAL REPORT.—

14 (1) REQUIREMENT.—Not later than December
15 31, 2022, and annually thereafter until December
16 31, 2026, the Secretary of Defense shall submit to
17 the appropriate congressional committees a report
18 on unidentified aerial phenomena.

19 (2) ELEMENTS.—Each report under paragraph
20 (1) shall include, with respect to the year covered by
21 the report, the following information:

22 (A) An analysis of data and intelligence re-
23 ceived through reports of unidentified aerial
24 phenomena.

1 (B) An analysis of data relating to uniden-
2 tified aerial phenomena collected through—

3 (i) geospatial intelligence;

4 (ii) signals intelligence;

5 (iii) human intelligence; and

6 (iv) measurement and signals intel-
7 ligence.

8 (C) The number of reported incidents of
9 unidentified aerial phenomena over restricted
10 air space of the United States.

11 (D) An analysis of such incidents identified
12 under subparagraph (C).

13 (E) Identification of potential aerospace or
14 other threats posed by unidentified aerial phe-
15 nomena to the national security of the United
16 States.

17 (F) An assessment of any activity regard-
18 ing unidentified aerial phenomena that can be
19 attributed to one or more adversarial foreign
20 governments.

21 (G) Identification of any incidents or pat-
22 terns regarding unidentified aerial phenomena
23 that indicate a potential adversarial foreign gov-
24 ernment may have achieved a breakthrough
25 aerospace capability.

1 (H) An update on the coordination by the
2 United States with allies and partners on ef-
3 forts to track, understand, and address uniden-
4 tified aerial phenomena.

5 (I) An update on any efforts underway on
6 the ability to capture or exploit discovered un-
7 identified aerial phenomena.

8 (J) An assessment of any health-related ef-
9 fects for individuals that have encountered un-
10 identified aerial phenomena.

11 (d) TASK FORCE.—Not later than the date on which
12 the Secretary establishes the office under subsection (a),
13 the Secretary shall terminate the Unidentified Aerial Phe-
14 nomenon Task Force.

15 (e) DEFINITIONS.—In this section:

16 (1) The term “appropriate congressional com-
17 mittees” means the following:

18 (A) The Committee on Armed Services, the
19 Committee on Foreign Affairs, and the Perma-
20 nent Select Committee on Intelligence of the
21 House of Representatives.

22 (B) The Committee on Armed Services,
23 the Committee on Foreign Relations, and the
24 Select Committee on Intelligence of the Senate.

1 (2) The term “unidentified aerial phenomena”
2 means airborne objects witnessed by a pilot or air-
3 crew member that are not immediately identifiable.

4 **SEC. 1653. MATTERS REGARDING INTEGRATED DETER-**
5 **RENCE REVIEW.**

6 (a) **REPORTS.**—Not later than 30 days after the date
7 on which the Integrated Deterrence Review that com-
8 menced during 2021 is submitted to the congressional de-
9 fense committees, the Secretary of Defense shall submit
10 to the congressional defense committees the following:

11 (1) Each report, assessment, and guidance doc-
12 ument produced by the Department of Defense pur-
13 suant to the Integrated Deterrence Review or during
14 subsequent actions taken to implement the conclu-
15 sions of the Integrated Deterrence Review, including
16 with respect to each covered review.

17 (2) A report explaining how each such covered
18 review differs from the previous such review.

19 (b) **CERTIFICATIONS.**—Not later than 30 days after
20 the date on which a covered review is submitted to the
21 congressional defense committees, the Chairman of the
22 Joint Chiefs of Staff, the Vice Chairman of the Joint
23 Chiefs of Staff, and the Commander of the United States
24 Strategic Command shall each directly submit to such
25 committees—

1 (1) a certification regarding whether the Chair-
2 man, Vice Chairman, or Commander, as the case
3 may be, had the opportunity to provide input into
4 the covered review; and

5 (2) a description of the degree to which the cov-
6 ered reviews differ from the military advice con-
7 tained in such input (or, if there was no opportunity
8 to provide such input, would have been contained in
9 the input if so provided).

10 (c) COVERED REVIEW DEFINED.—In this section,
11 the term “covered review” means—

12 (1) the Missile Defense Review that commenced
13 during 2021; and

14 (2) the Nuclear Posture Review that com-
15 menced during 2021.

16 **SEC. 1654. SENSE OF CONGRESS ON INDEMNIFICATION AND**
17 **THE CONVENTIONAL PROMPT GLOBAL**
18 **STRIKE WEAPON SYSTEM.**

19 It is the sense of Congress that—

20 (1) the conventional prompt global strike weap-
21 on system of the Navy, for which the Secretary of
22 the Navy has declined to provide indemnification,
23 will have more than twice the TNT equivalent of the
24 bomb used in the 1993 World Trade Center bomb-
25 ing that resulted in many casualties and more than

1 \$3,300,000,000 in insurance claims in 2021 dol-
2 lars—an amount that is \$1,100,000,000 greater
3 than the insurance limits currently available from
4 private insurance underwriters;

5 (2) the term “unusually hazardous” used in Ex-
6 ecutive Order 10789, as amended, pursuant to pub-
7 lic Law 85–804 (50 U.S.C. 1431 et seq.) should be
8 objectively and consistently applied to weapons sys-
9 tems and programs whose physical properties inher-
10 ently possess substantial explosive energy whose
11 misapplication or accidental ignition could result in
12 catastrophic material destruction and human inju-
13 ries and deaths;

14 (3) an inconsistent and arbitrary application of
15 such Executive Order and law may create significant
16 risk for the industrial base and loss of critical de-
17 fense capabilities; and

18 (4) the Secretary of the Navy should—

19 (A) take maximum practicable advantage
20 of existing statutory authority to provide in-
21 demnification for large rocket programs employ-
22 ing “unusually hazardous” propulsion systems
23 for both nuclear and non-nuclear strategic sys-
24 tems; and

1 (B) develop a policy for more consistently
2 applying such authority.

3 **TITLE XVII—TECHNICAL AMEND-**
4 **MENTS RELATED TO THE**
5 **TRANSFER AND REORGANIZA-**
6 **TION OF DEFENSE ACQUI-**
7 **TION STATUTES**

8 **SEC. 1701. TECHNICAL, CONFORMING, AND CLERICAL**
9 **AMENDMENTS RELATED TO THE TRANSFER**
10 **AND REORGANIZATION OF DEFENSE ACQUI-**
11 **SITION STATUTES.**

12 (a) APPLICABILITY; DEFINITIONS.—

13 (1) APPLICABILITY.—The amendments made
14 by this section to title XVIII of the William M.
15 (Mac) Thornberry National Defense Authorization
16 Act for Fiscal Year 2021 (Public Law 116–283)
17 shall apply as if included in such Act as enacted.

18 (2) DEFINITIONS.—In this section, the terms
19 “FY2021 NDAA” and “such Act” mean the William
20 M. (Mac) Thornberry National Defense Authoriza-
21 tion Act for Fiscal Year 2021 (Public Law 116–
22 283).

23 (b) TECHNICAL CORRECTIONS TO TITLE XVIII OF
24 FY2021 NDAA.—Title XVIII of the FY2021 NDAA is
25 amended as follows:

1 (1) Section 1806(a) is amended in paragraph
2 (4) by striking “TRANSFER” and all that follows
3 through “and amended” and inserting the following:
4 “RESTATEMENT OF SECTION 2545(1).—Section 3001
5 of such title, as added by paragraph (1), is further
6 amended by inserting after subsection (b), as trans-
7 ferred and redesignated by paragraph (3), a new
8 subsection (c) having the text of paragraph (1) of
9 section 2545 of such title, as in effect on the day be-
10 fore the date of the enactment of this Act, revised”.

11 (2) Section 1807 is amended—

12 (A) in subsection (c)(3)(A)—

13 (i) by striking the semicolon and close
14 quotation marks at the end of clause (i)
15 and inserting close quotation marks and a
16 semicolon; and

17 (ii) by striking “by any” in the matter
18 to be inserted by clause (ii); and

19 (B) in subsection (e)—

20 (i) by striking “of this title” in the
21 matter to be inserted by paragraph (2)(B);
22 and

23 (ii) by striking “Sections” in the
24 quoted matter before the period at the end

1 of paragraph (3) and inserting “For pur-
2 poses of”.

3 (3) Section 1809(e) is amended by striking sub-
4 paragraph (B) of paragraph (2) (including the
5 amendment made by that subparagraph).

6 (4) Section 1811 is amended—

7 (A) in subsection (c)(2)(B), by striking the
8 comma before the close quotation marks in both
9 the matter to be stricken and the matter to be
10 inserted;

11 (B) in subsection (d)(3)(B)—

12 (i) by striking the dash after “mobili-
13 zation” in the matter to be inserted by
14 clause (ii) and inserting a semicolon; and

15 (ii) by striking the dash after “cen-
16 ter” in the matter to be inserted by clause
17 (iv) and inserting “; or”;

18 (C) in subsection (d)(4)(D), by striking
19 “this” in the matter to be stricken by clause (ii)
20 and inserting “This”;

21 (D) in subsection (d)(5)(A), by striking
22 “SOURCES.—The” and inserting “SOURCES.—”
23 before “The”;

24 (E) in subsection (d)(6)(A), in the matter
25 to be inserted—

1 (i) by striking the close quotation
2 marks after “PROCEDURES.—”; and

3 (ii) by striking the comma after
4 “(7)”; and

5 (F) in subparagraphs (C)(ii) and (E)(ii) of
6 subsection (e)(3), by striking “and (ii)” each
7 place it appears and inserting “and (iii)”.

8 (5) Section 1813 is amended in subsection
9 (e)(1)(D) by inserting “and inserting” after the first
10 closing quotation marks.

11 (6) Section 1816(c)(5) is amended—

12 (A) in subparagraph (C)—

13 (i) by striking “the second sentence”
14 and inserting “the second and third sen-
15 tences”; and

16 (ii) by striking “subsection (d)” and
17 inserting “subsections (d) and (e), respec-
18 tively”; and

19 (B) by striking subparagraph (G) and in-
20 serting the following:

21 “(G) in subsection (d), as so designated,
22 by inserting ‘NOTICE OF AWARD.—’ before
23 ‘The head of’; and

24 “(H) in subsection (e), as so designated,
25 by striking ‘This subparagraph does not’ and

1 inserting ‘EXCEPTION FOR PERISHABLE SUB-
2 SISTENCE ITEMS.—Subsections (c) and (d) do
3 not’.”.

4 (7) Section 1818 is amended by striking the
5 close quotation marks and second period at the end
6 of subsection (b).

7 (8) Section 1820 is amended in subsection
8 (c)(3)(A) by striking “section” in the matter to be
9 deleted.

10 (9) Section 1833(o)(2) is amended by striking
11 “Section” and “as section” and inserting “Sections”
12 and “as sections”, respectively.

13 (10) Section 1834(h)(2) is amended by striking
14 “section 3801(1)” in the matter to be inserted and
15 inserting “section 3801(a)”.

16 (11) Section 1845(c)(2) is amended by striking
17 “section” in the matter to be stricken and inserting
18 “sections”.

19 (12) Section 1856(h) is amended by striking
20 “subsection (d)” and inserting “subsection (g)”.

21 (13) Section 1862(c)(2) is amended by striking
22 “section 4657” and inserting “section 4658”.

23 (14) Section 1866(d) is amended by striking
24 “4817” in the matter to be inserted by paragraph
25 (4)(A)(ii) and inserting “4818”.

1 **SEC. 1702. CONFORMING CROSS REFERENCE TECHNICAL**
2 **AMENDMENTS RELATED TO THE TRANSFER**
3 **AND REORGANIZATION OF DEFENSE ACQUI-**
4 **SITION STATUTES.**

5 (a) AMENDMENTS TO TITLE 10, UNITED STATES
6 CODE.—Title 10, United States Code, is amended as fol-
7 lows:

8 (1) Section 171a(i)(3) is amended by striking
9 “2366a(d)” and inserting “4251(d)”.

10 (2) Section 181(b)(6) is amended by striking
11 “sections 2366a(b), 2366b(a)(4),” and inserting
12 “sections 4251(b), 4252(a)(4),”.

13 (3) Section 1734(c)(2) is amended by striking
14 “section 2435(a)” and inserting “section 4214(a)”.

15 (b) AMENDMENTS TO LAWS CLASSIFIED AS NOTES
16 IN TITLE 10, UNITED STATES CODE.—

17 (1) Section 801(1) of the National Defense Au-
18 thorization Act for Fiscal Year 2018 (Public Law
19 115–91; 10 U.S.C. 2302 note) is amended by strik-
20 ing “section 2545” and inserting “section 3001”.

21 (2) Section 323(a) of the Ike Skelton National
22 Defense Authorization Act for Fiscal Year 2011
23 (Public Law 111–383; 10 U.S.C. 2463 note) is
24 amended by striking “section 235, 2330a, or 2463”
25 and inserting “section 2463, 3137, or 4505”.

1 (3) Section 8065 of the Department of Defense
2 Appropriations Act, 2005 (Public Law 108–287; 10
3 U.S.C. 2540 note), is amended—

4 (A) by striking “subchapter VI of chapter
5 148” both places it appears and inserting “sub-
6 chapter I of chapter 389”; and

7 (B) by striking “section 2540c(d)” and in-
8 serting “section 4974(d)”.

9 (c) AMENDMENTS TO LAWS CLASSIFIED IN TITLE 6,
10 UNITED STATES CODE (HOMELAND SECURITY).—

11 (1) Section 831(a) of the Homeland Security
12 Act of 2002 (6 U.S.C. 391(a)) is amended—

13 (A) in paragraph (1), by striking “section
14 2371” and inserting “section 4002”; and

15 (B) in paragraph (2)—

16 (i) by striking “section 845 of the Na-
17 tional Defense Authorization Act for Fiscal
18 Year 1994 (Public Law 103–160)” in the
19 first sentence and inserting “section 4003
20 of title 10, United States Code”; and

21 (ii) by striking “845” in the second
22 sentence.

23 (2) Section 853(b) of such Act (6 U.S.C.
24 423(b)) is amended by striking paragraphs (1), (2),
25 and (3) and inserting the following:

1 “(1) Section 134 of title 41, United States
2 Code.

3 “(2) Section 153 of title 41, United States
4 Code.

5 “(3) Section 3015 of title 10, United States
6 Code.”.

7 (3) Section 855 of such Act (6 U.S.C. 425) is
8 amended—

9 (A) in subsection (a)(2), by striking sub-
10 paragraphs (A), (B), and (C) and inserting the
11 following:

12 “(A) Sections 1901 and 1906 of title 41,
13 United States Code.

14 “(B) Section 3205 of title 10, United
15 States Code.

16 “(C) Section 3305 of title 41, United
17 States Code.”; and

18 (B) in subsection (b)(1), by striking “pro-
19 vided in” and all that follows through “shall
20 not” and inserting “provided in section
21 1901(a)(2) of title 41, United States Code, sec-
22 tion 3205(a)(2) of title 10, United States Code,
23 and section 3305(a)(2) of title 41, United
24 States Code, shall not”.

1 (4) Section 856(a) of such Act (6 U.S.C.
2 426(a)) is amended by striking paragraphs (1), (2),
3 and (3) and inserting the following:

4 “(1) FEDERAL PROPERTY AND ADMINISTRA-
5 TIVE SERVICES ACT OF 1949.—In division C of sub-
6 title I of title 41, United States Code:

7 “(A) Paragraphs (1), (2), (6), and (7) of
8 subsection (a) of section 3304 of such title, re-
9 lating to use of procedures other than competi-
10 tive procedures under certain circumstances
11 (subject to subsection (d) of such section).

12 “(B) Section 4106 of such title, relating to
13 orders under task and delivery order contracts.

14 “(2) TITLE 10, UNITED STATES CODE.—In part
15 V of subtitle A of title 10, United States Code:

16 “(A) Paragraphs (1), (2), (6), and (7) of
17 subsection (a) of section 3204, relating to use
18 of procedures other than competitive procedures
19 under certain circumstances (subject to sub-
20 section (d) of such section).

21 “(B) Section 3406, relating to orders
22 under task and delivery order contracts.

23 “(3) OFFICE OF FEDERAL PROCUREMENT POL-
24 ICY ACT.—Paragraphs (1)(B), (1)(D), and (2)(A) of
25 section 1708(b) of title 41, United States Code, relat-

1 ing to inapplicability of a requirement for procure-
2 ment notice.”.

3 (5) Section 604(f) of the American Recovery
4 and Reinvestment Act of 2009 (6 U.S.C. 453b(f)) is
5 amended by striking “section 2304(g)” and inserting
6 “section 3205”.

7 (d) AMENDMENTS TO TITLE 14, UNITED STATES
8 CODE (COAST GUARD).—Title 14, United States Code, is
9 amended as follows:

10 (1) Section 308(c)(10)(B)(ii) is amended by
11 striking “section 2547(c)(1)” and inserting “section
12 3104(c)(1)”.

13 (2) Section 1137(b)(4) is amended by striking
14 “section 2306b” and inserting “subchapter I of
15 chapter 249”.

16 (3) Section 1906(b)(2) is amended by striking
17 “chapter 137” and inserting “sections 3201 through
18 3205”.

19 (e) AMENDMENTS TO LAWS CLASSIFIED IN TITLE
20 15, UNITED STATES CODE (COMMERCE).—

21 (1) Section 14(a) of the Metric Conversion Act
22 of 1975 (15 U.S.C. 205l(a)) is amended—

23 (A) in the first sentence, by striking “set
24 forth in chapter 137” and all that follows
25 through “et seq.,” and inserting “set forth in

1 the provisions of title 10, United States Code,
2 referred to in section 3016 of such title as
3 ‘chapter 137 legacy provisions’, section 3453 of
4 such title, division C (except sections 3302,
5 3307(e), 3501(b), 3509, 3906, 4710, and 4711)
6 of subtitle I of title 41, United States Code.”;

7 (B) in the second sentence, by striking
8 “under section 2377(c)” and all that follows
9 through the period and inserting “under section
10 3453(c) of title 10, United States Code, and
11 section 3307(d) of title 41, United States
12 Code.”; and

13 (C) in the third sentence, by striking “sec-
14 tion 2377” and all that follows through “shall
15 take” and inserting “section 4324 of title 10,
16 United States Code, or section 3307(b) to (d) of
17 title 41, United States Code, then the provi-
18 sions of such sections 4324 or 3307(b) to (d)
19 shall take”.

20 (2) Section 8 of the Small Business Act (15
21 U.S.C. 637) is amended—

22 (A) in subsection (g)(2), by striking “sec-
23 tion 2304(c)” and inserting “section 3204(a)”;
24 and

25 (B) in subsection (h)—

1 (i) in paragraph (1)(B), by striking
2 “chapter 137” and inserting “section 3201
3 through 3205”; and

4 (ii) in paragraph (2), by striking “sec-
5 tion 2304(f)(2)” and “section 2304(f)(1)”,
6 and inserting “paragraphs (3) and (4) of
7 section 3204(e)” and “section 3204(e)(1)”,
8 respectively.

9 (3) Section 9 of the Small Business Act (15
10 U.S.C. 638) is amended in subsection (r)(4)(A) by
11 striking “section 2304” and inserting “sections
12 3201 through 3205”.

13 (4) Section 884(a)(2) of the National Defense
14 Authorization Act for Fiscal Year 2020 (Public Law
15 116–92; 15 U.S.C. 638 note) is amended by striking
16 “section 2500” and inserting “section 4801”.

17 (5) Section 15 of the Small Business Act (15
18 U.S.C. 644) is amended—

19 (A) in subsection (k)—

20 (i) in paragraph (17)(B), by striking
21 “section 2318” and inserting “section
22 3249”;

23 (ii) in paragraph (17)(C), by striking
24 “chapter 142” and inserting “chapter
25 388”; and

1 (iii) in paragraph (18), by striking
2 “section 2784” and inserting “section
3 4754”;

4 (B) in subsection (r)(2), by striking “sec-
5 tion 2304c(b)” and inserting “section 3406(e)”;
6 and

7 (C) in subsections (u) and (v), by striking
8 “chapter 142” and inserting “chapter 388”.

9 (6) Section 16 of the Small Business Act (15
10 U.S.C. 645) is amended in subsection (d)(3) by
11 striking “chapter 142” and inserting “chapter 388”.

12 (7) Section 272 of the National Defense Au-
13 thorization Act for Fiscal Years 1988 and 1989
14 (Public Law 100–180; 15 U.S.C. 4602) is amended
15 in subsection (c) by striking “section 2306a” and in-
16 serting “chapter 271”.

17 (f) AMENDMENTS TO TITLES 32, UNITED STATES
18 CODE (NATIONAL GUARD) AND 37, UNITED STATES
19 CODE (PAY AND ALLOWANCES).—

20 (1) Section 113 of title 32, United States Code,
21 is amended in subsection (b)(1)(B) by striking “sec-
22 tion 2304(c)” and inserting “section 3204(a)”.

23 (2) Section 418 of title 37, United States Code,
24 is amended in subsection (d)(2)(A)—

1 (A) by striking “section 2533a” and in-
2 serting “section 4862”; and

3 (B) by striking “chapter 137 of title 10”
4 and inserting “chapter 137 legacy provisions
5 (as such term is defined in section 3016 of title
6 10)”.

7 (g) AMENDMENTS TO TITLE 40, UNITED STATES
8 CODE (PUBLIC BUILDINGS).—Title 40, United States
9 Code, is amended as follows:

10 (1) Section 113(e) is amended—

11 (A) in paragraph (3)—

12 (i) by striking “chapter 137” and in-
13 serting “section 3063”; and

14 (ii) by striking “that chapter;” and in-
15 serting “the provisions of that title re-
16 ferred to in section 3016 of such title as
17 ‘chapter 137 legacy provisions’;”; and

18 (B) in paragraph (5), by striking “section
19 2535” and inserting “section 4881”.

20 (2) Section 581(f)(1)(A) is amended by striking
21 “section 2535” and inserting “section 4881”.

22 (h) AMENDMENTS TO TITLE 41, UNITED STATES
23 CODE (PUBLIC CONTRACTS).—Title 41, United States
24 Code, is amended as follows:

1 (1) Section 1127(b) is amended by striking
2 “section 2324(e)(1)(P)” and inserting “section
3 3744(a)(16)”.

4 (2) Section 1303(a)(1) is amended by striking
5 “chapters 4 and 137 of title 10” and inserting
6 “chapter 4 of title 10, chapter 137 legacy provisions
7 (as such term is defined in section 3016 of title
8 10)”.

9 (3) Section 1502(b)(1)(B) is amended by strik-
10 ing “section 2306a(a)(1)(A)(i)” and inserting “sec-
11 tion 3702(a)(1)(A)”.

12 (4) Section 1708(b)(2)(A) is amended by strik-
13 ing “section 2304(c)” and inserting “section
14 3204(a)”.

15 (5) Section 1712(b)(2)(B) is amended by strik-
16 ing “section 2304(c)” and inserting “section
17 3204(a)”.

18 (6) Section 1901(e)(2) is amended by striking
19 “section 2304(f)” and inserting “section 3204(e)”.

20 (7) Section 1903 is amended—

21 (A) in subsection (b)(3), by striking “sec-
22 tion 2304(g)(1)(B)” and inserting “section
23 3205(a)(2)”;

24 (B) in subsection (c)(2)(B), by striking
25 “section 2306a” and inserting “chapter 271”.

1 (8) Section 1907(a)(3)(B)(ii) is amended by
2 striking “section 2305(e) and (f)” and inserting
3 “section 3308”.

4 (9) Section 1909(e) is amended by striking
5 “section 2784” and inserting “section 4754”.

6 (10) Section 2101(2)(A) is amended by striking
7 “section 2306a(h)” and inserting “section 3701”.

8 (11) Section 2311 is amended by striking “sec-
9 tion 2371” and inserting “section 4002”.

10 (12) Section 3302 is amended—

11 (A) in subsection (a)(3)—

12 (i) in subparagraph (A), by striking
13 “section 2302(2)(C)” and inserting “sec-
14 tion 3012(3)”; and

15 (ii) in subparagraph (B), by striking
16 “sections 2304a to 2304d of title 10,” and
17 inserting “chapter 245 of title 10”;

18 (B) in subsection (c)(1)(A)(i), by striking
19 “section 2304c(b)” and inserting “section
20 3406(c)”; and

21 (C) in subsection (d)(1)(B), by striking
22 “section 2304(f)(1)” and inserting “section
23 3204(e)(1)”.

24 (13) Section 3307(e)(1) is amended by striking
25 “chapter 140” and inserting “chapter 247”.

1 (14) Section 4104 is amended—

2 (A) in subsection (a), by striking “sections
3 2304a to 2304d” and inserting “chapter 245”;
4 and

5 (B) in subsection (b)—

6 (i) in paragraph (1), by striking “sec-
7 tions 2304a to 2304d” and inserting
8 “chapter 245”;

9 (ii) in paragraph (2)(B), by striking
10 “section 2304c(b)” and inserting “section
11 3406(c)”; and

12 (iii) in paragraph (2)(C), by striking
13 “section 2304c(c)” and inserting “section
14 3406(e)”.

15 (i) AMENDMENTS TO LAWS CLASSIFIED AS NOTES
16 IN TITLE 41, UNITED STATES CODE.—

17 (1) Section 555 of the FAA Reauthorization
18 Act of 2018 (Public Law 115–254; 41 U.S.C. pre-
19 ceding 3101 note) is amended by striking “section
20 2305” in subsections (a)(4) and (c)(1) and inserting
21 “sections 3206 through 3208 and sections 3301
22 through 3309”.

23 (2) Section 846(f)(5) of the National Defense
24 Authorization Act for Fiscal Year 2018 (Public Law
25 115–91; 41 U.S.C. 1901 note) is amended by strik-

1 ing “section 2304” and inserting “sections 3201
2 through 3205”.

3 (3) Section 811 of the National Defense Au-
4 thorization Act for Fiscal Year 2010 (Public Law
5 111–84; 41 U.S.C. 3304 note) is amended—

6 (A) in subsection (a)(3), by striking “sec-
7 tions 2304(f)(1)(C) and 2304(l)” and inserting
8 “sections 3204(e)(1)(C) and 3204(g)”; and

9 (B) in subsection (c)—

10 (i) in paragraph (1)(A), by striking
11 “section 2304(f)(2)(D)(ii)” and inserting
12 “section 3204(e)(4)(D)(ii)”;

13 (ii) in paragraph (2)(A), by striking
14 “section 2302(1)” and inserting “section
15 3004”; and

16 (iii) in paragraph (3)(A), by striking
17 “section 2304(f)(1)(B)” and inserting
18 “section 3204(e)(1)(B)”.

19 (j) AMENDMENTS TO LAWS CLASSIFIED IN TITLE 42,
20 UNITED STATES CODE.—

21 (1) The Public Health Service Act (Public Law
22 78–410) is amended—

23 (A) in section 301(a)(7) (42 U.S.C.
24 241(a)(7)), by striking “sections 2353 and

1 2354” and inserting “sections 3861 and 4141”;
2 and

3 (B) in section 405(b)(1) (42 U.S.C.
4 284(b)(1)), by striking “section 2354” and in-
5 serting “section 3861”.

6 (2) Section 403(a) of the Housing Amendments
7 of 1955 (42 U.S.C. 1594(a)) is amended by striking
8 “section 3 of the Armed Services Procurement Act
9 of 1947” and inserting “chapters 221 and 241 of
10 title 10, United States Code”.

11 (3) Title II of the Department of Housing and
12 Urban Development-Independent Agencies Appro-
13 priations Act, 1986 (Public Law 99–160), is amend-
14 ed by striking “section 2354” in the last proviso in
15 the paragraph under the heading “National Science
16 Foundation — Research and Related Activities” (42
17 U.S.C. 1887) and inserting “section 3861”.

18 (4) Section 306(b)(2) of the Disaster Mitigation
19 Act of 2000 (42 U.S.C. 5206(b)(2)) is amended by
20 striking “section 2393(c)” and inserting “section
21 4654(c)”.

22 (5) Section 801(c)(2) of the National Energy
23 Conservation Policy Act (42 U.S.C. 8287) is amend-
24 ed by striking “section 2304e(d)” and all that fol-
25 lows and inserting “section 3406(d) of title 10,

1 United States Code, and section 4106(d) of title 41,
2 United States Code.”.

3 (6) Section 3021(a) of the Energy Policy Act of
4 1992 (42 U.S.C. 13556) is amended by striking
5 “chapter 137 of title 10” and inserting “chapter
6 137 legacy provisions (as such term is defined in
7 section 3016 of title 10, United States Code)”.

8 (k) AMENDMENTS TO LAWS CLASSIFIED IN TITLE
9 50, UNITED STATES CODE.—

10 (1) Section 141(a) of the Bob Stump National
11 Defense Authorization Act for Fiscal Year 2003
12 (Public Law 107–314; 50 U.S.C. 1521a(a)) is
13 amended by striking “section 2430” and inserting
14 “section 4201”.

15 (2) Section 502(a) of the National Emergencies
16 Act (50 U.S.C. 1651(a)) is amended by striking
17 paragraphs (1) through (5) and inserting the fol-
18 lowing:

19 “(1) Chapters 1 to 11 of title 40, United States
20 Code, and division C (except sections 3302, 3307(e),
21 3501(b), 3509, 3906, 4710, and 4711) of subtitle I
22 of title 41, United States Code.

23 “(2) Section 3727(a)–(e)(1) of title 31, United
24 States Code.

1 “(3) Section 6305 of title 41, United States
2 Code.

3 “(4) Public Law 85–804 (Act of Aug. 28, 1958,
4 72 Stat. 972; 50 U.S.C. 1431 et seq.).

5 “(5) Section 3201(a) of title 10, United States
6 Code.”.

7 (3) The Atomic Energy Defense Act is amended
8 as follows:

9 (A) Sections 4217 and 4311 (50 U.S.C.
10 2537, 2577) are each amended in subsection
11 (a)(2) by striking “section 2432” and inserting
12 “chapter 324”.

13 (B) Section 4813 (50 U.S.C. 2794) is
14 amended by striking “section 2500” in sub-
15 section (c)(1)(C) and inserting “section 4801”.

16 (4) Section 107 of the Defense Production Act
17 (50 U.S.C. 4517) is amended in subsection
18 (b)(2)(B) by striking clauses (i) and (ii) and insert-
19 ing the following:

20 “(i) section 3203(a)(1)(B) or
21 3204(a)(3) of title 10, United States Code;

22 “(ii) section 3303(a)(1)(B) or
23 3304(a)(3) of title 41, United States Code;
24 or”.

25 (l) OTHER AMENDMENTS.—

1 (1) Section 1473H of the National Agriculture
2 Advanced Research, Extension, and Teaching Policy
3 Act of 1977 (7 U.S.C. 3319k) is amended by strik-
4 ing “section 2371” in subsections (b)(6)(A) and
5 (d)(1)(B) and inserting “section 4002”.

6 (2) Section 1301 of title 17, United States
7 Code, is amended in subsection (a)(3) by striking
8 “section 2320” and inserting “subchapter I of chap-
9 ter 275”.

10 (3) Section 21 of the Arms Export Control Act
11 (22 U.S.C. 2761) is amended by striking “chapter
12 137” in subsection (l)(4) and subsection (m)(4) and
13 inserting “chapter 137 legacy provisions (as such
14 term is defined in section 3016 of title 10, United
15 States Code)”.

16 (4) Section 3 of the Foreign Direct Investment
17 and International Financial Data Improvements Act
18 of 1990 (Public Law 101–533; 22 U.S.C. 3142) is
19 amended in subsection (c)(2) by striking “section
20 2505” and inserting “section 4816”.

21 (5) Section 3553 of title 31, United States
22 Code, is amended in subsection (d)(4)(B) by striking
23 “section 2305(b)(5)(B)(vii)” and inserting “section
24 3304(c)(7)”.

1 (6) Section 226 of the Water Resources Devel-
2 opment Act of 1992 (33 U.S.C. 569f) is amended by
3 striking “section 2393(c)” and inserting “section
4 4654(e)”.

5 (7) Section 40728B(e) of title 36, United
6 States Code, is amended—

7 (A) striking “subsection (k) of section
8 2304” and inserting “section 3201(e)”; and

9 (B) by striking “subsection (c) of such sec-
10 tion” and inserting “section 3204(a)”.

11 (8) Section 1427(b) of the National Defense
12 Authorization Act for Fiscal Year 2004 (Public Law
13 108–136; 40 U.S.C. 1103 note) is amended by strik-
14 ing “sections 2304a and 2304b” and inserting “sec-
15 tions 3403 and 3405”.

16 (9) Section 895(b) of the National Defense Au-
17 thorization Act for Fiscal Year 2017 (Public Law
18 114–328; 40 U.S.C. 11103 note) is amended by
19 striking “section 2366a(d)(7)” and inserting “sec-
20 tion 4251(d)(5)”.

21 (10) Sections 50113(c), 50115(b), and
22 50132(a) of title 51, United States Code, are
23 amended by striking “including chapters 137 and
24 140” and inserting “including applicable provisions

1 of chapters 201 through 285, 341 through 343, and
2 363”.

3 (11) Section 823(c)(3)(C) of the National Aero-
4 nautics and Space Administration Transition Au-
5 thorization Act of 2017 (Public Law 115–10; 51
6 U.S.C. preceding 30301 note) is amended by strik-
7 ing “section 2319” and inserting “section 3243”.

8 **DIVISION B—MILITARY CON-**
9 **STRUCTION AUTHORIZA-**
10 **TIONS**

11 **SEC. 2001. SHORT TITLE.**

12 This division and title XLVI of division D may be
13 cited as the “Military Construction Authorization Act for
14 Fiscal Year 2022”.

15 **SEC. 2002. EXPIRATION OF AUTHORIZATIONS AND**
16 **AMOUNTS REQUIRED TO BE SPECIFIED BY**
17 **LAW.**

18 (a) EXPIRATION OF AUTHORIZATIONS AFTER THREE
19 YEARS.—Except as provided in subsection (b), all author-
20 izations contained in titles XXI through XXVII for mili-
21 tary construction projects, land acquisition, family housing
22 projects and facilities, and contributions to the North At-
23 lantic Treaty Organization Security Investment Program
24 (and authorizations of appropriations therefor) shall ex-
25 pire on the later of—

1 (1) October 1, 2024; or

2 (2) the date of the enactment of an Act author-
3 izing funds for military construction for fiscal year
4 2025.

5 (b) EXCEPTION.—Subsection (a) shall not apply to
6 authorizations for military construction projects, land ac-
7 quisition, family housing projects and facilities, and con-
8 tributions to the North Atlantic Treaty Organization Se-
9 curity Investment Program (and authorizations of appro-
10 priations therefor), for which appropriated funds have
11 been obligated before the later of—

12 (1) October 1, 2024; or

13 (2) the date of the enactment of an Act author-
14 izing funds for fiscal year 2025 for military con-
15 struction projects, land acquisition, family housing
16 projects and facilities, or contributions to the North
17 Atlantic Treaty Organization Security Investment
18 Program.

19 **SEC. 2003. EFFECTIVE DATE.**

20 Titles XXI through XXVII shall take effect on the
21 later of—

22 (1) October 1, 2021; or

23 (2) the date of the enactment of this Act.

1 **TITLE XXI—ARMY MILITARY**
 2 **CONSTRUCTION**

3 **SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND**
 4 **ACQUISITION PROJECTS.**

5 (a) INSIDE THE UNITED STATES.—Using amounts
 6 appropriated pursuant to the authorization of appropria-
 7 tions in section 2103(a) and available for military con-
 8 struction projects inside the United States as specified in
 9 the funding table in section 4601, the Secretary of the
 10 Army may acquire real property and carry out military
 11 construction projects for the installations or locations in-
 12 side the United States, and in the amounts, set forth in
 13 the following table:

Army: Inside the United States

State	Installation or Location	Amount
Alabama	Anniston Army Depot	\$25,000,000
	Fort Rucker	\$66,000,000
	Redstone Arsenal	\$55,000,000
California	Fort Irwin	\$52,000,000
Georgia	Fort Stewart	\$100,000,000
Hawaii	West Loch Naval Magazine Annex	\$51,000,000
Kansas	Fort Leavenworth	\$34,000,000
Kentucky	Fort Knox	\$27,000,000
Louisiana	Fort Polk	\$111,000,000
Maryland	Fort Detrick	\$23,981,000
	Fort Meade	\$81,000,000
New Jersey	Armaments Center	\$1,800,000
New York	Fort Hamilton	\$26,000,000
	Watervliet Arsenal	\$20,000,000
Pennsylvania	Letterkenny Army Depot	\$21,000,000
Texas	Fort Hood	\$90,200,000

14 (b) OUTSIDE THE UNITED STATES.—Using amounts
 15 appropriated pursuant to the authorization of appropria-
 16 tions in section 2103(a) and available for military con-
 17 struction projects outside the United States as specified

1 in the funding table in section 4601, the Secretary of the
 2 Army may acquire real property and carry out military
 3 construction projects for the installations outside the
 4 United States, and in the amounts, set forth in the fol-
 5 lowing table:

Army: Outside the United States

State	Installation	Amount
Belgium	Shape Headquarters	\$16,000,000
Germany	Smith Barracks	\$33,500,000
	East Camp Grafenwoehr	\$103,000,000
Classified Location	Classified Location	\$31,000,000

6 SEC. 2102. FAMILY HOUSING.

7 (a) CONSTRUCTION AND ACQUISITION.—Using
 8 amounts appropriated pursuant to the authorization of ap-
 9 propriations in section 2103(a) and available for military
 10 family housing functions as specified in the funding table
 11 in section 4601, the Secretary of the Army may construct
 12 or acquire family housing units (including land acquisition
 13 and supporting facilities) at the installation, in the num-
 14 ber of units or for the purpose, and in the amount set
 15 forth in the following table:

Army: Family Housing

Country	Installation or Location	Units	Amount
Italy	Vicenza	Family Housing New Construc- tion	\$92,304,000

16 (b) PLANNING AND DESIGN.—Using amounts appro-
 17 priated pursuant to the authorization of appropriations in
 18 section 2103(a) and available for military family housing

1 functions as specified in the funding table in section 4601,
2 the Secretary of the Army may carry out architectural and
3 engineering services and construction design activities
4 with respect to the construction or improvement of family
5 housing units in an amount not to exceed \$22,545,000.

6 **SEC. 2103. AUTHORIZATION OF APPROPRIATIONS, ARMY.**

7 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds
8 are hereby authorized to be appropriated for fiscal years
9 beginning after September 30, 2021, for military con-
10 struction, land acquisition, and military family housing
11 functions of the Department of the Army as specified in
12 the funding table in section 4601.

13 (b) LIMITATION ON TOTAL COST OF CONSTRUCTION
14 PROJECTS.—Notwithstanding the cost variations author-
15 ized by section 2853 of title 10, United States Code, and
16 any other cost variation authorized by law, the total cost
17 of all projects carried out under section 2101 of this Act
18 may not exceed the total amount authorized to be appro-
19 priated under subsection (a), as specified in the funding
20 table in section 4601.

21 **SEC. 2104. EXTENSION OF AUTHORITY TO CARRY OUT CER-**
22 **TAIN FISCAL YEAR 2017 PROJECT.**

23 (a) EXTENSION.—Notwithstanding section 2002 of
24 the Military Construction Authorization Act for Fiscal
25 Year 2017 (division B of Public Law 114–328; 130 Stat.

1 2688), the authorization set forth in the table in sub-
 2 section (b), as provided in section 2101 of that Act (130
 3 Stat. 2689), shall remain in effect until October 1, 2023,
 4 or the date of the enactment of an Act authorizing funds
 5 for military construction for fiscal year 2024, whichever
 6 is later.

7 (b) TABLE.—The table referred to in subsection (a)
 8 is as follows:

Army: Extension of 2017 Project Authorization

Country	Installation	Project	Original Authorized Amount
Germany	Wiesbaden Army Airfield	Hazardous Material Storage Building	\$2,700,000

9 **SEC. 2105. MODIFICATION OF AUTHORITY TO CARRY OUT**
 10 **CERTAIN FISCAL YEAR 2021 PROJECT.**

11 (a) MODIFICATION OF PROJECT AUTHORITY.—In the
 12 case of the authorization contained in the table in section
 13 2101(a) of the Military Construction Authorization Act
 14 for Fiscal Year 2021 (division B of Public Law 116–283;
 15 134 Stat. __) for Fort Wainwright, Alaska, for construc-
 16 tion of Unaccompanied Enlisted Personnel Housing, as
 17 specified in the funding table in section 4601 of such Pub-
 18 lic Law (134 Stat. __), the Secretary of the Army may
 19 construct—

1 (1) an Unaccompanied Enlisted Personnel
2 Housing building of 104,300 square feet to incor-
3 porate a modified standard design; and

4 (2) an outdoor recreational shelter, sports fields
5 and courts, barbecue and leisure area, and fitness
6 stations associated with the Unaccompanied Enlisted
7 Personnel Housing.

8 (b) MODIFICATION OF PROJECT AMOUNTS.—

9 (1) DIVISION B TABLE.—The authorization
10 table in section 2101(a) of the Military Construction
11 Authorization Act for Fiscal Year 2021 (division B
12 of Public Law 116–283; 134 Stat. __) is amended
13 in the item relating to Fort Wainwright, Alaska, by
14 striking “\$114,000,000” and inserting
15 “\$146,000,000” to reflect the project modification
16 made by subsection (a).

17 (2) DIVISION D TABLE.—The funding table in
18 section 4601 of Public Law 116–283 (134 Stat. __)
19 is amended in the item relating to Fort Wainwright
20 Unaccompanied Enlisted Personnel Housing by
21 striking “\$59,000” in the Conference Authorized
22 column and inserting “\$91,000” to reflect the
23 project modification made by subsection (a).

1 **SEC. 2106. ADDITIONAL AUTHORIZED FUNDING SOURCE**
 2 **FOR CERTAIN FISCAL YEAR 2022 PROJECT.**

3 To carry out an unspecified minor military construc-
 4 tion project in the amount of \$3,600,000 at Aberdeen
 5 Proving Ground, Maryland, to construct a 6,000 square
 6 foot recycling center to meet the requirements of a quali-
 7 fied recycling program at the installation, the Secretary
 8 of the Army may use funds available to the Secretary
 9 under section 2667(e)(1)(C) of title 10, United States
 10 Code, in addition to funds appropriated for unspecified
 11 minor military construction for the project.

12 **TITLE XXII—NAVY MILITARY**
 13 **CONSTRUCTION**

14 **SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND**
 15 **ACQUISITION PROJECTS.**

16 (a) **INSIDE THE UNITED STATES.**—Using amounts
 17 appropriated pursuant to the authorization of appropria-
 18 tions in section 2203(a) and available for military con-
 19 struction projects inside the United States as specified in
 20 the funding table in section 4601, the Secretary of the
 21 Navy may acquire real property and carry out military
 22 construction projects for the installations or locations in-
 23 side the United States, and in the amounts, set forth in
 24 the following table:

Navy: Inside the United States

State	Installation or Location	Amount
Arizona	Marine Corps Air Station Yuma	\$99,600,000

Navy: Inside the United States—Continued

State	Installation or Location	Amount
California	Air Ground Combat Center Twentynine Palms	\$45,000,000
	San Nicolas Island	\$19,907,000
Guam	Andersen Air Force Base	\$50,890,000
	Joint Region Marianas	\$507,527,000
Hawaii	Marine Corps Base Kaneohe	\$101,200,000
North Carolina	Cherry Point Marine Corps Air Station	\$321,417,000
Nevada	Naval Air Station Fallon	\$48,250,000
Virginia	Marine Corps Base Quantico	\$42,850,000
	Naval Station Norfolk	\$269,693,000
	Norfolk Naval Shipyard	\$156,380,000

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
5 in the funding table in section 4601, the Secretary of the
6 Navy may acquire real property and carry out military
7 construction projects for the installation outside the
8 United States, and in the amount, set forth in the fol-
9 lowing table:

Navy: Outside the United States

Country	Installation or Location	Amount
Japan	Fleet Activities Yokosuka	\$49,900,000

10 **SEC. 2202. FAMILY HOUSING.**

11 (a) CONSTRUCTION AND ACQUISITION.—Using
12 amounts appropriated pursuant to the authorization of ap-
13 propriations in section 2203(a) and available for military
14 family housing functions as specified in the funding table
15 in section 4601, the Secretary of the Navy may construct
16 or acquire family housing units (including land acquisition
17 and supporting facilities) at the installations or locations,

1 in the number of units or for the purposes, and in the
2 amounts set forth in the following table:

Navy: Family Housing

Location	Installation	Units or Purpose	Amount
District of Columbia	Marine Barracks Washington	Family housing improvements	\$10,415,000
Japan	Fleet Activities Yokosuka	Family housing improvements	\$61,469,000

3 (b) **PLANNING AND DESIGN.**—Using amounts appro-
4 priated pursuant to the authorization of appropriations in
5 section 2203(a) and available for military family housing
6 functions as specified in the funding table in section 4601,
7 the Secretary of the Navy may carry out architectural and
8 engineering services and construction design activities
9 with respect to the construction or improvement of family
10 housing units in an amount not to exceed \$3,634,000.

11 **SEC. 2203. AUTHORIZATION OF APPROPRIATIONS, NAVY.**

12 (a) **AUTHORIZATION OF APPROPRIATIONS.**—Funds
13 are hereby authorized to be appropriated for fiscal years
14 beginning after September 30, 2021, for military con-
15 struction, land acquisition, and military family housing
16 functions of the Department of the Navy, as specified in
17 the funding table in section 4601.

18 (b) **LIMITATION ON TOTAL COST OF CONSTRUCTION**
19 **PROJECTS.**—Notwithstanding the cost variations author-
20 ized by section 2853 of title 10, United States Code, and
21 any other cost variation authorized by law, the total cost

1 of all projects carried out under section 2201 of this Act
 2 may not exceed the total amount authorized to be appro-
 3 priated under subsection (a), as specified in the funding
 4 table in section 4601.

5 **TITLE XXIII—AIR FORCE**
 6 **MILITARY CONSTRUCTION**

7 **SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND**
 8 **LAND ACQUISITION PROJECTS.**

9 (a) INSIDE THE UNITED STATES.—Using amounts
 10 appropriated pursuant to the authorization of appropria-
 11 tions in section 2303(a) and available for military con-
 12 struction projects inside the United States as specified in
 13 the funding table in section 4601, the Secretary of the
 14 Air Force may acquire real property and carry out mili-
 15 tary construction projects for the installations or locations
 16 inside the United States, and in the amounts, set forth
 17 in the following table:

Air Force: Inside the United States

State	Installation or Location	Amount
Alaska	Joint Base Elmendorf-Richardson	\$251,000,000
Arizona	Davis-Monthan Air Force Base	\$13,400,000
	Luke Air Force Base	\$49,000,000
California	Vandenberg Air Force Base	\$67,000,000
Colorado	Schriever Air Force Base	\$30,000,000
	United States Air Force Academy	\$4,360,000
District of Columbia	Joint Base Anacostia-Bolling	\$24,000,000
Guam	Joint Region Marianas	\$85,000,000
Louisiana	Barksdale Air Force Base	\$272,000,000
Maryland	Joint Base Andrews	\$33,800,000
Massachusetts	Hanscom Air Force Base	\$66,000,000
Nebraska	Offutt Air Force Base	\$5,000,000
New Jersey	Joint Base McGuire-Dix-Lakehurst	\$4,500,000
Ohio	Wright-Patterson Air Force Base	\$24,000,000
Oklahoma	Tinker Air Force Base	\$160,000,000
South Carolina	Joint Base Charleston	\$30,000,000
South Dakota	Ellsworth Air Force Base	\$242,000,000
Texas	Joint Base San Antonio	\$192,000,000
	Sheppard Air Force Base	\$20,000,000

Air Force: Inside the United States—Continued

State	Installation or Location	Amount
Virginia	Joint Base Langley-Eustis	\$24,000,000

1 (b) OUTSIDE THE UNITED STATES.—Using amounts
2 appropriated pursuant to the authorization of appropria-
3 tions in section 2303(a) and available for military con-
4 struction projects outside the United States as specified
5 in the funding table in section 4601, the Secretary of the
6 Air Force may acquire real property and carry out mili-
7 tary construction projects for the installations or locations
8 outside the United States, and in the amounts, set forth
9 in the following table:

Air Force: Outside the United States

Country	Installation or Location	Amount
Australia	Royal Australian Air Force Base Darwin	\$7,400,000
	Royal Australian Air Force Base Tindal	\$14,400,000
Japan	Kadena Air Base	\$206,000,000
	Misawa Air Base	\$25,000,000
United Kingdom	Royal Air Force Lakenheath	\$104,000,000

10 **SEC. 2302. FAMILY HOUSING.**

11 (a) IMPROVEMENTS TO MILITARY FAMILY HOUSING
12 UNITS.—Subject to section 2825 of title 10, United States
13 Code, and using amounts appropriated pursuant to the
14 authorization of appropriations in section 2303(a) and
15 available for military family housing functions as specified
16 in the funding table in section 4601, the Secretary of the
17 Air Force may improve existing military family housing
18 units in an amount not to exceed \$105,528,000.

1 (b) PLANNING AND DESIGN.—Using amounts appro-
2 priated pursuant to the authorization of appropriations in
3 section 2303(a) and available for military family housing
4 functions as specified in the funding table in section 4601,
5 the Secretary of the Air Force may carry out architectural
6 and engineering services and construction design activities
7 with respect to the construction or improvement of family
8 housing units in an amount not to exceed \$10,458,000.

9 **SEC. 2303. AUTHORIZATION OF APPROPRIATIONS, AIR**
10 **FORCE.**

11 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds
12 are hereby authorized to be appropriated for fiscal years
13 beginning after September 30, 2021, for military con-
14 struction, land acquisition, and military family housing
15 functions of the Department of the Air Force, as specified
16 in the funding table in section 4601.

17 (b) LIMITATION ON TOTAL COST OF CONSTRUCTION
18 PROJECTS.—Notwithstanding the cost variations author-
19 ized by section 2853 of title 10, United States Code, and
20 any other cost variation authorized by law, the total cost
21 of all projects carried out under section 2301 may not ex-
22 ceed the total amount authorized to be appropriated under
23 subsection (a), as specified in the funding table in section
24 4601.

1 **SEC. 2304. EXTENSION OF AUTHORITY TO CARRY OUT CER-**
 2 **TAIN FISCAL YEAR 2017 PROJECTS.**

3 (a) EXTENSION.—Notwithstanding section 2002 of
 4 the Military Construction Authorization Act for Fiscal
 5 Year 2017 (division B of Public Law 114–328; 130 Stat.
 6 2688), the authorizations set forth in the table in sub-
 7 section (b), as provided in sections 2301 and 2902 of that
 8 Act (130 Stat. 2696, 2743), shall remain in effect until
 9 October 1, 2023, or the date of the enactment of an Act
 10 authorizing funds for military construction for fiscal year
 11 2024, whichever is later.

12 (b) TABLE.—The table referred to in subsection (a)
 13 is as follows:

Air Force: Extension of 2017 Project Authorizations

State or Country	Installation or Location	Project	Original Authorized Amount
Germany	Ramstein Air Base	37 AS Squadron Operations/Aircraft Maintenance Unit	\$13,437,000
	Spangdahlem Air Base	F/A-22 Low Observable/Composite Repair Facility	\$12,000,000
	Spangdahlem Air Base	Upgrade Hardened Aircraft Shelters for F/A-22	\$2,700,000
Guam	Joint Region Marianas	APR - Munitions Storage Igloos, Phase 2	\$35,300,000
	Joint Region Marianas	APR - SATCOM C4I Facility	\$14,200,000
Japan	Kadena Air Base	APR - Replace Munitions Structures	\$19,815,000
	Yokota Air Base	C-130J Corrosion Control Hangar ...	\$23,777,000
	Yokota Air Base	Construct Combat Arms Training and Maintenance Facility	\$8,243,000
Massachusetts	Hanscom Air Force Base	Vandenberg Gate Complex	\$10,965,000

Air Force: Extension of 2017 Project Authorizations—Continued

State or Country	Installation or Location	Project	Original Authorized Amount
United Kingdom	Royal Air Force Croughton	Main Gate Complex	\$16,500,000

1 **SEC. 2305. MODIFICATION OF AUTHORITY TO CARRY OUT**
2 **MILITARY CONSTRUCTION PROJECTS AT**
3 **TYNDALL AIR FORCE BASE, FLORIDA.**

4 (a) FISCAL YEAR 2018 PROJECT.—In the case of the
5 authorization contained in the table in section 2301(b) of
6 the Military Construction Authorization Act for Fiscal
7 Year 2018 (division B of Public Law 115–91; 131 Stat.
8 1825) for Tyndall Air Force Base, Florida, for construc-
9 tion of a Fire Station, as specified in the funding table
10 in section 4601 of that Public Law (131 Stat. 2002), the
11 Secretary of the Air Force may construct a crash rescue/
12 structural fire station encompassing up to 3,588 square
13 meters.

14 (b) FISCAL YEAR 2020 PROJECTS.—In the case of
15 the authorization contained in section 2912(a) of the Mili-
16 tary Construction Authorization Act for Fiscal Year 2020
17 (division B of Public Law 116–92; 133 Stat. 1913) for
18 Tyndall Air Force Base, Florida—

19 (1) for construction of Site Development, Utili-
20 ties, and Demo Phase 1, as specified in the Natural
21 Disaster Recovery Justification Book dated August

1 2019, the Secretary of the Air Force may con-
2 struct—

3 (A) up to 3,698 lineal meters of waste
4 water utilities;

5 (B) up to 6,306 lineal meters of storm
6 water utilities; and

7 (C) two emergency power backup genera-
8 tors;

9 (2) for construction of Munitions Storage Fa-
10 cilities, as specified in the Natural Disaster Recovery
11 Justification Book dated August 2019, the Secretary
12 of the Air Force may construct—

13 (A) up to 4,393 square meters of aircraft
14 support equipment storage yard;

15 (B) up to 1,535 square meters of tactical
16 missile maintenance facility; and

17 (C) up to 560 square meters of missile
18 warhead assembly and maintenance shop and
19 storage;

20 (3) for construction of 53 WEG Complex, as
21 specified in the Natural Disaster Recovery Justifica-
22 tion Book dated August 2019, the Secretary of the
23 Air Force may construct—

24 (A) up to 1,693 square meters of aircraft
25 maintenance shop;

1 (B) up to 1,458 square meters of fuel sys-
2 tems maintenance dock; and

3 (C) up to 3,471 square meters of group
4 headquarters;

5 (4) for construction of 53 WEG Subscale Drone
6 Facility, as specified in the Natural Disaster Recov-
7 ery Justification Book dated August 2019, the Sec-
8 retary of the Air Force may construct up to 511
9 square meters of pilotless aircraft shop in a separate
10 facility;

11 (5) for construction of CE/Contracting/USACE
12 Complex, as specified in the Natural Disaster Recov-
13 ery Justification Book dated August 2019, the Sec-
14 retary of the Air Force may construct—

15 (A) up to 557 square meters of base engi-
16 neer storage shed 6000 area; and

17 (B) up to 183 square meters of non-Air
18 Force administrative office;

19 (6) for construction of Logistics Readiness
20 Squadron Complex, as specified in the Natural Dis-
21 aster Recovery Justification Book dated August
22 2019, the Secretary of the Air Force may con-
23 struct—

24 (A) up to 802 square meters of supply ad-
25 ministrative headquarters;

1 (B) up to 528 square meters of vehicle
2 wash rack; and

3 (C) up to 528 square meters of vehicle
4 service rack;

5 (7) for construction of Fire Station Silver Flag
6 #4, as specified in the Natural Disaster Recovery
7 Justification Book dated August 2019, the Secretary
8 of the Air Force may construct up to 651 square
9 meters of fire station;

10 (8) for construction of AFCEC RDT&E, as
11 specified in the Natural Disaster Recovery Justifica-
12 tion Book dated August 2019, the Secretary of the
13 Air Force may construct—

14 (A) up to 501 square meters of CE Mat
15 Test Runway Support Building;

16 (B) up to 1,214 square meters of Robotics
17 Range Control Support Building; and

18 (C) up to 953 square meters of fire ga-
19 rage;

20 (9) for construction of Flightline–Munitions
21 Storage, 7000 Area, as specified in the funding table
22 in section 4603 of that Public Law (133 Stat.
23 2103), the Secretary of the Air Force may con-
24 struct—

1 (A) up to 1,861 square meters of above
2 ground magazines; and

3 (B) up to 530 square meters of air support
4 equipment shop/storage facility pad;

5 (10) for construction of Site Development, Util-
6 ities and Demo Phase 2, as specified in such funding
7 table and modified by section 2306(a)(6) of the Mili-
8 tary Construction Authorization Act for Fiscal Year
9 2021 (division B of Public Law 116–283; 134 Stat.
10 __), the Secretary of the Air Force may construct—

11 (A) up to 5,233 lineal meters of storm
12 water utilities;

13 (B) up to 48,560 square meters of roads;

14 (C) up to 3,612 lineal meters of gas pipe-
15 line; and

16 (D) up to 993 square meters of water fire
17 pumping station with an emergency backup
18 generator;

19 (11) for construction of Tyndall AFB Gate
20 Complexes, as specified in such funding table and
21 modified by section 2306(a)(9) of the Military Con-
22 struction Authorization Act for Fiscal Year 2021
23 (division B of Public Law 116–283; 134 Stat. __),
24 the Secretary of the Air Force may construct—

1 (A) up to 52,694 square meters of road-
2 way with serpentines; and

3 (B) up to 20 active/passive barriers;

4 (12) for construction of Deployment Center/
5 Flight Line Dining/AAFES, as specified in such
6 funding table and modified by section 2306(a)(11)
7 of the Military Construction Authorization Act for
8 Fiscal Year 2021 (division B of Public Law 116–
9 283; 134 Stat. __), the Secretary of the Air Force
10 may construct up to 144 square meters of AAFES
11 shoppette;

12 (13) for construction of Airfield Drainage, as
13 specified in such funding table and modified by sec-
14 tion 2306(a)(12) of the Military Construction Au-
15 thorization Act for Fiscal Year 2021 (division B of
16 Public Law 116–283; 134 Stat. __), the Secretary
17 of the Air Force may construct—

18 (A) up to 37,357 meters of drainage ditch;

19 (B) up to 18,891 meters of storm drain
20 piping;

21 (C) up to 19,131 meters of box culvert;

22 (D) up to 3,704 meters of concrete block
23 swale;

24 (E) up to 555 storm drain structures; and

1 (F) up to 81,500 square meters of storm
2 drain ponds; and

3 (14) for construction of 325th Fighting Wing
4 HQ Facility, as specified in such funding table and
5 modified by section 2306(a)(13) of the Military Con-
6 struction Authorization Act for Fiscal Year 2021
7 (division B of Public Law 116–283; 134 Stat. __),
8 the Secretary of the Air Force may construct up to
9 769 square meters of separate administrative space
10 for SAPR/SARC.

11 **TITLE XXIV—DEFENSE AGEN-**
12 **CIES MILITARY CONSTRU-**
13 **CTION**

14 **SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUC-**
15 **TION AND LAND ACQUISITION PROJECTS.**

16 (a) **INSIDE THE UNITED STATES.**—Using amounts
17 appropriated pursuant to the authorization of appropria-
18 tions in section 2403(a) and available for military con-
19 struction projects inside the United States as specified in
20 the funding table in section 4601, the Secretary of De-
21 fense may acquire real property and carry out military
22 construction projects for the installations or locations in-
23 side the United States, and in the amounts, set forth in
24 the following table:

Defense Agencies: Inside the United States

State	Installation or Location	Amount
California	Marine Corps Base Camp Pendleton	\$13,600,000
	Naval Base Coronado	\$54,200,000
Colorado	Buckley Air Force Base	\$20,000,000
Georgia	Fort Benning	\$62,000,000
Hawaii	Joint Base Pearl Harbor-Hickam	\$29,800,000
Maryland	Fort Meade	\$1,201,000,000
New Mexico	Kirtland Air Force Base	\$8,600,000
Virginia	Fort Belvoir	\$29,800,000
	Pentagon	\$50,543,000
Washington	Naval Health Clinic Oak Harbor	\$59,000,000

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
5 in the funding table in section 4601, the Secretary of De-
6 fense may acquire real property and carry out military
7 construction projects for the installation or location out-
8 side the United States, and in the amount, set forth in
9 the following table:

Defense Agencies: Outside the United States

Country	Installation or Location	Amount
Germany	Ramstein Air Base	\$93,000,000
Japan	Kadena Air Base	\$24,000,000
	Misawa Air Base	\$6,000,000
United Kingdom	Royal Air Force Lakenheath	\$19,283,000

10 **SEC. 2402. AUTHORIZED ENERGY RESILIENCE AND CON-**
11 **SERVATION INVESTMENT PROGRAM**
12 **PROJECTS.**

13 (a) INSIDE THE UNITED STATES.—Using amounts
14 appropriated pursuant to the authorization of appropria-
15 tions in section 2403(a) and available for energy conserva-

1 tion projects as specified in the funding table in section
 2 4601, the Secretary of Defense may carry out energy con-
 3 servation projects under chapter 173 of title 10, United
 4 States Code, for the installations or locations inside the
 5 United States, and in the amounts, set forth in the fol-
 6 lowing table:

ERCIP Projects: Inside the United States

State	Installation or Location	Amount
Alabama	Fort Rucker	\$24,000,000
California	Marine Corps Air Station Miramar	\$4,054,000
	Naval Air Weapons Station China Lake	\$9,120,000
District of Co- lumbia	Joint Base Anacostia-Bolling	\$31,261,000
Florida	MacDill Air Force Base	\$22,000,000
Georgia	Fort Benning	\$17,593,000
	Fort Stewart	\$22,000,000
	Kings Bay Naval Submarine Base	\$19,314,000
Guam	Naval Base Guam	\$38,300,000
Idaho	Mountain Home Air Force Base	\$33,800,000
Michigan	Camp Grayling	\$5,700,000
Mississippi	Camp Shelby	\$45,655,000
New York	Fort Drum	\$27,000,000
North Carolina ...	Fort Bragg	\$27,169,000
North Dakota	Cavalier Air Force Station	\$24,150,000
Ohio	Springfield-Beckley Municipal Airport	\$4,700,000
Puerto Rico	Fort Allen	\$12,190,000
	Ramey Unit School	\$10,120,000
Tennessee	Memphis International Airport	\$4,870,000
Virginia	National Geospatial Intelligence Agency Springfield	\$5,299,000
	Various Locations	\$2,965,000

7 (b) OUTSIDE THE UNITED STATES.—Using amounts
 8 appropriated pursuant to the authorization of appropria-
 9 tions in section 2403(a) and available for energy conserva-
 10 tion projects as specified in the funding table in section
 11 4601, the Secretary of Defense may carry out energy con-
 12 servation projects under chapter 173 of title 10, United
 13 States Code, for the installations or locations outside the

1 United States, and in the amounts, set forth in the fol-
 2 lowing table:

ERCIP Projects: Outside the United States

Country	Installation or Location	Amount
Japan	Naval Air Facility Atsugi	\$3,810,000
Kuwait	Camp Arifjan	\$15,000,000

3 **SEC. 2403. AUTHORIZATION OF APPROPRIATIONS, DE-**
 4 **FENSE AGENCIES.**

5 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds
 6 are hereby authorized to be appropriated for fiscal years
 7 beginning after September 30, 2021, for military con-
 8 struction, land acquisition, and military family housing
 9 functions of the Department of Defense (other than the
 10 military departments), as specified in the funding table
 11 in section 4601.

12 (b) LIMITATION ON TOTAL COST OF CONSTRUCTION
 13 PROJECTS.—Notwithstanding the cost variations author-
 14 ized by section 2853 of title 10, United States Code, and
 15 any other cost variation authorized by law, the total cost
 16 of all projects carried out under section 2401 of this Act
 17 may not exceed the total amount authorized to be appro-
 18 priated under subsection (a), as specified in the funding
 19 table in section 4601.

1 **SEC. 2404. EXTENSION OF AUTHORITY TO CARRY OUT CER-**
 2 **TAIN FISCAL YEAR 2017 PROJECT.**

3 (a) EXTENSION.—Notwithstanding section 2002 of
 4 the Military Construction Authorization Act for Fiscal
 5 Year 2017 (division B of Public Law 114–328; 130 Stat.
 6 2688), the authorization set forth in the table in sub-
 7 section (b), as provided in section 2401 of that Act (130
 8 Stat. 2700), shall remain in effect until October 1, 2023,
 9 or the date of the enactment of an Act authorizing funds
 10 for military construction for fiscal year 2024, whichever
 11 is later.

12 (b) TABLE.—The table referred to in subsection (a)
 13 is as follows:

Defense Agencies: Extension of 2017 Project Authorization

Country	Installation	Project	Original Au- thorized Amount
Japan	Yokota Air Base	Hanger/AMU	\$39,466,000

14 **TITLE XXV—INTERNATIONAL**
 15 **PROGRAMS**
 16 **Subtitle A—North Atlantic Treaty**
 17 **Organization Security Invest-**
 18 **ment Program**

19 **SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND**
 20 **ACQUISITION PROJECTS.**

21 The Secretary of Defense may make contributions for
 22 the North Atlantic Treaty Organization Security Invest-

1 ment Program as provided in section 2806 of title 10,
2 United States Code, in an amount not to exceed the sum
3 of the amount authorized to be appropriated for this pur-
4 pose in section 2502 and the amount collected from the
5 North Atlantic Treaty Organization as a result of con-
6 struction previously financed by the United States.

7 **SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.**

8 Funds are hereby authorized to be appropriated for
9 fiscal years beginning after September 30, 2021, for con-
10 tributions by the Secretary of Defense under section 2806
11 of title 10, United States Code, for the share of the United
12 States of the cost of projects for the North Atlantic Treaty
13 Organization Security Investment Program authorized by
14 section 2501 as specified in the funding table in section
15 4601.

16 **Subtitle B—Host Country In-Kind**
17 **Contributions**

18 **SEC. 2511. REPUBLIC OF KOREA FUNDED CONSTRUCTION**
19 **PROJECTS.**

20 (a) **AUTHORITY TO ACCEPT PROJECTS.**—Pursuant to
21 agreement with the Republic of Korea for required in-kind
22 contributions, the Secretary of Defense may accept mili-
23 tary construction projects for the installations or locations
24 in the Republic of Korea, and in the amounts, set forth
25 in the following table:

Republic of Korea Funded Construction Projects

Component	Installation or Location	Project	Amount
Army	Camp Humphreys	Unaccompanied Enlisted Personnel Housing	\$52,000,000
Army	Camp Humphreys	Type I Aircraft Parking Apron and Parallel Taxiway	\$48,000,000
Army	Camp Humphreys	Black Hat Intelligence Fusion Center	\$149,000,000
Navy	Mujuk	Expeditionary Dining Facility	\$10,200,000
Air Force	Gimhae Air Base	Repair Contingency Hospital	\$75,000,000
Air Force	Osan Air Base ...	Munitions Storage Area Move Delta (Phase 2) ...	\$171,000,000

1 (b) AUTHORIZED APPROACH TO CERTAIN CON-
2 STRUCTION PROJECT.—Section 2350k of title 10, United
3 States Code, shall apply with respect to the construction
4 of the Black Hat Intelligence Fusion Center at Camp
5 Humphreys, Republic of Korea, as set forth in the table
6 in subsection (a).

7 **SEC. 2512. REPUBLIC OF POLAND FUNDED CONSTRUCTION**
8 **PROJECTS.**

9 Pursuant to agreement with the Republic of Poland
10 for required in-kind contributions, the Secretary of De-
11 fense may accept military construction projects for the in-
12 stallations or locations in the Republic of Poland, and in
13 the amounts, set forth in the following table:

Republic of Poland Funded Construction Projects

Component	Installation or Location	Project	Amount
Army	Poznan	Command and Control Facility	\$30,000,000
Army	Poznan	Information Systems Facility	\$7,000,000

1 **TITLE XXVI—GUARD AND**
2 **RESERVE FORCES FACILITIES**
3 **SEC. 2601. AUTHORIZED ARMY NATIONAL GUARD CON-**
4 **STRUCTION AND LAND ACQUISITION**
5 **PROJECTS.**

6 Using amounts appropriated pursuant to the author-
7 ization of appropriations in section 2606 and available for
8 the National Guard and Reserve as specified in the fund-
9 ing table in section 4601, the Secretary of the Army may
10 acquire real property and carry out military construction
11 projects for the Army National Guard installations or lo-
12 cations inside the United States, and in the amounts, set
13 forth in the following table:

Army National Guard

State	Installation or Location	Amount
California	Beale Air Force Base	\$33,000,000
Connecticut	National Guard Armory Putnam	\$17,500,000
Georgia	Fort Benning	\$13,200,000
Guam	Barrigada National Guard Complex	\$34,000,000
Idaho	National Guard Armory Jerome	\$15,000,000
Illinois	National Guard Armory Bloomington	\$15,000,000
Kansas	National Guard Reserve Center	\$16,732,000
Louisiana	Camp Minden	\$13,800,000
	National Guard Armory Lake Charles	\$18,500,000
Maine	National Guard Armory Saco	\$21,200,000
Michigan	Camp Grayling	\$16,000,000
Mississippi	Camp Shelby	\$15,500,000
Montana	National Guard Armory Butte	\$16,000,000
Nebraska	Camp Ashland	\$11,000,000
North Dakota	North Dakota Army National Guard Recruiting	\$15,500,000
South Carolina ...	McEntire Joint National Guard Base	\$9,000,000
Virginia	National Guard Armory Troutville	\$13,000,000
	National Guard Aviation Support Facility	\$5,805,000

1 **SEC. 2602. AUTHORIZED ARMY RESERVE CONSTRUCTION**
 2 **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 fund-
 6 ing table in section 4601, the Secretary of the Army may
 7 acquire real property and carry out military construction
 8 projects for the Army Reserve installations or locations in-
 9 side the United States, and in the amounts, set forth in
 10 the following table:

Army Reserve

State	Installation or Location	Amount
Michigan	Army Reserve Center Southfield	\$12,000,000
Ohio	Wright-Patterson Air Force Base	\$19,000,000
Wisconsin	Fort McCoy	\$94,600,000

11 **SEC. 2603. AUTHORIZED NAVY RESERVE AND MARINE**
 12 **CORPS RESERVE CONSTRUCTION AND LAND**
 13 **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 fund-
 17 ing table in section 4601, the Secretary of the Navy may
 18 acquire real property and carry out military construction
 19 projects for the Navy Reserve and Marine Corps Reserve
 20 installations or locations inside the United States, and in
 21 the amounts, set forth in the following table:

Navy Reserve and Marine Corps Reserve

State	Installation or Location	Amount
Michigan	Naval Operational Support Center Battle Creek	\$49,090,000
Minnesota	Minneapolis Air Reserve Station	\$14,350,000

1 **SEC. 2604. AUTHORIZED AIR NATIONAL GUARD CONSTRU-**
2 **CTION 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 fund-
6 ing table in section 4601, the Secretary of the Air Force
7 may acquire real property and carry out military construc-
8 tion projects for the Air National Guard installations or
9 locations inside the United States, and in the amounts,
10 set forth in the following table:

Air National Guard

State	Installation or Location	Amount
Massachusetts	Barnes Air National Guard Base	\$12,200,000
Delaware	Newcastle Air National Guard Base	\$17,500,000
Idaho	Boise Air Terminal	\$6,500,000
Illinois	Abraham Capital Airport	\$10,200,000
Michigan	Alpena County Regional Airport	\$23,000,000
	W. K. Kellogg Regional Airport	\$10,000,000
Mississippi	Jackson International Airport	\$9,300,000
New York	Schenectady Municipal Airport	\$10,800,000
Ohio	Camp Perry	\$7,800,000
South Carolina	McEntire Joint National Guard Base	\$9,800,000
South Dakota	Joe Foss Field	\$9,800,000
Wisconsin	Truax Field	\$44,200,000
Wyoming	Cheyenne Municipal Airport	\$13,400,000

11 **SEC. 2605. AUTHORIZED AIR FORCE RESERVE CONSTRU-**
12 **CTION AND LAND ACQUISITION PROJECTS.**

13 Using amounts appropriated pursuant to the author-
14 ization of appropriations in section 2606 and available for
15 the National Guard and Reserve as specified in the fund-
16 ing table in section 4601, the Secretary of the Air Force

1 may acquire real property and carry out military construc-
 2 tion projects for the installations inside the United States,
 3 and in the amounts, set forth in the following table:

Air Force Reserve

State	Installation	Amount
Florida	Homestead Air Force Reserve Base	\$14,000,000
	Patrick Air Force Base	\$18,500,000
Minnesota	Minneapolis-St. Paul International Airport	\$14,000,000
New York	Niagara Falls Air Reserve Station	\$10,600,000
Ohio	Youngstown Air Reserve Station	\$8,700,000

4 **SEC. 2606. AUTHORIZATION OF APPROPRIATIONS, NA-**
 5 **TIONAL GUARD AND RESERVE.**

6 Funds are hereby authorized to be appropriated for
 7 fiscal years beginning after September 30, 2021, for the
 8 costs of acquisition, architectural and engineering services,
 9 and construction of facilities for the Guard and Reserve
 10 Forces, and for contributions therefor, under chapter
 11 1803 of title 10, United States Code (including the cost
 12 of acquisition of land for those facilities), as specified in
 13 the funding table in section 4601.

1 **TITLE XXVII—BASE REALIGN-**
2 **MENT AND CLOSURE ACTIVI-**
3 **TIES**

4 **SEC. 2701. AUTHORIZATION OF APPROPRIATIONS FOR**
5 **BASE REALIGNMENT AND CLOSURE ACTIVI-**
6 **TIES FUNDED THROUGH DEPARTMENT OF**
7 **DEFENSE BASE CLOSURE ACCOUNT.**

8 Funds are hereby authorized to be appropriated for
9 fiscal years beginning after September 30, 2021, for base
10 realignment and closure activities, including real property
11 acquisition and military construction projects, as author-
12 ized by the Defense Base Closure and Realignment Act
13 of 1990 (part A of title XXIX of Public Law 101–510;
14 10 U.S.C. 2687 note) and funded through the Department
15 of Defense Base Closure Account established by section
16 2906 of such Act (as amended by section 2711 of the Mili-
17 tary Construction Authorization Act for Fiscal Year 2013
18 (division B of Public Law 112–239; 126 Stat. 2140)), as
19 specified in the funding table in section 4601.

20 **SEC. 2702. CONDITIONS ON CLOSURE OF PUEBLO CHEM-**
21 **ICAL DEPOT AND CHEMICAL AGENT-DE-**
22 **STRUCTION PILOT PLANT, COLORADO.**

23 (a) SUBMISSION OF FINAL CLOSURE AND DISPOSAL
24 PLANS.—

1 (1) PLANS REQUIRED.—Not later than 180
2 days after the date of the enactment of this Act, the
3 Secretary of the Army shall submit to the Commit-
4 tees on Armed Services of the Senate and the House
5 of Representatives—

6 (A) a plan for the final closure of Pueblo
7 Chemical Depot, Colorado, upon the completion
8 of the chemical demilitarization mission of the
9 Chemical Agent-Destruction Pilot Plant at
10 Pueblo Chemical Depot; and

11 (B) a plan for the disposal of all remaining
12 land, buildings, facilities, and equipment at
13 Pueblo Chemical Depot.

14 (2) LOCAL REDEVELOPMENT AUTHORITY
15 ROLE.—In preparing the disposal plan required by
16 paragraph (1)(B), the Secretary of the Army shall
17 recognize the appropriate role of the Local Redevel-
18 opment Authority.

19 (3) DEFINITION.—In this section, the term
20 “Local Redevelopment Authority” means the Local
21 Redevelopment Authority for Pueblo Chemical
22 Depot, as recognized by the Office of Local Defense
23 Community Cooperation.

24 (b) LOCAL REDEVELOPMENT AUTHORITY ELIGI-
25 BILITY FOR ASSISTANCE.—The Secretary of Defense, act-

1 ing through the Office of Local Defense Community Co-
2 operation, may make grants, conclude cooperative agree-
3 ments, and supplement other Federal funds in order to
4 assist the Local Redevelopment Authority in planning
5 community adjustments and economic diversification re-
6 quired by the closure of Pueblo Chemical Depot and the
7 Chemical Agent-Destruction Pilot Plant if the Secretary
8 determines that the closure is likely to have a direct and
9 significantly adverse consequence on nearby communities.

10 (c) GENERAL CLOSURE, REALIGNMENT, AND DIS-
11 POSAL PROHIBITION.—

12 (1) PROHIBITION; CERTAIN RECIPIENT EX-
13 CEPTED.—During the period specified in paragraph
14 (2), the Secretary of the Army shall take no ac-
15 tion—

16 (A) to close or realign Pueblo Chemical
17 Depot or the Chemical Agent-Destruction Pilot
18 Plant; or

19 (B) to dispose of any land, building, facil-
20 ity, or equipment that comprises any portion of
21 Pueblo Chemical Depot or the Chemical Agent-
22 Destruction Pilot Plant other than to the Local
23 Redevelopment Authority.

24 (2) DURATION.—The prohibition imposed by
25 paragraph (1) shall apply pending a final closure

1 and disposal decision for Pueblo Chemical Depot fol-
2 lowing submission of the final closure and disposal
3 plans required by subsection (a).

4 (d) PROHIBITION ON DEMOLITION OR DISPOSAL RE-
5 LATED TO CHEMICAL AGENT-DESTRUCTION PILOT
6 PLANT.—

7 (1) PROHIBITION; CERTAIN RECIPIENT EX-
8 CEPTED.—During the period specified in paragraph
9 (4), the Secretary of the Army may not—

10 (A) demolish any building, facility, or
11 equipment described in paragraph (2) that com-
12 prises any portion of the Chemical Agent-De-
13 struction Pilot Plant; or

14 (B) dispose of such building, facility, or
15 equipment other than to the Local Redevelop-
16 ment Authority.

17 (2) COVERED BUILDINGS, FACILITIES, AND
18 EQUIPMENT.—The prohibition imposed by para-
19 graph (1) shall apply to the following:

20 (A) Any building, facility, or equipment
21 where chemical munitions were present, but
22 where contamination did not occur, which are
23 considered by the Secretary of the Army as
24 clean, safe, and acceptable for reuse by the pub-
25 lic, after a risk assessment by the Secretary.

1 (B) Any building, facility, or equipment
2 that was not contaminated by chemical muni-
3 tions and that was without the potential to be
4 contaminated, such as office buildings, parts
5 warehouses, or utility infrastructure, which are
6 considered by the Secretary of the Army as
7 suitable for reuse by the public.

8 (3) EXCEPTION.—The prohibition imposed by
9 paragraph (1) shall not apply to any building, facil-
10 ity, or equipment otherwise described in paragraph
11 (2) for which the Local Redevelopment Authority
12 provides to the Secretary of the Army a written de-
13 termination specifying that the building, facility, or
14 equipment is not needed for community adjustment
15 and economic diversification following the closure of
16 the Chemical Agent-Destruction Pilot Plant.

17 (4) DURATION.—The prohibition imposed by
18 paragraph (1) shall apply for a period of not less
19 than three years beginning on the date of the enact-
20 ment of this Act.

1 **TITLE XXVIII—MILITARY CON-**
2 **STRUCTION GENERAL PROVI-**
3 **SIONS**

4 **Subtitle A—Military Construction**
5 **Program Changes**

6 **SEC. 2801. SPECIAL CONSTRUCTION AUTHORITY TO USE**
7 **OPERATION AND MAINTENANCE FUNDS TO**
8 **MEET CERTAIN UNITED STATES MILITARY-**
9 **RELATED CONSTRUCTION NEEDS IN FRIEND-**
10 **LY FOREIGN COUNTRIES.**

11 Section 2804 of title 10, United States Code, is
12 amended to read as follows:

13 **“§ 2804. Special construction authority for certain**
14 **military-related construction needs in**
15 **friendly foreign countries**

16 “(a) CONSTRUCTION AUTHORIZED.—The Secretary
17 concerned may carry out a construction project in a
18 friendly foreign country, and perform planning and design
19 to support such a project, that the Secretary determines
20 meets each of the following conditions:

21 “(1) The commander of the geographic combat-
22 ant command in which the construction project will
23 be carried out identified the construction project as
24 necessary to support vital United States military re-
25 quirements related to strategic laydown opportuni-

1 ties at an air port of debarkation, sea port of debar-
2 kation, or rail or other logistics support location.

3 “(2) The construction project will not carried
4 out at a military installation that is considered a
5 main operating base.

6 “(3) The use of construction authority under
7 this section is not duplicative of other construction
8 authorities available to the Secretary concerned to
9 carry out the construction project.

10 “(4) The funds made available under the au-
11 thority of this section for the construction project—

12 “(A) will be sufficient to produce a com-
13 plete and usable facility or other improvement
14 or complete the repair of an existing facility or
15 improvement; to and

16 “(B) will not require additional funds from
17 other Department of Defense accounts.

18 “(5) The level of construction will be the min-
19 imum necessary to meet the vital military require-
20 ments identified under paragraph (1).

21 “(6) Deferral of the construction project pend-
22 ing inclusion of the project proposal in the next
23 budget submission is inconsistent with the vital mili-
24 tary requirements identified under paragraph (1)

1 and other national security or national interests of
2 the United States.

3 “(b) USE OF OPERATION AND MAINTENANCE
4 FUNDS.—The Secretary concerned may obligate from ap-
5 propriations available to the Secretary concerned for oper-
6 ation and maintenance amounts necessary to carry out a
7 covered construction project.

8 “(c) NOTIFICATION OF PROPOSED OBLIGATION OF
9 FUNDS.—

10 “(1) NOTIFICATION REQUIRED.—Before using
11 appropriated funds available for operation and main-
12 tenance to carry out a covered construction project
13 that has an estimated cost in excess of the amounts
14 authorized for unspecified minor military construc-
15 tion projects under section 2805(c) of this title, the
16 Secretary concerned shall submit to the specified
17 congressional committees the following notices:

18 “(A) A notice regarding the proposed initi-
19 ation of planning and design for the covered
20 construction project.

21 “(B) A notice regarding the proposed solici-
22 tation of a contract for the covered construc-
23 tion project.

1 “(2) NOTIFICATION ELEMENTS.—The notices
2 required by paragraph (1) with regard to a covered
3 construction project shall include the following:

4 “(A) A certification that the conditions
5 specified in subsection (a) are satisfied with re-
6 gard to the covered construction project.

7 “(B) A description of the purpose for
8 which appropriated funds available for oper-
9 ation and maintenance will be obligated.

10 “(C) All relevant documentation detailing
11 the covered construction project, including plan-
12 ning and design.

13 “(D) An estimate of the total amount to be
14 obligated for the covered construction project.

15 “(E) An explanation of the harm to na-
16 tional security or national interests that would
17 occur if the covered construction project was
18 deferred to permit inclusion in the next budget
19 submission.

20 “(3) NOTICE AND WAIT.—A covered construc-
21 tion project may be carried out only after the end
22 of the 30-day period beginning on the date the sec-
23 ond notice required by paragraph (1) is received by
24 the specified congressional committees, including
25 when a copy of the notification is provided in an

1 electronic medium pursuant to section 480 of this
2 title.

3 “(4) EFFECT OF FAILURE TO SUBMIT NOTIFI-
4 CATIONS.—If the notices required by paragraph (1)
5 with regard to a covered construction project are not
6 submitted to the specified congressional committees
7 by the required date, appropriated funds available
8 for operation and maintenance may not be obligated
9 or expended after that date under the authority of
10 this section to carry out covered construction
11 projects until the date on which all late notices are
12 finally submitted.

13 “(d) ANNUAL LIMITATIONS ON USE OF AUTHOR-
14 ITY.—

15 “(1) TOTAL COST LIMITATION.—For each fiscal
16 year, the total cost of the covered construction
17 projects carried out by each Secretary concerned
18 using, in whole or in part, appropriated funds avail-
19 able for operation and maintenance shall not exceed
20 \$50,000,000.

21 “(2) ADDITIONAL OBLIGATION AUTHORITY.—
22 Notwithstanding paragraph (1), the Secretary of De-
23 fense may authorize the obligation under this section
24 of not more than an additional \$10,000,000 of ap-
25 propriated funds available for operation and mainte-

1 nance for a fiscal year if the Secretary determines
2 that the additional funds are needed for costs associ-
3 ated with contract closeouts.

4 “(3) PROJECT LIMITATION.—The total amount
5 of operation and maintenance funds used for a sin-
6 gle covered construction project shall not exceed
7 \$10,000,000.

8 “(e) RELATION TO OTHER AUTHORITIES.—This sec-
9 tion, section 2805 of this title, and section 2808 of the
10 Military Construction Authorization Act for Fiscal Year
11 2004 (division B of Public Law 108–136; 117 Stat. 1723)
12 are the only authorities available to the Secretary con-
13 cerned to use appropriated funds available for operation
14 and maintenance to carry out construction projects.

15 “(f) DEFINITIONS.—In this section:

16 “(1) The term ‘covered construction project’
17 means a construction project meeting the conditions
18 specified in subsection (a) that the Secretary con-
19 cerned may carry out using appropriated funds
20 available for operation and maintenance under the
21 authority of this section.

22 “(2) The term ‘specified congressional commit-
23 tees’ means—

24 “(A) the Committee on Armed Services
25 and the Subcommittee on Defense and the Sub-

1 committee on Military Construction, Veterans
2 Affairs, and Related Agencies of the Committee
3 on Appropriations of the Senate; and

4 “(B) the Committee on Armed Services
5 and the Subcommittee on Defense and the Sub-
6 committee on Military Construction, Veterans
7 Affairs, and Related Agencies of the Committee
8 on Appropriations of the House of Representa-
9 tives.

10 “(g) DURATION.—The authority of the Secretary
11 concerned to commence a covered construction project
12 under the authority of this section shall expire on Sep-
13 tember 30, 2026.”.

14 **SEC. 2802. INCREASE IN MAXIMUM AMOUNT AUTHORIZED**
15 **FOR USE OF UNSPECIFIED MINOR MILITARY**
16 **CONSTRUCTION PROJECT AUTHORITY.**

17 Section 2805(a)(2) of title 10, United States Code,
18 is amended by striking “\$6,000,000” and inserting
19 “\$8,000,000”.

1 **SEC. 2803. INCREASED TRANSPARENCY AND PUBLIC AVAIL-**
2 **ABILITY OF INFORMATION REGARDING SO-**
3 **LICITATION AND AWARD OF SUBCONTRACTS**
4 **UNDER MILITARY CONSTRUCTION CON-**
5 **TRACTS.**

6 (a) AVAILABILITY OF CERTAIN INFORMATION RE-
7 LATING TO MILITARY CONSTRUCTION SUBCONTRACTS.—
8 Section 2851 of title 10, United States Code, is amend-
9 ed—

10 (1) by redesignating subsection (d) as sub-
11 section (f); and

12 (2) by inserting after subsection (c) the fol-
13 lowing new subsections:

14 “(d) INFORMATION AND NOTICE REQUIREMENTS
15 REGARDING SOLICITATION AND AWARD OF SUB-
16 CONTRACTS.—(1) The recipient of a contract for a con-
17 struction project described in subsection (c)(1) to be car-
18 ried out in a State shall make publicly available on a
19 website of the General Services Administration or the
20 Small Business Administration, as applicable, any solicita-
21 tion made by the contract recipient under the contract for
22 a subcontract with an estimated value of \$250,000 or
23 more.

24 “(2) The Secretary of Defense shall—

25 “(A) maintain on the Internet site required by
26 subsection (c)(1) information regarding the solicita-

1 tion date and award date (or anticipated date) for
2 each subcontract described in paragraph (1);

3 “(B) submit written notice of the award of the
4 original contract for a project described in sub-
5 section (c)(1) to be carried out in a State, and each
6 subcontract described in paragraph (1) under the
7 contract, to each State agency that enforces workers’
8 compensation or minimum wage laws in the State in
9 which the contract or subcontract will be carried
10 out; and

11 “(C) in the case of the award of a contract for
12 a project described in subsection (c)(1) to be carried
13 out in a State, and any subcontract described in
14 paragraph (1) under the contract, with an estimated
15 value of \$2,000,000 or more, submit written notice
16 of the award of the contract or subcontract within
17 30 days after the award to each Senator of the State
18 in which the contract or subcontract will be carried
19 out and the Member of the House of Representatives
20 representing the congressional district in which the
21 contract or subcontract will be carried out.

22 “(3) In this subsection:

23 “(A) The term ‘Member of the House of Rep-
24 resentatives’ includes a Delegate to the House of

1 Representatives and the Resident Commissioner
2 from Puerto Rico.

3 “(B) The term ‘State’ means any of the several
4 States, the District of Columbia, the Commonwealth
5 of Puerto Rico, Guam, American Samoa, the United
6 States Virgin Islands, and the Commonwealth of the
7 Northern Mariana Islands.

8 “(e) EXCLUSION OF CLASSIFIED PROJECTS.—Sub-
9 sections (c) and (d) do not apply to a classified construc-
10 tion project otherwise described in subsection (c)(1).”.

11 (b) APPLICABILITY.—Subsection (d) of section 2851
12 of title 10, United States Code, as added by subsection
13 (a)(2), shall apply with respect to a contract for a con-
14 struction project described in subsection (c)(1) of such
15 section that—

16 (1) is entered into on or after the date of the
17 enactment of this Act; or

18 (2) was entered into before the date of the en-
19 actment of this Act, if the first solicitation made by
20 the contract recipient under the contract for a sub-
21 contract with an estimated value of \$250,000 or
22 more is made on or after the date of the enactment
23 of this Act.

1 **SEC. 2804. PUBLIC AVAILABILITY OF INFORMATION ON FA-**
2 **CILITIES SUSTAINMENT, RESTORATION, AND**
3 **MODERNIZATION PROJECTS AND ACTIVITIES.**

4 Section 2851(e)(1) of title 10, United States Code,
5 is amended—

6 (1) by redesignating subparagraph (E) as sub-
7 paragraph (F);

8 (2) by inserting after subparagraph (D) the fol-
9 lowing new subparagraph (E):

10 “(E) Each military department project or activ-
11 ity with a total cost in excess of \$15,000,000 for Fa-
12 cilities Sustainment, Restoration, and Moderniza-
13 tion.”; and

14 (3) in subparagraph (F), as so redesignated, by
15 inserting after “construction project” the following:
16 “, military department Facilities Sustainment, Res-
17 toration, and Modernization project or activity,”.

18 **SEC. 2805. LIMITATIONS ON AUTHORIZED COST AND SCOPE**
19 **OF WORK VARIATIONS.**

20 (a) PROCESS FOR APPROVING CERTAIN EXCEP-
21 TIONS; LIMITATIONS.—Subsections (c) and (d) of section
22 2853 of title 10, United States Code, are amended to read
23 as follows:

24 “(c) EXCEPTIONS TO LIMITATION ON COST VARI-
25 ATIONS AND SCOPE OF WORK REDUCTIONS.—(1)(A) Ex-
26 cept as provided in subparagraph (D), the Secretary con-

1 cerned may waive the percentage or dollar cost limitation
2 applicable to a military construction project or a military
3 family housing project under subsection (a) and approve
4 an increase in the cost authorized for the project in excess
5 of that limitation if the Secretary concerned notifies the
6 appropriate committees of Congress of the cost increase
7 in the manner provided in this paragraph.

8 “(B) The notification required by subparagraph (A)
9 shall—

10 “(i) identify the amount of the cost increase
11 and the reasons for the increase;

12 “(ii) certify that the cost increase is sufficient
13 to meet the mission requirement identified in the
14 justification data provided to Congress as part of the
15 request for authorization of the project; and

16 “(iii) describe the funds proposed to be used to
17 finance the cost increase.

18 “(C) A waiver and approval by the Secretary con-
19 cerned under subparagraph (A) shall take effect only after
20 the end of the 14-day period beginning on the date on
21 which the notification required by such subparagraph is
22 received by the appropriate committees of Congress in an
23 electronic medium pursuant to section 480 of this title.

24 “(D) The Secretary concerned may not use the au-
25 thority provided by subparagraph (A) to waive the cost

1 limitation applicable to a military construction project or
2 a military family housing project and approve an increase
3 in the cost authorized for the project that would increase
4 the project cost by more than 50 percent of the total au-
5 thorized cost of the project.

6 “(E) In addition to the notification required by this
7 paragraph, subsection (f) applies whenever a military con-
8 struction project or military family housing project with
9 a total authorized cost greater than \$40,000,000 will have
10 a cost increase of 25 percent or more. Subsection (f) may
11 not be construed to authorize a cost increase in excess of
12 the limitation imposed by subparagraph (D).

13 “(2)(A) The Secretary concerned may waive the per-
14 centage or dollar cost limitation applicable to a military
15 construction project or a military family housing project
16 under subsection (a) and approve a decrease in the cost
17 authorized for the project in excess of that limitation if
18 the Secretary concerned notifies the appropriate commit-
19 tees of Congress of the cost decrease not later than 14
20 days after the date funds are obligated in connection with
21 the project.

22 “(B) The notification required by subparagraph (A)
23 shall be provided in an electronic medium pursuant to sec-
24 tion 480 of this title.

1 “(3)(A) The Secretary concerned may waive the limi-
2 tation on a reduction in the scope of work applicable to
3 a military construction project or a military family hous-
4 ing project under subsection (b)(1) and approve a scope
5 of work reduction for the project in excess of that limita-
6 tion if the Secretary concerned notifies the appropriate
7 committees of Congress of the reduction in the manner
8 provided in this paragraph.

9 “(B) The notification required by subparagraph (A)
10 shall—

11 “(i) describe the reduction in the scope of work
12 and the reasons for the decrease; and

13 “(ii) certify that the mission requirement identi-
14 fied in the justification data provided to Congress
15 can still be met with the reduced scope.

16 “(C) A waiver and approval by the Secretary con-
17 cerned under subparagraph (A) shall take effect only after
18 the end of the 14-day period beginning on the date on
19 which the notification required by such subparagraph is
20 received by the appropriate committees of Congress in an
21 electronic medium pursuant to section 480 of this title.

22 “(d) EXCEPTIONS TO LIMITATION ON SCOPE OF
23 WORK INCREASES.—(1) Except as provided in paragraph
24 (4), the Secretary concerned may waive the limitation on
25 an increase in the scope of work applicable to a military

1 construction project or a military family housing project
2 under subsection (b)(1) and approve an increase in the
3 scope of work for the project in excess of that limitation
4 if the Secretary concerned notifies the appropriate com-
5 mittees of Congress of the reduction in the manner pro-
6 vided in this subsection.

7 “(2) The notification required by paragraph (1) shall
8 describe the increase in the scope of work and the reasons
9 for the increase.

10 “(3) A waiver and approval by the Secretary con-
11 cerned under paragraph (1) shall take effect only after
12 the end of the 14-day period beginning on the date on
13 which the notification required by such paragraph is re-
14 ceived by the appropriate committees of Congress in an
15 electronic medium pursuant to section 480 of this title.

16 “(4) The Secretary concerned may not use the au-
17 thority provided by paragraph (1) to waive the limitation
18 on an increase in the scope of work applicable to a military
19 construction project or a military family housing project
20 and approve an increase in the scope of work for the
21 project that would increase the scope of work by more
22 than 10 percent of the amount specified for the project
23 in the justification data provided to Congress as part of
24 the request for authorization of the project.”.

1 (b) CONFORMING AMENDMENT RELATED TO CALCU-
2 LATING LIMITATION ON COST VARIATIONS.—Section
3 2853(a) of title 10, United States Code, is amended by
4 striking “the amount appropriated for such project” and
5 inserting “the total authorized cost of the project”

6 (c) CLERICAL AMENDMENTS.—Section 2853 of title
7 10, United States Code, is further amended—

8 (1) in subsection (a), by inserting “COST VARI-
9 ATIONS AUTHORIZED; LIMITATION.—” after the
10 enumerator “(a)”;

11 (2) in subsection (b), by inserting “SCOPE OF
12 WORK VARIATIONS AUTHORIZED; LIMITATION.—”
13 after the enumerator “(b)”;

14 (3) in subsection (e), by inserting “ADDITIONAL
15 COST VARIATION EXCEPTIONS.—” after the enu-
16 merator “(e)”;

17 (4) in subsection (f), by inserting “ADDITIONAL
18 REPORTING REQUIREMENT FOR CERTAIN COST IN-
19 CREASES.—” after the enumerator “(f)”;

20 (5) in subsection (g), by inserting “RELATION
21 TO OTHER LAW.—” after the enumerator “(g)”.

22 **SEC. 2806. USE OF QUALIFIED APPRENTICES BY MILITARY**
23 **CONSTRUCTION CONTRACTORS.**

24 (a) ESTABLISHMENT OF APPRENTICESHIP USE CER-
25 TIFICATION REQUIREMENT.—Subchapter III of chapter

1 169 of title 10, United States Code, is amended by adding
2 at the end the following new section:

3 **“§ 2870. Use of qualified apprentices by military con-**
4 **struction contractors**

5 “(a) CERTIFICATION REQUIRED.—The Secretary of
6 Defense shall require each offeror for a contract for a mili-
7 tary construction project to certify to the Secretary that,
8 if awarded such a contract, the offeror will—

9 “(1) establish a goal that not less than 20 per-
10 cent of the total workforce employed in the perform-
11 ance of such a contract are qualified apprentices;
12 and

13 “(2) ensure that each contractor and subcon-
14 tractor that employs four or more workers in a par-
15 ticular classification to perform construction activi-
16 ties on such a contract shall employ one or more
17 qualified apprentices in the same classification for
18 the purpose of meeting the goal established pursuant
19 to paragraph (1).

20 “(b) INCENTIVES.—The Secretary of Defense shall
21 develop incentives for offerors for a contract for military
22 construction projects to meet or exceed the goal described
23 in subsection (a).

24 “(c) CONSIDERATION OF USE OF QUALIFIED AP-
25 PRENTICES.—

1 “(1) REVISION REQUIRED.—Not later than one
2 year after the date of the enactment of this section,
3 the Secretary of Defense shall revise the Department
4 of Defense Supplement to the Federal Acquisition
5 Regulation to require that the system used by the
6 Federal Government to monitor or record contractor
7 past performance includes an analysis of whether the
8 contractor has made a good faith effort to meet or
9 exceed the goal described in subsection (a), including
10 consideration of the actual number of qualified ap-
11 prentices used by the contractor on a contract for a
12 military construction project, as part of the past
13 performance rating of such contractor.

14 “(2) IMPLEMENTATION.—Upon revision of the
15 Department of Defense Supplement to the Federal
16 Acquisition Regulation, contractors working on a
17 military construction project shall submit to the De-
18 partment of Defense such reports or information as
19 required by the Secretary, which may include total
20 labor hours to be performed on a contract for a mili-
21 tary construction project, the number of qualified
22 apprentices to be employed on a contract for a mili-
23 tary construction project, and demographic informa-
24 tion on nontraditional apprentice populations.

1 “(d) QUALIFIED APPRENTICE DEFINED.—In this
2 section, the term ‘qualified apprentice’ means an employee
3 participating in an apprenticeship program registered with
4 the Office of Apprenticeship of the Employment Training
5 Administration of the Department of Labor or a State ap-
6 prenticeship agency recognized by the Office of Appren-
7 ticeship pursuant to the Act of August 16, 1937 (popu-
8 larly known as the National Apprenticeship Act; 29 U.S.C.
9 50 et seq.).

10 “(e) APPRENTICE-TO-JOURNEYWORKER RATIO.—
11 Nothing in this section shall relieve a contractor or sub-
12 contractor on a military construction project of the obliga-
13 tion of the contractor or subcontractor to comply with all
14 applicable requirements for apprentice-to-journeyworker
15 ratios established by the Department of Labor or the
16 State Apprenticeship Agency, whichever applies in the
17 State in which the military construction project is carried
18 out.

19 “(f) APPLICABILITY.—Subsection (a) shall apply with
20 respect to each military construction project whose first
21 advertisement for bid occurs on or after the end of the
22 one-year period beginning on the date of the enactment
23 of this section.”.

24 (b) REPORTS TO CONGRESS.—Not later than three
25 months after the date of the enactment of this Act, nine

1 months after the date of the enactment of this Act, and
2 upon revision of the Department of Defense Supplement
3 to the Federal Acquisition Regulation required by sub-
4 section (c) of section 2870 of title 10, United States Code,
5 as added by subsection (a), the Secretary of Defense shall
6 submit to the Committees on Armed Services of the Sen-
7 ate and the House of Representatives a report providing
8 a status update on the implementation of the requirements
9 of such section. Each status update shall identify major
10 milestones in such implementation, challenges to such im-
11 plementation, and such other information as the Secretary
12 considers appropriate.

13 **SEC. 2807. MODIFICATION AND EXTENSION OF TEM-**
14 **PORARY, LIMITED AUTHORITY TO USE OPER-**
15 **ATION AND MAINTENANCE FUNDS FOR CON-**
16 **STRUCTION PROJECTS IN CERTAIN AREAS**
17 **OUTSIDE THE UNITED STATES.**

18 (a) TWO-YEAR EXTENSION OF AUTHORITY.—Sub-
19 section (h) of section 2808 of the Military Construction
20 Authorization Act for Fiscal Year 2004 (division B of
21 Public Law 108–136; 117 Stat. 1723), as most recently
22 amended by section 2806(a) of the Military Construction
23 Authorization Act for Fiscal Year 2021 (division B of
24 Public Law 116–283; 134 Stat. ____), is further amend-
25 ed—

1 (1) in paragraph (1), by striking “December
2 31, 2021” and inserting “December 31, 2023”; and

3 (2) paragraph (2), by striking “fiscal year
4 2022” and inserting “fiscal year 2024”.

5 (b) CONTINUATION OF LIMITATION ON USE OF AU-
6 THORITY.—Subsection (c)(1) of section 2808 of the Mili-
7 tary Construction Authorization Act for Fiscal Year 2004
8 (division B of Public Law 108–136; 117 Stat. 1723), as
9 most recently amended by subsections (b) and (c) of sec-
10 tion 2806 of the Military Construction Authorization Act
11 for Fiscal Year 2021 (division B of Public Law 116–283;
12 134 Stat. ____), is further amended—

13 (1) by striking subparagraphs (A) and (B);

14 (2) by redesignating subparagraph (C) as sub-
15 paragraph (A); and

16 (3) by adding at the end the following new sub-
17 paragraphs:

18 “(B) The period beginning October 1, 2021,
19 and ending on the earlier of December 31, 2022, or
20 the date of the enactment of an Act authorizing
21 funds for military activities of the Department of
22 Defense for fiscal year 2023.

23 “(C) The period beginning October 1, 2022,
24 and ending on the earlier of December 31, 2023, or
25 the date of the enactment of an Act authorizing

1 funds for military activities of the Department of
2 Defense for fiscal year 2024.”.

3 (c) ESTABLISHMENT OF PROJECT MONETARY LIM-
4 TATION.—Subsection (c) of section 2808 of the Military
5 Construction Authorization Act for Fiscal Year 2004 (di-
6 vision B of Public Law 108–136; 117 Stat. 1723) is
7 amended by adding at the end the following new para-
8 graph:

9 “(3) The total amount of operation and maintenance
10 funds used for a single construction project carried out
11 under the authority of this section shall not exceed
12 \$15,000,000.”.

13 (d) MODIFICATION OF NOTICE AND WAIT REQUIRE-
14 MENT.—Subsection (b) of section 2808 of the Military
15 Construction Authorization Act for Fiscal Year 2004 (di-
16 vision B of Public Law 108–136; 117 Stat. 1723) is
17 amended—

18 (1) by striking “10-day period” and inserting
19 “14-day period”; and

20 (2) by striking “or, if earlier, the end of the 7-
21 day period beginning on the date on which” and in-
22 serting “, including when”.

1 **Subtitle B—Continuation of**
2 **Military Housing Reforms**

3 **SEC. 2811. APPLICABILITY OF WINDOW FALL PREVENTION**
4 **REQUIREMENTS TO ALL MILITARY FAMILY**
5 **HOUSING WHETHER PRIVATIZED OR GOV-**
6 **ERNMENT-OWNED AND GOVERNMENT-CON-**
7 **TROLLED.**

8 (a) TRANSFER OF WINDOW FALL PREVENTION SEC-
9 TION TO MILITARY FAMILY HOUSING ADMINISTRATION
10 SUBCHAPTER.—Section 2879 of title 10, United States
11 Code—

12 (1) is transferred to appear after section 2856
13 of such title; and

14 (2) is redesignated as section 2857.

15 (b) APPLICABILITY OF SECTION TO ALL MILITARY
16 FAMILY HOUSING.—Section 2857 of title 10, United
17 States Code, as transferred and redesignated by sub-
18 section (a), is amended—

19 (1) in subsection (a)(1), by striking “acquired
20 or constructed under this chapter”;

21 (2) in subsection (b)(1), by striking “acquired
22 or constructed under this chapter”; and

23 (3) by adding at the end the following new sub-
24 section:

1 “(e) APPLICABILITY TO ALL MILITARY FAMILY
2 HOUSING.—This section applies to military family housing
3 under the jurisdiction of the Department of Defense and
4 military family housing acquired or constructed under
5 subchapter IV of this chapter.”.

6 (c) IMPLEMENTATION PLAN.—In the report required
7 to be submitted in 2022 pursuant to subsection (d) of sec-
8 tion 2857 of title 10, United States Code, as transferred
9 and redesignated by subsection (a) and amended by sub-
10 section (b), the Secretary of Defense shall include a plan
11 for implementation of the fall protection devices described
12 in subsection (a)(3) of such section as required by such
13 section.

14 (d) LIMITATION ON USE OF FUNDS PENDING SUB-
15 MISSION OF OVERDUE REPORT.—Of the funds authorized
16 to be appropriated by this Act or otherwise made available
17 for fiscal year 2022 for the Office of the Assistant Sec-
18 retary of Defense for Installations and Sustainment, not
19 more than 50 percent may be obligated or expended until
20 the date on which the Secretary of Defense certifies to
21 the congressional defense committees that—

22 (1) the independent assessment required by sec-
23 tion 2817(b) of the Military Construction Authoriza-
24 tion Act of 2018 (division B of Public Law 115–91;
25 131 Stat. 1852) has been initiated; and

1 (2) the Secretary expects the report containing
2 the results of the assessment to be submitted to the
3 congressional defense committees by September 1,
4 2022.

5 **SEC. 2812. MODIFICATION OF MILITARY HOUSING TO AC-**
6 **COMMODATE TENANTS WITH DISABILITIES.**

7 Section 2891a(d)(11) of title 10, United States Code,
8 is amended—

9 (1) by inserting “(A)” after “(11)”; and

10 (2) by adding at the end the following new sub-
11 paragraph:

12 “(B) Once a landlord is informed of the disability of
13 a tenant who has a disability (as such term is defined in
14 section 3 of the Americans with Disabilities Act of 1990
15 (42 U.S.C. 12102)) and who occupies or will occupy a
16 housing unit provided by the landlord, the landlord is re-
17 sponsible for modifying the housing unit as necessary to
18 comply with standards under such Act (42 U.S.C. 12101
19 et seq.) to facilitate occupancy of the housing unit by the
20 tenant.”.

21 **SEC. 2813. REQUIRED INVESTMENTS IN IMPROVING MILI-**
22 **TARY UNACCOMPANIED HOUSING.**

23 (a) INVESTMENTS IN MILITARY UNACCOMPANIED
24 HOUSING.—

1 (1) INVESTMENTS REQUIRED.—Of the total
2 amount authorized to be appropriated by the Na-
3 tional Defense Authorization Act for a covered fiscal
4 year for Facilities Sustainment, Restoration, and
5 Modernization activities of a military department,
6 the Secretary of that military department shall re-
7 serve an amount equal to five percent of the esti-
8 mated replacement cost of the inventory of unim-
9 proved military unaccompanied housing under the
10 jurisdiction of that Secretary for the purpose of car-
11 rying out projects for the improvement of military
12 unaccompanied housing.

13 (2) DEFINITIONS.—In this subsection:

14 (A) The term “military unaccompanied
15 housing” means military housing intended to be
16 occupied by members of the Armed Forces serv-
17 ing a tour of duty unaccompanied by depend-
18 ents.

19 (B) The term “replacement cost”, with re-
20 spect to military unaccompanied housing,
21 means the amount that would be required to re-
22 place the remaining service potential of that
23 military unaccompanied housing.

1 (3) DURATION OF INVESTMENT REQUIRE-
2 MENT.—Paragraph (1) shall apply for fiscal years
3 2022 through 2026.

4 (b) COMPTROLLER GENERAL ASSESSMENT.—

5 (1) ASSESSMENT REQUIRED.—The Comptroller
6 General of the United States shall conduct an inde-
7 pendent assessment of the condition of unaccom-
8 panied military housing under the jurisdiction of the
9 Secretaries of the military departments. As elements
10 of the assessment, the Comptroller General shall
11 analyze—

12 (A) how the prioritization of Facilities
13 Sustainment, Restoration, and Modernization
14 outlays has impacted department infrastructure
15 identified as quality-of-life infrastructure;

16 (B) how that prioritization interacts with
17 the regular budget process for military con-
18 struction projects; and

19 (C) the extent to which Facilities
20 Sustainment, Restoration, and Modernization
21 funds are being used to improve quality-of-life
22 infrastructure.

23 (2) BRIEFING.—Not later than February 2,
24 2022, the Comptroller General shall provide to the
25 Committees on Armed Services of the Senate and

1 the House of Representatives a briefing on the as-
2 sessment conducted pursuant to paragraph (1).

3 (3) REPORT.—No later than December 31,
4 2022, the Comptroller General shall submit to the
5 Committees on Armed Services of the Senate and
6 the House of Representatives a report containing the
7 results of the assessment conducted pursuant to
8 paragraph (1).

9 **SEC. 2814. IMPROVEMENT OF DEPARTMENT OF DEFENSE**
10 **CHILD DEVELOPMENT CENTERS AND IN-**
11 **CREASED AVAILABILITY OF CHILD CARE FOR**
12 **CHILDREN OF MILITARY PERSONNEL.**

13 (a) SAFETY INSPECTION OF CHILD DEVELOPMENT
14 CENTERS.—

15 (1) SAFETY INSPECTION REQUIRED.—Not later
16 than one year after the date of the enactment of this
17 Act, each Secretary of a military department shall
18 complete an inspection of all facilities under the ju-
19 risdiction of that Secretary used as a child develop-
20 ment center to identify any unresolved safety issues,
21 including lead, asbestos, and mold, that adversely
22 impact the facilities.

23 (2) REPORTING REQUIREMENT.—

24 (A) REPORT REQUIRED.—Not later than
25 90 days after completing the safety inspections

1 required by paragraph (1), the Secretary of the
2 military department concerned shall submit to
3 the Committees on Armed Services of the Sen-
4 ate and the House of Representatives a report
5 containing the results of the safety inspections.

6 (B) REPORT ELEMENTS.—The Secretary
7 of a military department shall include in the re-
8 port prepared by that Secretary the following:

9 (i) The identity and location of each
10 child development center at which unre-
11 solved safety issues, including lead, asbes-
12 tos, and mold, were found.

13 (ii) For each identified child develop-
14 ment center—

15 (I) a description of the safety
16 issues found; and

17 (II) the proposed plan and sched-
18 ule and projected cost to remediate
19 the safety issues found.

20 (b) TEN-YEAR FACILITY IMPROVEMENT PLAN FOR
21 CHILD DEVELOPMENT CENTERS.—

22 (1) FACILITY IMPROVEMENT PLAN RE-
23 QUIRED.—Each Secretary of a military department
24 shall establish a plan to renovate facilities under the
25 jurisdiction of that Secretary used as a child devel-

1 opment center so that, no later December 31,
2 2031—

3 (A) no child development center is identi-
4 fied as being in poor or failing condition accord-
5 ing to the facility condition index of that mili-
6 tary department; and

7 (B) all facility projects involving a child
8 development center that were included on the
9 priority lists within Appendix C of the “Depart-
10 ment of Defense Report to the Congressional
11 Defense Committees On Department of Defense
12 Child Development Programs” published in
13 2020 are completed.

14 (2) REPORT ON FACILITIES IMPROVEMENT
15 PLAN.—Not later than 180 days after the date of
16 the enactment of this Act, the Secretary of the mili-
17 tary department concerned shall submit to the Com-
18 mittees on Armed Services of the Senate and the
19 House of Representatives a report describing the fa-
20 cilities improvement plan established by that Sec-
21 retary pursuant to paragraph (1). The report shall
22 include the following:

23 (A) Details regarding the child develop-
24 ment center facility improvement plan.

1 (B) An estimate of the funding required to
2 complete the facility improvement plan before
3 the deadline specified in paragraph (1).

4 (C) The plan of the Secretary to obtain the
5 funding necessary to complete the facility im-
6 provement plan.

7 (D) Any additional statutory authorities
8 that the Secretary needs to complete the facility
9 improvement plan before the deadline specified
10 in paragraph (1).

11 (E) A plan to execute preventive mainte-
12 nance on other child development center facili-
13 ties to prevent more from degrading to poor or
14 failing condition.

15 (3) STATUS REPORTS.—Not later than 18
16 months after the date of the enactment of this Act,
17 and every 12 months thereafter until the date speci-
18 fied in paragraph (1), the Secretary of the military
19 department concerned shall submit to the Commit-
20 tees on Armed Services of the Senate and the House
21 of Representatives a status report on the progress
22 made by that Secretary toward accomplishing the fa-
23 cility improvement plan established by that Sec-
24 retary pursuant to paragraph (1). Such a report
25 shall include the following:

1 (A) Details about projects planned, funded,
2 under construction, and completed under the
3 facility improvement plan.

4 (B) Updated funding requirements to com-
5 plete all child development center facility con-
6 struction under the facility improvement plan.

7 (C) Any changes to the plan of the Sec-
8 retary to obtain the funding necessary to com-
9 plete the facility improvement plan.

10 (D) Any additional statutory authorities
11 that the Secretary needs to complete the facility
12 improvement plan before the deadline specified
13 in paragraph (1).

14 (e) PUBLIC-PRIVATE PARTNERSHIPS FOR CHILD
15 CARE FOR CHILDREN OF MILITARY PERSONNEL.—

16 (1) IN GENERAL.—Not later than one year
17 after the date of the enactment of this Act and pur-
18 suant to regulations prescribed by the Secretary of
19 Defense, each Secretary of a military department
20 shall seek to enter into at least one agreement with
21 a private entity to provide child care to the children
22 of personnel (including members of the Armed
23 Forces and civilian employees of the Department of
24 Defense) under the jurisdiction of that Secretary.

25 (2) REPORTING.—

1 (A) PRELIMINARY REPORTS.—Not later
2 than one year after the date of the enactment
3 of this Act, the Secretary of Defense and the
4 Secretaries of the military departments shall
5 jointly submit to the Committees on Armed
6 Services of the Senate and House of Represent-
7 atives a report regarding progress in carrying
8 out paragraph (1).

9 (B) REGULAR REPORTS.—Upon entering
10 into an agreement under paragraph (1) and an-
11 nually thereafter until the termination of such
12 agreement, the Secretary of the military depart-
13 ment concerned shall submit to the Committees
14 on Armed Services of the Senate and House of
15 Representatives a report regarding such agree-
16 ment. Such a report shall include—

17 (i) the terms of the agreement, includ-
18 ing cost to the United States;

19 (ii) the number of children described
20 in paragraph (1) projected to receive child
21 care under such agreement; and

22 (iii) if applicable, the actual number
23 of children described in paragraph (1) who
24 received child care under such agreement
25 served during the previous year.

1 (d) CHILD DEVELOPMENT CENTER DEFINED.—In
2 this section, the term “child development center” has the
3 meaning given that term in section 2871(2) of title 10,
4 United States Code, and includes facilities identified as
5 a child care center or day care center.

6 **Subtitle C—Real Property and**
7 **Facilities Administration**

8 **SEC. 2821. SECRETARY OF THE NAVY AUTHORITY TO SUP-**
9 **PORT DEVELOPMENT AND OPERATION OF**
10 **NATIONAL MUSEUM OF THE UNITED STATES**
11 **NAVY.**

12 Chapter 861 of title 10, United States Code, is
13 amended by inserting after section 8616 the following new
14 section:

15 **“§ 8617. National Museum of the United States Navy**

16 “(a) AUTHORITY TO SUPPORT DEVELOPMENT AND
17 OPERATION OF MUSEUM.—(1) The Secretary of the Navy
18 may select and enter into a contract, cooperative agree-
19 ment, or other agreement with one or more eligible non-
20 profit organizations to support the development, design,
21 construction, renovation, or operation of a multipurpose
22 museum to serve as the National Museum of the United
23 States Navy.

24 “(2) The Secretary may—

1 “(A) authorize a partner organization to con-
2 tract for each phase of development, design, con-
3 struction, renovation, or operation of the museum,
4 or all such phases; or

5 “(B) authorize acceptance of funds from a part-
6 ner organization for each or all such phases.

7 “(b) PURPOSES OF MUSEUM.—(1) The museum shall
8 be used for the identification, curation, storage, and public
9 viewing of artifacts and artwork of significance to the
10 Navy, as agreed to by the Secretary of the Navy.

11 “(2) The museum also may be used to support such
12 education, training, research, and associated activities as
13 the Secretary considers compatible with and in support of
14 the museum and the mission of the Naval History and
15 Heritage Command.

16 “(c) ACCEPTANCE UPON COMPLETION.—Upon the
17 satisfactory completion, as determined by the Secretary of
18 the Navy, of any phase of the museum, and upon the satis-
19 faction of any financial obligations incident thereto, the
20 Secretary shall accept such phase of the museum from the
21 partner organization, and all right, title, and interest in
22 and to such phase of the museum shall vest in the United
23 States. Upon becoming the property of the United States,
24 the Secretary shall assume administrative jurisdiction over
25 such phase of the museum.

1 “(d) LEASE AUTHORITY.—(1) The Secretary of the
2 Navy may lease portions of the museum to an eligible non-
3 profit organization for use in generating revenue for the
4 support of activities of the museum and for such adminis-
5 trative purposes as may be necessary for support of the
6 museum. Such a lease may not include any part of the
7 collection of the museum.

8 “(2) Any rent received by the Secretary under a lease
9 under paragraph (1), including rent-in-kind, shall be used
10 solely to cover or defray the costs of development, mainte-
11 nance, or operation of the museum.

12 “(e) AUTHORITY TO ACCEPT GIFTS.—(1) The Sec-
13 retary of the Navy may accept, hold, administer, and
14 spend any gift, devise, or bequest of real property, per-
15 sonal property, or money made on the condition that the
16 gift, devise, or bequest be used for the benefit, or in con-
17 nection with, the establishment, operation, or mainte-
18 nance, of the museum. Section 2601 (other than sub-
19 sections (b), (c), and (e)) of this title shall apply to gifts
20 accepted under this subsection.

21 “(2) The Secretary may display at the museum rec-
22 ognition for an individual or organization that contributes
23 money to a partner organization, or an individual or orga-
24 nization that contributes a gift directly to the Navy, for
25 the benefit of the museum, whether or not the contribution

1 is subject to the condition that the recognition be provided.
2 The Secretary shall prescribe regulations governing the
3 circumstances under which contributor recognition may be
4 provided, appropriate forms of recognition, and suitable
5 display standards.

6 “(3) The Secretary may authorize the sale of donated
7 property received under paragraph (1). A sale under this
8 paragraph need not be conducted in accordance with dis-
9 posal requirements that would otherwise apply, so long as
10 the sale is conducted at arms-length and includes an
11 auditable transaction record.

12 “(4) Any money received under paragraph (1) and
13 any proceeds from the sale of property under paragraph
14 (3) shall be deposited into a fund established in the Treas-
15 ury to support the museum.

16 “(f) **ADDITIONAL TERMS AND CONDITIONS.**—The
17 Secretary of the Navy may require such additional terms
18 and conditions in connection with a contract, cooperative
19 agreement, or other agreement under subsection (a) or a
20 lease under subsection (d) as the Secretary considers ap-
21 propriate to protect the interests of the United States.

22 “(g) **USE OF NAVY INDICATORS.**—(1) In a contract,
23 cooperative agreement, or other agreement under sub-
24 section (a) or a lease under subsection (d), the Secretary
25 of the Navy may authorize, consistent with section 2260

1 (other than subsection (d)) of this title, a partner organi-
2 zation to enter into licensing, marketing, and sponsorship
3 agreements relating to Navy indicators, including the
4 manufacture and sale of merchandise for sale by the mu-
5 seum, subject to the approval of the Department of the
6 Navy.

7 “(2) No such licensing, marketing, or sponsorship
8 agreement may be entered into if it would reflect unfavor-
9 ably on the ability of the Department of the Navy, any
10 of its employees, or any member of the armed forces to
11 carry out any responsibility or duty in a fair and objective
12 manner, or if the Secretary determines that the use of the
13 Navy indicator would compromise the integrity or appear-
14 ance of integrity of any program of the Department of
15 the Navy.

16 “(h) DEFINITIONS.—In this section:

17 “(1) The term ‘eligible nonprofit organization’
18 means an entity that—

19 “(A) qualifies as an exempt organization
20 under section 501(c)(3) of the Internal Revenue
21 Code of 1986; and

22 “(B) has as its primary purpose the pres-
23 ervation and promotion of the history and herit-
24 age of the Navy.

1 “(2) The term ‘museum’ means the National
2 Museum of the United States Navy, including its fa-
3 cilities and grounds.

4 “(3) The term ‘Navy indicators’ includes trade-
5 marks and service marks, names, identities, abbrev-
6 viations, official insignia, seals, emblems, and acro-
7 nyms of the Navy and Marine Corps, including un-
8 derlying units, and specifically includes the term
9 ‘National Museum of the United States Navy’.

10 “(4) The term ‘partner organization’ means an
11 eligible nonprofit organization with whom the Sec-
12 retary of the Navy enters into a contract, coopera-
13 tive agreement, or other agreement under subsection
14 (a) or a lease under subsection (d).”.

15 **SEC. 2822. EXPANSION OF SECRETARY OF THE NAVY AU-**
16 **THORITY TO LEASE AND LICENSE UNITED**
17 **STATES NAVY MUSEUM FACILITIES TO GEN-**
18 **ERATE REVENUE TO SUPPORT MUSEUM AD-**
19 **MINISTRATION AND OPERATIONS.**

20 (a) INCLUSION OF ADDITIONAL UNITED STATES
21 NAVY MUSEUMS.—Section 2852 of the Military Construc-
22 tion Authorization Act for Fiscal Year 2006 (division B
23 of Public Law 109–163; 119 Stat. 3530) is amended—
24 (1) in subsection (a)—

1 (A) by striking the text preceding para-
2 graph (1) and inserting “The Secretary of the
3 Navy may lease or license any portion of the fa-
4 cilities of a United States Navy museum to a
5 foundation established to support that museum
6 for the purpose of permitting the foundation to
7 carry out the following activities:”; and

8 (B) in paragraphs (1) and (2), by striking
9 “the United States Navy Museum” and insert-
10 ing “that United States Navy museum”;

11 (2) in subsection (b), by striking “the United
12 States Navy Museum” and inserting “the United
13 States Navy museum of which the facility is a part”;

14 (3) in subsection (c), by striking “the Naval
15 Historical Foundation” and inserting “a foundation
16 described in subsection (a)”;

17 (4) in subsection (d)—

18 (A) by striking “the United States Navy
19 Museum” and inserting “the applicable United
20 States Navy museum”; and

21 (B) by striking “the Museum” and insert-
22 ing “that museum”.

23 (b) UNITED STATES NAVY MUSEUM DEFINED.—
24 Section 2852 of the Military Construction Authorization
25 Act for Fiscal Year 2006 (division B of Public Law 109–

1 163; 119 Stat. 3530) is amended by adding at the end
2 the following new subsection:

3 “(f) UNITED STATES NAVY MUSEUM.—In this sec-
4 tion, the term ‘United States Navy museum’ means a mu-
5 seum under the jurisdiction of the Secretary of Defense
6 and operated through the Naval History and Heritage
7 Command.”.

8 (e) CONFORMING CLERICAL AMENDMENT.—The
9 heading of section 2852 of the Military Construction Au-
10 thorization Act for Fiscal Year 2006 (division B of Public
11 Law 109–163; 119 Stat. 3530) is amended by striking
12 “**AT WASHINGTON, NAVY YARD, DISTRICT OF CO-**
13 **LUMBIA**”.

14 **SEC. 2823. DEPARTMENT OF DEFENSE MONITORING OF**
15 **REAL PROPERTY OWNERSHIP AND OCCU-**
16 **PANCY IN VICINITY OF MILITARY INSTALLA-**
17 **TIONS TO IDENTIFY FOREIGN ADVERSARY**
18 **OWNERSHIP OR OCCUPANCY.**

19 Section 2661 of title 10, United States Code, is
20 amended—

21 (1) by redesignating subsection (d) as sub-
22 section (e); and

23 (2) by inserting after subsection (e) the fol-
24 lowing new subsection (d):

1 “(d) IDENTIFICATION OF FOREIGN ADVERSARY
2 OWNERSHIP OR OCCUPANCY OF REAL PROPERTY IN VI-
3 CINITY OF MILITARY INSTALLATIONS.—(1) The Secretary
4 of Defense and each Secretary of a military department
5 shall monitor real property ownership and occupancy in
6 the vicinity of military installations under the jurisdiction
7 of the Secretary concerned inside and outside of the
8 United States to identify instances in which a foreign ad-
9 versary owns or occupies, or the Secretary concerned de-
10 termines a foreign adversary is seeking to own or occupy,
11 real property in the vicinity of a military installation.

12 “(2) Not later than March 1 each year, the Secretary
13 of Defense, in coordination with the Secretaries of the
14 military departments, shall submit to the Committees on
15 Armed Services of the Senate and the House of Represent-
16 atives a report containing the following:

17 “(A) A description of all real property in the vi-
18 cinity of military installations that the Secretary
19 concerned—

20 “(i) has identified under paragraph (1) as
21 owned or occupied by a foreign adversary; or

22 “(ii) has determined under paragraph (1)
23 that a foreign adversary is seeking to own or
24 occupy.

1 “(B) Changes in foreign adversary ownership or
2 occupancy of real property in the vicinity of military
3 installations since the previous report.

4 “(C) Recommendations regarding the appro-
5 priate response to such foreign adversary ownership
6 or occupancy of real property in the vicinity of mili-
7 tary installations.

8 “(3) A report under paragraph (2) shall be submitted
9 in unclassified form, but may contain a classified annex
10 as necessary.

11 “(4) In this section:

12 “(A) The term ‘foreign adversary’ has the
13 meaning given that term in section 8(c)(2) of the
14 Secure and Trusted Communications Networks Act
15 of 2019 (47 U.S.C. 1607(c)(2)). The term includes
16 agents of, and partnerships and corporations includ-
17 ing, a foreign adversary.

18 “(B) The term ‘military installation’ does not
19 include a contingency overseas military location de-
20 scribed in section 2687a(a)(3)(A)(iii) of this title.

21 “(C) The term ‘vicinity’, with respect to prox-
22 imity to a military installation, means—

23 “(i) real property adjacent to the boundary
24 of a military installation; and

1 “(ii) real property any part of which is lo-
2 cated within 10 miles of the boundary of a mili-
3 tary installation.”.

4 **Subtitle D—Military Facilities** 5 **Master Plan Requirements**

6 **SEC. 2831. COOPERATION WITH STATE AND LOCAL GOV-**
7 **ERNMENTS IN DEVELOPMENT OF MASTER**
8 **PLANS FOR MAJOR MILITARY INSTALLA-**
9 **TIONS.**

10 Section 2864(a) of title 10, United States Code, is
11 amended by adding at the end the following new para-
12 graph:

13 “(3)(A) The commander of a major military installa-
14 tion shall develop and update the master plan for that
15 major military installation in consultation with representa-
16 tives of the government of the State in which the installa-
17 tion is located and representatives of local governments
18 in the vicinity of the installation to improve cooperation
19 and consistency between the Department of Defense and
20 such governments in addressing each component of the
21 master plan described in paragraph (1).

22 “(B) The consultation required by subparagraph (A)
23 is in addition to the consultation specifically required by
24 subsection (b)(1) in connection with the transportation

1 (c) BRIEFINGS.—Not later than 60 days after com-
2 pletion of a master plan component as required by sub-
3 section (b) for a major military installation, the Secretary
4 of the military department concerned shall brief the Com-
5 mittees on Armed Services of the Senate and the House
6 of Representatives regarding the results of the master
7 plan efforts for that major military installation.

8 (d) DEFINITIONS.—In this section:

9 (1) The term “major military installation” has
10 the meaning given that term in section 2864(f) of
11 title 10, United States Code.

12 (2) The term “master plan” means the master
13 plan required by section 2864(a) of title 10, United
14 States Code, for a major military installation.

15 **SEC. 2833. CONGRESSIONAL OVERSIGHT OF MASTER PLANS**
16 **FOR ARMY AMMUNITION PLANTS GUIDING**
17 **FUTURE INFRASTRUCTURE, FACILITY, AND**
18 **PRODUCTION EQUIPMENT IMPROVEMENTS.**

19 (a) SUBMISSION OF MASTER PLAN.—Not later than
20 March 31, 2022, the Secretary of the Army shall submit
21 to the congressional defense committees the master plan
22 for each of the five Government-owned, contractor-oper-
23 ated Army ammunition plants developed to guide planning
24 and budgeting for future infrastructure construction, facil-

1 ity improvements, and production equipment needs at
2 each Army ammunition plant.

3 (b) ELEMENTS OF MASTER PLAN.—To satisfy the
4 requirements of subsection (a), a master plan submitted
5 under such subsection must include the following:

6 (1) A description of all infrastructure construc-
7 tion and facility improvements planned or being con-
8 sidered for an Army ammunition plant and produc-
9 tion equipment planned or being considered for in-
10 stallation, modernization, or replacement.

11 (2) A description of the funding sources for
12 such infrastructure construction, facility improve-
13 ments, and production equipment, including author-
14 ized military construction projects, appropriations
15 available for operation and maintenance, and appro-
16 priations available for procurement of Army ammu-
17 nition.

18 (3) An explanation of how the master plan for
19 an Army ammunition plant will promote efficient, ef-
20 fective, resilient, secure, and cost-effective produc-
21 tion of ammunition and ammunition components for
22 the Armed Forces.

23 (4) A description of how development of the
24 master plan for an Army ammunition plant included
25 input from the contractor operating the Army am-

1 munition plant and how implementation of that mas-
2 ter plan will be coordinated with the contractor.

3 (c) ANNUAL UPDATES.—Not later than March 31,
4 2023, and each March 31 thereafter through March 31,
5 2026, the Secretary of the Army shall submit to the con-
6 gressional defense committees a report containing the fol-
7 lowing:

8 (1) A description of any revisions made to the
9 master plans submitted under subsection (a) during
10 the previous year.

11 (2) A description of any revisions to be made or
12 being considered to the master plans.

13 (3) An explanation of the reasons for each revi-
14 sion, whether made, to be made, or being considered.

15 (4) A description of the progress made in im-
16 proving infrastructure, facility, and production
17 equipment at the Army ammunition plants con-
18 sistent with the master plans.

19 (d) DELEGATION AUTHORITY.—The Secretary of the
20 Army shall carry out this section acting through the As-
21 sistant Secretary of the Army for Acquisition, Logistics,
22 and Technology.

1 **Subtitle E—Matters Related to Uni-**
2 **fied Facilities Criteria and Mili-**
3 **tary Construction Planning and**
4 **Design**

5 **SEC. 2841. AMENDMENT OF UNIFIED FACILITIES CRITERIA**
6 **TO REQUIRE INCLUSION OF PRIVATE NURS-**
7 **ING AND LACTATION SPACE IN CERTAIN**
8 **MILITARY CONSTRUCTION PROJECTS.**

9 (a) AMENDMENT REQUIRED.—The Secretary of De-
10 fense shall amend UFC 1–4.2 (Nursing and Lactation
11 Rooms) of the Unified Facilities Criteria/DoD Building
12 Code (UFC 1–200–01) to require that military construc-
13 tion planning and design for buildings likely to be regu-
14 larly frequented by nursing mothers who are members of
15 the uniformed services, civilian employees of the Depart-
16 ment of Defense, contractor personnel, or visitors include
17 a private nursing and lactation room or other private
18 space suitable for that purpose.

19 (b) DEADLINE.—The Secretary of Defense shall com-
20 plete the amendment process required by subsection (a)
21 and implement the amended UFC 1–4.2 not later than
22 one year after the date of the enactment of this Act.

1 **SEC. 2842. ADDITIONAL DEPARTMENT OF DEFENSE ACTIVI-**
2 **TIES TO IMPROVE ENERGY RESILIENCY OF**
3 **MILITARY INSTALLATIONS.**

4 (a) AMENDMENT OF UNIFIED FACILITIES CRITERIA
5 REQUIRED.—The Secretary of Defense shall amend the
6 Unified Facilities Criteria/DoD Building Code (UFC 1–
7 200–01) to require that planning and design for military
8 construction projects inside the United States include con-
9 sideration of the feasibility and cost-effectiveness of in-
10 stalling an energy microgrid as part of the project, includ-
11 ing intentional islanding capability of at least seven con-
12 secutive days, for the purpose of—

13 (1) promoting on-installation energy security
14 and energy resilience; and

15 (2) facilitating implementation and greater use
16 of the authority provided by subsection (h) of section
17 2911 of title 10, United States Code, as added and
18 amended by section 2825 of the Military Construc-
19 tion Authorization Act for Fiscal Year 2021 (divi-
20 sion B of Public Law 116–283).

21 (b) CONTRACTS FOR EMERGENCY ACCESS TO EXIST-
22 ING ON-INSTALLATION RENEWABLE ENERGY SOURCES.—
23 In the case of a covered renewable energy generating
24 source located on a military installation pursuant to a
25 lease of non-excess defense property under section 2667
26 of title 10, United States Code, the Secretary of the mili-

1 tary department concerned is encouraged to negotiate with
2 the owner and operator of the renewable energy gener-
3 ating source to revise the lease contract to permit the mili-
4 tary installation to access the renewable energy generating
5 source during an emergency. The negotiations shall in-
6 clude consideration of the ease of modifying the renewable
7 energy generating source to include an islanding capa-
8 bility, the necessity of additional infrastructure to tie the
9 renewable energy generating source into the installation
10 energy grid, and the cost of such modifications and infra-
11 structure.

12 (c) DEFINITIONS.—In this section:

13 (1) The term “covered renewable energy gener-
14 ating source” means a renewable energy generating
15 source that, on the date of the enactment of this
16 Act—

17 (A) is located on a military installation in-
18 side the United States; but

19 (B) cannot be used as a direct source of
20 resilient energy for the installation in the event
21 of a power disruption.

22 (2) The term “islanding capability” refers to
23 the ability to remove an energy system, such as a
24 microgrid, from the local utility grid and to operate
25 the energy system, at least temporarily, as an inte-

1 grated, stand-alone system, during an emergency in-
2 volving the loss of external electric power supply.

3 (3) The term “microgrid” means an integrated
4 energy system consisting of interconnected loads and
5 energy resources with an islanding capability to per-
6 mit functioning separate from the local utility grid.

7 **SEC. 2843. CONSIDERATION OF ANTICIPATED INCREASED**
8 **SHARE OF ELECTRIC VEHICLES IN DEPART-**
9 **MENT OF DEFENSE VEHICLE FLEET AND**
10 **OWNED BY MEMBERS OF THE ARMED**
11 **FORCES AND DEPARTMENT EMPLOYEES.**

12 (a) AMENDMENT OF UNIFIED FACILITIES CRITERIA
13 REQUIRED.—The Secretary of Defense shall amend the
14 Unified Facilities Criteria/DoD Building Code (UFC 1–
15 200–01) to require that military construction planning
16 and design for buildings, including military housing, and
17 related parking structures and surface lots to be con-
18 structed for military installations inside the United States
19 include the installation of charging stations for electric ve-
20 hicles when inclusion of charging stations is feasible and
21 cost effective given the anticipated need for charging sta-
22 tions to service electric vehicles in the Department of De-
23 fense vehicle fleet and electric vehicles owned by members
24 of the Armed Forces and Department employees.

25 (b) IMPLEMENTATION.—

1 (1) SOURCE OF SERVICES.—Each Secretary of
2 a military department may utilize expertise within
3 the military department or contract with an outside
4 entity to make the determinations required by sub-
5 sections (c) through (f) related to the installation of
6 charging stations for electric vehicles.

7 (2) DETERMINATIONS.—Determinations re-
8 quired by subsections (c) through (f) shall be a data-
9 driven analysis for the purpose of enabling align-
10 ment between internal and external stakeholders and
11 addressing key questions regarding the installation
12 of charging stations, including the composition of
13 the electric vehicle fleet, ownership costs, and kilo-
14 watt hour load profiles for targeted locations. The
15 parties making these determinations shall make use
16 of modeling and multiple scenarios to optimize initial
17 investments and identify priority locations for invest-
18 ment.

19 (c) CONSIDERATIONS RELATED TO CHARGING STA-
20 TION LOCATION.—A determination of whether inclusion of
21 charging stations is feasible and cost effective as part of
22 a military construction project shall include consideration
23 of the following:

1 (1) Calculation of detailed energy profiles of ex-
2 isting loads at locations to include the impacts of
3 managed and non-managed charging options.

4 (2) Local electric vehicle charging profiles, vehi-
5 cle traffic patterns and flow to readily access charg-
6 ing stations, signage needs, proximity to anticipated
7 users of charging stations, and existing building load
8 profiles.

9 (3) Availability of adequate space for vehicles
10 awaiting charging during peak usage times.

11 (4) Required infrastructure upgrades, including
12 electrical wiring.

13 (5) Safety protocols.

14 (d) CONSIDERATIONS RELATED TO TYPE AND NUM-
15 BER OF CHARGING STATIONS.—A determination of the
16 type and number of charging stations to include as part
17 of a military construction project shall include consider-
18 ation of the following:

19 (1) The different capabilities and energy de-
20 mands between level 1 charging, level 2 charging,
21 and level 3 charging.

22 (2) The current and anticipated future distribu-
23 tion of plug-in hybrid electric vehicles and plug-in
24 electric vehicles for a proposed charging station loca-

1 tion and how many electric vehicles will need to be
2 charged at the same time.

3 (3) In the case of level 3 charging, which pro-
4 vides the fastest charging rates, an assessment of
5 supporting utilities infrastructure, potential gaps,
6 and required improvements.

7 (4) The costs and benefits of using a single
8 connector versus multi-connector units.

9 (5) The interoperability of chargers and the po-
10 tential future needs or applications for chargers,
11 such as vehicle-to-grid or vehicle-to-building applica-
12 tions.

13 (e) CONSIDERATIONS RELATED TO CHARGING STA-
14 TION OWNERSHIP.—A determination of the optimal own-
15 ership method to provide charging stations as part of a
16 military construction project shall include consideration of
17 the following:

18 (1) Use of Government owned (purchased, in-
19 stalled, and maintained) charging stations.

20 (2) Use of third-party financed, installed, oper-
21 ated, and maintained charging stations.

22 (3) Use of financing models in which energy
23 and charging infrastructure operations and mainte-
24 nance are treated as a service.

1 (4) Network and data collection requirements,
2 including considerations related to communications
3 with charging and utility networks, managed charg-
4 ing, grid curtailment, and electric vehicles as a grid
5 asset.

6 (5) Cyber and physical security concerns and
7 best practices associated with different ownership,
8 network, and control models.

9 (f) CONSIDERATIONS RELATED TO POWER
10 SOURCE.—A determination of the optimal power source
11 to provide charging stations as part of a military construc-
12 tion project shall include consideration of the following:

13 (1) Transformer and substation requirements.

14 (2) Microgrids and distributed energy to sup-
15 port both charging requirements and energy storage.

16 (g) INSTALLATION PLANS FOR CHARGING STATIONS
17 REQUIRED.—

18 (1) INFRASTRUCTURE DEVELOPMENT PLANS.—

19 For each of fiscal years 2023 through 2027, each
20 Secretary of a military department shall complete
21 for at least five military installations in the United
22 States under the jurisdiction of the Secretary an in-
23 frastructure development plan for the installation of
24 charging stations for electric vehicles.

1 (2) INCLUSION OF ELECTRICITY MICROGRID.—

2 Each infrastructure development plan shall include
3 the use of a microgrid that will be sufficient—

4 (A) to cover anticipated electricity demand
5 of electric vehicles using charging stations in-
6 cluded in the plan; and

7 (B) to improve installation energy resil-
8 ience.

9 (h) DEFINITIONS.—In this section:

10 (1) The term “charging station” refers to a col-
11 lection of one or more electric vehicle supply equip-
12 ment units.

13 (2) The term “connector” refers to the socket
14 or cable that connects an electric vehicle being
15 charged to the electric vehicle supply equipment
16 unit.

17 (3) The term “electric vehicle” includes—

18 (A) a plug-in hybrid electric vehicle that
19 uses a combination of electric and gas powered
20 engine that can use either gasoline or electricity
21 as a fuel source; and

22 (B) a plug-in electric vehicle that runs
23 solely on electricity and does not contain an in-
24 ternal combustion engine or gas tank.

1 (4) The term “electric vehicle supply equipment
2 unit” refers to the port that supplies electricity to
3 one vehicle at a time.

4 (5) The term “level 1 charging” refers to an
5 electric vehicle charging method that provides charg-
6 ing through a 120 volt alternating current plug and
7 supplies approximately two to five miles of range per
8 hour of charging time.

9 (6) The term “level 2 charging” refers to an
10 electric vehicle charging method that provides charg-
11 ing through a 240 volt alternating current recep-
12 tacle, requires a dedicated 40-Amp circuit and sup-
13 plies approximately 10 to 20 miles of range per hour
14 of charging time.

15 (7) The term “level 3 charging”, also known as
16 DC Fast Charging, refers to an electric vehicle
17 charging method that provides charging via direct
18 current equipment that does not require a convertor
19 and supplies approximately 60 to 80 miles of range
20 per 20 min of charging.

21 (8) The term “microgrid” refers to a group of
22 interconnected loads and distributed energy re-
23 sources within clearly defined electrical boundaries
24 that acts as a single controllable entity with respect
25 to the grid.

1 **SEC. 2844. CONDITIONS ON REVISION OF UNIFIED FACILI-**
2 **TIES CRITERIA OR UNIFIED FACILITIES**
3 **GUIDE SPECIFICATIONS REGARDING USE OF**
4 **VARIABLE REFRIGERANT FLOW SYSTEMS.**

5 (a) CONGRESSIONAL NOTIFICATION REQUIRED.—

6 The Under Secretary of Defense for Acquisition and
7 Sustainment shall notify the Committee on Armed Serv-
8 ices of the House of Representatives before executing any
9 revision to the Unified Facilities Criteria/DoD Building
10 Code (UFC 1–200–01) or Unified Facilities Guide Speci-
11 fications regarding the use of variable refrigerant flow sys-
12 tems

13 (b) ELEMENTS OF EFFECTIVE NOTIFICATION.—To
14 be effective as congressional notification for purposes of
15 subsection (a), the notice submitted by the Under Sec-
16 retary of Defense for Acquisition and Sustainment must—

17 (1) be in writing;

18 (2) specify the nature of the revision to be
19 made to the Unified Facility Criteria/DoD Building
20 Code (UFC 1–200–01) or Unified Facilities Guide
21 Specifications regarding the use of variable refrig-
22 erant flow systems;

23 (3) explain the justification for the revision; and

24 (4) be received by the Committee on Armed
25 Services of the House of Representatives at least 30
26 days before the revision takes effect.

1 **Subtitle F—Land Conveyances**

2 **SEC. 2851. MODIFICATION OF RESTRICTIONS ON USE OF**
3 **FORMER NAVY PROPERTY CONVEYED TO**
4 **UNIVERSITY OF CALIFORNIA, SAN DIEGO,**
5 **CALIFORNIA.**

6 (a) MODIFICATION OF ORIGINAL USE RESTRIC-
7 TION.—Section 3(a) of Public Law 87–662 (76 Stat. 546)
8 is amended by inserting after “educational purposes” the
9 following: “, which may include technology innovation and
10 entrepreneurship programs and establishment of innova-
11 tion incubators”.

12 (b) EXECUTION.—If necessary to effectuate the
13 amendment made by subsection (a), the Secretary of the
14 Navy shall execute and file in the appropriate office an
15 amended deed or other appropriate instrument reflecting
16 the modification of restrictions on the use of former Camp
17 Matthews conveyed to the regents of the University of
18 California pursuant to Public Law 87–662.

19 **SEC. 2852. LAND CONVEYANCE, JOINT BASE CAPE COD,**
20 **BOURNE, MASSACHUSETTS.**

21 (a) CONVEYANCE AUTHORIZED.—The Secretary of
22 the Air Force may convey to the Commonwealth of Massa-
23 chusetts (in this section referred to as the “Common-
24 wealth”) all right, title, and interest of the United States
25 in and to a parcel of real property, including improve-

1 ments thereon and related easements, consisting of ap-
2 proximately 10 acres located on Joint Base Cape Cod,
3 Bourne, Massachusetts.

4 (b) CONDITIONS OF CONVEYANCE.—The conveyance
5 under subsection (a) shall be subject to valid existing
6 rights and the Commonwealth shall accept the real prop-
7 erty, and any improvements thereon, in its condition at
8 the time of the conveyance (commonly known as a convey-
9 ance “as is”).

10 (c) CONSIDERATION.—

11 (1) CONSIDERATION REQUIRED.—As consider-
12 ation for the conveyance under subsection (a), the
13 Commonwealth shall pay to the United States an
14 amount equal to the fair market value of the right,
15 title, and interest conveyed under subsection (a)
16 based on an appraisal approved by the Secretary.

17 (2) TREATMENT OF CONSIDERATION RE-
18 CEIVED.—Consideration received under paragraph
19 (1) shall be deposited in the special account in the
20 Treasury established under subsection (b) of section
21 572 of title 40, United States Code, and shall be
22 available in accordance with paragraph (5)(B) of
23 such subsection.

24 (d) PAYMENT OF COSTS OF CONVEYANCE.—

1 (1) PAYMENT REQUIRED.—The Secretary of
2 the Air Force shall require the Commonwealth to
3 cover all costs (except costs for environmental reme-
4 diation of the property) to be incurred by the Sec-
5 retary, or to reimburse the Secretary for costs in-
6 curred by the Secretary, to carry out the conveyance
7 under subsection (a), including survey costs, costs
8 for environmental documentation, and any other ad-
9 ministrative costs related to the conveyance. If
10 amounts are collected from the Commonwealth in
11 advance of the Secretary incurring the actual costs,
12 and the amount collected exceeds the costs actually
13 incurred by the Secretary to carry out the convey-
14 ance, the Secretary shall refund the excess amount
15 to the Commonwealth.

16 (2) TREATMENT OF AMOUNTS RECEIVED.—
17 Amounts received as reimbursement under para-
18 graph (1) shall be credited to the fund or account
19 that was used to cover the costs incurred by the Sec-
20 retary in carrying out the conveyance or, if the pe-
21 riod of availability for obligations for that appropria-
22 tion has expired, to an appropriate fund or account
23 currently available to the Secretary for the same
24 purpose. Amounts so credited shall be merged with
25 amounts in such fund or account, and shall be avail-

1 able for the same purposes, and subject to the same
2 conditions and limitations, as amounts in such fund
3 or account.

4 (e) DESCRIPTION OF PROPERTY.—The exact acreage
5 and legal description of the property to be conveyed under
6 subsection (a) shall be determined by a survey satisfactory
7 to the Secretary of the Air Force.

8 (f) ADDITIONAL TERMS AND CONDITIONS.—The Sec-
9 retary of the Air Force may require such additional terms
10 and conditions in connection with the conveyance under
11 subsection (a) as the Secretary considers appropriate to
12 protect the interests of the United States.

13 **SEC. 2853. LAND CONVEYANCE, ROSECRANS AIR NATIONAL**
14 **GUARD BASE, SAINT JOSEPH, MISSOURI.**

15 (a) CONVEYANCE AUTHORIZED.—Once the Secretary
16 of the Air Force determines that the Missouri Air National
17 Guard has vacated the parcel of real property consisting
18 of approximately 54 acres at Rosecrans Air National
19 Guard Base located on the southern end of the airfield
20 at Rosecrans Memorial Airport in Saint Joseph, Missouri,
21 the Secretary may convey to the City of Saint Joseph, Mis-
22 souri (in this section referred to as the “City”), all right,
23 title, and interest of the United States in and to that par-
24 cel of real property, including any improvements thereon,
25 for the purpose of—

1 (1) removing the property from within the
2 boundaries of Rosecrans Air National Guard Base;

3 (2) accommodating the operational and mainte-
4 nance needs of Rosecrans Memorial Airport; and

5 (3) permitting the development of the property
6 and any improvements thereon for economic pur-
7 poses.

8 (b) CONDITIONS ON CONVEYANCE.—The conveyance
9 of the parcel of property under subsection (a) shall be sub-
10 ject to any valid existing rights regarding the property,
11 and the City shall accept the property and any improve-
12 ments thereon in their condition at the time of the convey-
13 ance (commonly known as a conveyance “as is”).

14 (c) CONSIDERATION.—

15 (1) CONSIDERATION REQUIRED, FORMS.—As
16 consideration for the conveyance of the property
17 under subsection (a), the City shall enter into an
18 agreement with the Secretary—

19 (A) to convey to the Secretary of the Air
20 Force a parcel of real property acceptable to
21 the Secretary in exchange for the property con-
22 veyed by the Secretary;

23 (B) to provide in-kind consideration ac-
24 ceptable to the Secretary in the form of the
25 construction, provision, improvement, alter-

1 ation, protection, maintenance, repair, or res-
2 toration, including environmental restoration, or
3 a combination thereof, of any facilities or infra-
4 structure relating to the needs of the Missouri
5 Air National Guard at Rosecrans Air National
6 Guard Base; or

7 (C) to provide a combination of the consid-
8 eration authorized by subparagraphs (A) and
9 (B).

10 (2) AMOUNT OF CONSIDERATION; APPRAISAL.—

11 Except as provided in paragraph (3), the value of
12 the consideration provided by the City under para-
13 graph (1) shall be equal to the fair market value of
14 the right, title, and interest conveyed by the Sec-
15 retary under subsection (a), based on one or more
16 appraisals determined necessary and approved by
17 the Secretary.

18 (3) CASH EQUALIZATION PAYMENT.—If the
19 value of the property conveyed by the City or in-kind
20 consideration provided by the City under paragraph
21 (1), or combination thereof, is less than the fair
22 market value of the right, title, and interest con-
23 veyed by the Secretary under subsection (a), the
24 City shall pay to the United States an amount equal
25 to the difference in the fair market values. Any cash

1 consideration received under this paragraph shall
2 be—

3 (A) deposited in the special account in the
4 Treasury established pursuant to paragraph (5)
5 of section 572(b) of title 40, United States
6 Code; and

7 (B) available to the Secretary in accord-
8 ance with the subparagraph (B)(ii) of such
9 paragraph.

10 (d) PAYMENT OF COSTS OF CONVEYANCE.—

11 (1) PAYMENT REQUIRED.—The Secretary of
12 the Air Force may require the City to cover all costs
13 to be incurred by the Secretary, or to reimburse the
14 Secretary for costs incurred by the Secretary, to
15 carry out the conveyance under subsection (a), in-
16 cluding appraisal and survey costs, costs related to
17 environmental documentation, and any other admin-
18 istrative costs related to the conveyance. If amounts
19 paid by the City to the Secretary in advance exceed
20 the costs actually incurred by the Secretary to carry
21 out the conveyance, the Secretary shall refund the
22 excess amount to the City.

23 (2) TREATMENT OF AMOUNTS RECEIVED.—
24 Amounts received under paragraph (1) as reim-
25 bursement for costs incurred by the Secretary to

1 carry out the conveyance under subsection (a) shall
2 be credited to the fund or account that was used to
3 cover the costs incurred by the Secretary in carrying
4 out the conveyance, or to an appropriate fund or ac-
5 count currently available to the Secretary for the
6 purposes for which the costs were paid. Amounts so
7 credited shall be merged with amounts in such fund
8 or account and shall be available for the same pur-
9 poses, and subject to the same conditions and limita-
10 tions, as amounts in such fund or account.

11 (e) DESCRIPTION OF PROPERTY.—The exact acreage
12 and legal description of the property to be conveyed under
13 subsection (a) shall be determined by a survey satisfactory
14 to the Secretary of the Air Force.

15 (f) ADDITIONAL TERMS AND CONDITIONS.—The Sec-
16 retary of the Air Force may require such additional terms
17 and conditions in connection with the conveyance under
18 subsection (a) as the Secretary considers appropriate to
19 protect the interests of the United States.

20 **SEC. 2854. LAND CONVEYANCE, NAVAL AIR STATION**
21 **OCEANA, VIRGINIA BEACH, VIRGINIA.**

22 (a) CONVEYANCE AUTHORIZED.—

23 (1) IN GENERAL.—The Secretary of the Navy
24 may convey to the School Board of the City of Vir-
25 ginia Beach, Virginia (in this section referred to as

1 “VBCPS”) all right, title, and interest of the United
2 States in and to a parcel of real property, including
3 any improvements thereon, consisting of approxi-
4 mately 2.77 acres at Naval Air Station Oceana, Vir-
5 ginia Beach, Virginia, located at 121 West Lane
6 (GPIN: 2407-94-0772) for the purpose of permitting
7 VBCPS to use the property for educational pur-
8 poses.

9 (2) CONTINUATION OF EXISTING EASEMENTS,
10 RESTRICTIONS, AND COVENANTS.—The conveyance
11 of the property under paragraph (1) shall be subject
12 to any easement, restriction, or covenant of record
13 applicable to the property and in existence on the
14 date of the enactment of this Act.

15 (b) CONSIDERATION.—

16 (1) CONSIDERATION REQUIRED; AMOUNT.—As
17 consideration for the conveyance under subsection
18 (a), VBCPS shall pay to the Secretary of the Navy
19 an amount that is not less than the fair market
20 value of the property to be conveyed, as determined
21 by the Secretary. The Secretary’s determination of
22 fair market value shall be final of the property to be
23 conveyed.

24 (2) FORM OF CONSIDERATION.—The consider-
25 ation required by paragraph (1) may be in the form

1 of a cash payment, in-kind consideration as de-
2 scribed in paragraph (3), or a combination thereof,
3 as acceptable to the Secretary. Cash consideration
4 shall be deposited in the special account in the
5 Treasury established under section 572 of title 40,
6 United States Code, and the entire amount depos-
7 ited shall be available for use in accordance with
8 subsection (b)(5)(ii) of such section.

9 (3) IN-KIND CONSIDERATION.—The Secretary
10 may accept as in-kind consideration under this sub-
11 section the acquisition, construction, provision, im-
12 provement, maintenance, repair, or restoration (in-
13 cluding environmental restoration), or combination
14 thereof, of any facilities or infrastructure, or the de-
15 livery of services, relating to the needs of Naval Air
16 Station Oceana.

17 (c) PAYMENT OF COSTS OF CONVEYANCE.—

18 (1) PAYMENT REQUIRED.—The Secretary of
19 the Navy shall require VBCPS to cover costs to be
20 incurred by the Secretary, or to reimburse the Sec-
21 retary for costs incurred by the Secretary, to carry
22 out the conveyance under subsection (a), including
23 costs related to environmental and real estate due
24 diligence, and any other administrative costs related
25 to the conveyance. If amounts are collected in ad-

1 vance of the Secretary incurring the actual costs,
2 and the amount collected exceeds the costs actually
3 incurred by the Secretary to carry out the convey-
4 ance, the Secretary shall refund the excess amount
5 to VBCPS.

6 (2) TREATMENT OF AMOUNTS RECEIVED.—
7 Amounts received as reimbursement under para-
8 graph (1) shall be credited to the fund or account
9 that was used to cover those costs incurred by the
10 Secretary in carrying out the conveyance or, if the
11 period of availability for obligations for that appro-
12 priation has expired, to the fund or account cur-
13 rently available to the Secretary for the same pur-
14 pose. Amounts so credited shall be merged with
15 amounts in such fund or account, and shall be avail-
16 able for the same purposes, and subject to the same
17 conditions and limitations, as amounts in such fund
18 or account.

19 (d) LIMITATION ON SOURCE OF FUNDS.—VBCPS
20 may not use Federal funds to cover any portion of the
21 costs required by subsections (b) and (c) to be paid by
22 VBCPS.

23 (e) DESCRIPTION OF PROPERTY.—The exact acreage
24 and legal description of the parcel of real property to be

1 conveyed under subsection (a) shall be determined by a
2 survey satisfactory to the Secretary of the Navy.

3 (f) **ADDITIONAL TERMS AND CONDITIONS.**—The Sec-
4 retary of the Navy may require such additional terms and
5 conditions in connection with the conveyance under sub-
6 section (a) as the Secretary considers appropriate to pro-
7 tect the interests of the United States.

8 **Subtitle G—Authorized Pilot** 9 **Programs**

10 **SEC. 2861. PILOT PROGRAM ON INCREASED USE OF MASS** 11 **TIMBER IN MILITARY CONSTRUCTION.**

12 (a) **PILOT PROGRAM REQUIRED.**—Each Secretary of
13 a military department shall conduct a pilot program to
14 evaluate the effect that the use of mass timber as the pri-
15 mary construction material in military construction may
16 have on the environmental sustainability, infrastructure
17 resilience, cost effectiveness, and construction timeliness
18 of military construction.

19 (b) **PROJECT SELECTION AND LOCATIONS.**—

20 (1) **MINIMUM NUMBER OF PROJECTS.**—Each
21 Secretary of a military department shall carry out at
22 least one military construction project under the
23 pilot program.

1 (2) PROJECT LOCATIONS.—The pilot program
2 shall be conducted at military installations in the
3 continental United States—

4 (A) that are identified as vulnerable to ex-
5 treme weather events; and—

6 (B) for which a military construction
7 project is authorized but a request for proposal
8 has not been released.

9 (c) INCLUSION OF MILITARY UNACCOMPANIED
10 HOUSING PROJECT.—The Secretaries of the military de-
11 partments shall coordinate the selection of military con-
12 struction projects to be carried out under the pilot pro-
13 gram so that at least one of the military construction
14 projects involves construction of military unaccompanied
15 housing.

16 (d) PROGRAM AUTHORITY.—The Secretary of a mili-
17 tary department may carry out a military construction
18 project under the pilot program using the authorities
19 available to the Secretary of Defense under section 2914
20 of title 10, United States Code, regarding military con-
21 struction projects for energy resilience, energy security,
22 and energy conservation.

23 (e) DURATION OF PROGRAM.—The authority of the
24 Secretary of a military department to carry out a military
25 construction project under the pilot program shall expire

1 on September 30, 2024. Any construction commenced
2 under the pilot program before the expiration date may
3 continue to completion.

4 (f) REPORTING REQUIREMENT.—

5 (1) REPORT REQUIRED.—Not later than 180
6 days after the date of the enactment of this Act, and
7 every 180 days thereafter through December 31,
8 2024, the Secretaries of the military departments
9 shall submit to the congressional defense committees
10 a report on the progress of the pilot program.

11 (2) REPORT ELEMENTS.—The report shall in-
12 clude the following:

13 (A) A description of the status of the mili-
14 tary construction projects selected to be con-
15 ducted under the pilot program.

16 (B) An explanation of the reasons why
17 those military construction projects were se-
18 lected.

19 (C) An analysis of the projected or actual
20 carbon footprint, resilience to extreme weather
21 events, construction timeliness, and cost effec-
22 tiveness of the military construction projects
23 conducted under the pilot program using mass
24 timber as compared to other materials histori-
25 cally used in military construction.

1 (D) Any updated guidance the Under Sec-
2 retary of Defense for Acquisition and
3 Sustainment has released in relation to the pro-
4 curement policy for future military construction
5 projects based on comparable benefits realized
6 from use of mass timber, including guidance on
7 prioritizing sustainable materials in establishing
8 evaluation criteria for military construction
9 project contracts when technically feasible.

10 (g) MASS TIMBER DEFINED.—In this section, the
11 term “mass timber” includes the following:

- 12 (1) Cross-laminated timber.
- 13 (2) Nail-laminated timber.
- 14 (3) Glue-laminated timber.
- 15 (4) Laminated strand lumber.
- 16 (5) Laminated veneer lumber.

17 **SEC. 2862. PILOT PROGRAM ON INCREASED USE OF SUS-**
18 **TAINABLE BUILDING MATERIALS IN MILI-**
19 **TARY CONSTRUCTION.**

20 (a) PILOT PROGRAM REQUIRED.—Each Secretary of
21 a military department shall conduct a pilot program to
22 evaluate the effect that the use of sustainable building ma-
23 terials as the primary construction material in military
24 construction may have on the environmental sustain-

1 ability, infrastructure resilience, cost effectiveness, and
2 construction timeliness of military construction.

3 (b) PROJECT SELECTION AND LOCATIONS.—

4 (1) MINIMUM NUMBER OF PROJECTS.—Each
5 Secretary of a military department shall carry out at
6 least one military construction project under the
7 pilot program.

8 (2) PROJECT LOCATIONS.—The pilot program
9 shall be conducted at military installations in the
10 continental United States—

11 (A) that are identified as vulnerable to ex-
12 treme weather events; and—

13 (B) for which a military construction
14 project is authorized but a request for proposal
15 has not been released.

16 (c) INCLUSION OF MILITARY UNACCOMPANIED
17 HOUSING PROJECT.—The Secretaries of the military de-
18 partments shall coordinate the selection of military con-
19 struction projects to be carried out under the pilot pro-
20 gram so that at least one of the military construction
21 projects involves construction of military unaccompanied
22 housing.

23 (d) DURATION OF PROGRAM.—The authority of the
24 Secretary of a military department to carry out a military
25 construction project under the pilot program shall expire

1 on September 30, 2024. Any construction commenced
2 under the pilot program before the expiration date may
3 continue to completion.

4 (e) REPORTING REQUIREMENT.—

5 (1) REPORT REQUIRED.—Not later than 180
6 days after the date of the enactment of this Act, and
7 every 180 days thereafter through December 31,
8 2024, the Secretaries of the military departments
9 shall submit to the congressional defense committees
10 a report on the progress of the pilot program.

11 (2) REPORT ELEMENTS.—The report shall in-
12 clude the following:

13 (A) A description of the status of the mili-
14 tary construction projects selected to be con-
15 ducted under the pilot program.

16 (B) An explanation of the reasons why
17 those military construction projects were se-
18 lected.

19 (C) An analysis of the projected or actual
20 carbon footprint over the full life cycle of the
21 sustainable building material, resilience to ex-
22 treme weather events, construction timeliness,
23 and cost effectiveness of the military construc-
24 tion projects conducted under the pilot program
25 using sustainable building materials as com-

1 pared to other materials historically used in
2 military construction.

3 (D) Any updated guidance the Under Sec-
4 retary of Defense for Acquisition and
5 Sustainment has released in relation to the pro-
6 curement policy for future military construction
7 projects based on comparable benefits realized
8 from use of sustainable building materials, in-
9 cluding guidance on prioritizing sustainable ma-
10 terials in establishing evaluation criteria for
11 military construction project contracts when
12 technically feasible.

13 (f) SUSTAINABLE BUILDING MATERIALS DE-
14 FINED.—In this section, the term “sustainable building
15 material” means any building material the use of which
16 will reduce carbon emissions over the life cycle of the
17 building. The term includes mass timber, concrete, and
18 other carbon reducing materials.

19 **SEC. 2863. PILOT PROGRAM ON ESTABLISHMENT OF AC-**
20 **COUNT FOR REIMBURSEMENT FOR USE OF**
21 **TESTING FACILITIES AT INSTALLATIONS OF**
22 **THE DEPARTMENT OF THE AIR FORCE.**

23 (a) IN GENERAL.—Not later than 180 days after the
24 date of the enactment of this Act, the Secretary of the
25 Air Force shall establish a pilot program to authorize in-

1 stallations of the Department of the Air Force to establish
2 a reimbursable account for the purpose of being reim-
3 bursed for the use of testing facilities on such installation.

4 (b) INSTALLATIONS SELECTED.—The Secretary of
5 the Air Force shall select not more than two installations
6 of the Department of the Air Force to participate in the
7 pilot program under subsection (a) from among any such
8 installations that are part of the Air Force Flight Test
9 Center construct and are currently funded for Facility,
10 Sustainment, Restoration, and Modernization (FSRM)
11 through the Research, Development, Test, and Evaluation
12 account of the Department of the Air Force.

13 (c) OVERSIGHT OF FUNDS.—For each installation se-
14 lected for the pilot program under subsection (a), the com-
15 mander of such installation shall have direct oversight over
16 50 percent of the funds allocated to the installation for
17 Facility, Sustainment, Restoration, and Modernization
18 and the Commander of the Air Force Civil Engineer Cen-
19 ter shall have direct oversight over the remaining 50 per-
20 cent of such funds.

21 (d) BRIEFING AND REPORT.—

22 (1) BRIEFING.—Not later than 30 days after
23 establishing the pilot program under subsection (a),
24 the Secretary of the Air Force shall brief the con-
25 gressional defense committees on the pilot program.

1 (2) ANNUAL REPORT.—Not later than one year
2 after establishing the pilot program under subsection
3 (a), and annually thereafter, the Secretary of the Air
4 Force shall submit to the congressional defense com-
5 mittees a report on the pilot program.

6 (e) TERMINATION.—The pilot program under sub-
7 section (a) shall terminate on December 1, 2026.

8 **SEC. 2864. PILOT PROGRAM TO EXPEDITE 5G TELE-**
9 **COMMUNICATIONS ON MILITARY INSTALLA-**
10 **TIONS THROUGH DEPLOYMENT OF TELE-**
11 **COMMUNICATIONS INFRASTRUCTURE.**

12 (a) PILOT PROGRAM REQUIRED.—Not later than one
13 year after the date of the enactment of this Act, each Sec-
14 retary of a military department shall establish a pilot pro-
15 gram to evaluate the feasibility of deploying telecommuni-
16 cations infrastructure to expedite the availability of 5G
17 telecommunications on military installations.

18 (b) SELECTION OF PROGRAM SITES.—

19 (1) IN GENERAL.—Each Secretary of a military
20 department shall select at least one military installa-
21 tion under the jurisdiction of the Secretary as a lo-
22 cation at which to conduct the pilot program.

23 (2) PRIORITY.—In selecting a military installa-
24 tion as a location for the pilot program, the Sec-
25 retary of a military department shall prioritize mili-

1 tary installations that are located in close proximity
2 to other military installations, whether or not the
3 other installations are under the jurisdiction of that
4 Secretary.

5 (c) IMPLEMENTATION REPORT.—Not later than six
6 months after the establishment of the pilot program by
7 the Secretary of a military department, that Secretary
8 shall submit to the congressional defense committees a re-
9 port containing the following:

10 (1) A list of the military installations selected
11 by that Secretary as locations for the pilot program.

12 (2) A description of authorities used to execute
13 the pilot program.

14 (3) The number and identity of telecommuni-
15 cation carriers that intend to use the telecommuni-
16 cations infrastructure deployed pursuant to the pilot
17 program to provide 5G telecommunication services
18 at the selected military installations.

19 (4) An assessment of the need to have central-
20 ized processes and points of contacts or additional
21 authorities, to facilitate deployment of telecommuni-
22 cations infrastructure.

23 (d) TELECOMMUNICATIONS INFRASTRUCTURE DE-
24 FINED.—In this section, the term “telecommunications in-
25 frastructure” includes, but is not limited to, the following:

- 1 (1) Macro towers.
- 2 (2) Small cell poles.
- 3 (3) Distributed antenna systems.
- 4 (4) Dark fiber.
- 5 (5) Power solutions.

6 **Subtitle H—Asia-Pacific and Indo-**
7 **Pacific Issues**

8 **SEC. 2871. IMPROVED OVERSIGHT OF CERTAIN INFRA-**
9 **STRUCTURE SERVICES PROVIDED BY NAVAL**
10 **FACILITIES ENGINEERING SYSTEMS COM-**
11 **MAND PACIFIC.**

12 The Secretary of the Navy shall designate an admin-
13 istrative position within the Naval Facilities Engineering
14 Systems Command Pacific for the purpose of improving
15 the continuity of management and oversight of real prop-
16 erty and infrastructure assets in the Pacific Area of Re-
17 sponsibility related to the training needs of the Armed
18 Forces, particularly regarding leased property for which
19 the lease will expire within 10 years after the date of the
20 enactment of this Act.

1 **Subtitle I—Miscellaneous Studies**
2 **and Reports**

3 **SEC. 2881. IDENTIFICATION OF ORGANIC INDUSTRIAL BASE**
4 **GAPS AND VULNERABILITIES RELATED TO**
5 **CLIMATE CHANGE AND DEFENSIVE CYBERSE-**
6 **CURITY CAPABILITIES.**

7 Section 2504(3)(B) of title 10, United States Code,
8 is amended—

9 (1) by redesignating clauses (i), (ii), and (iii) as
10 clauses (ii), (iii), and (iv); and

11 (2) by inserting before clause (ii), as so redesign-
12 nated, the following new clause:

13 “(i) gaps and vulnerabilities related
14 to—

15 “(I) current and projected im-
16 pacts of climate change; and

17 “(II) defensive cybersecurity ca-
18 pabilities;”.

19 **Subtitle J—Other Matters**

20 **SEC. 2891. CLARIFICATION OF INSTALLATION AND MAINTEN-**
21 **NANCE REQUIREMENTS REGARDING FIRE EX-**
22 **TINGUISHERS IN DEPARTMENT OF DEFENSE**
23 **FACILITIES.**

24 Section 2861 of the Military Construction Authoriza-
25 tion Act for Fiscal Year 2020 (division B of Public Law

1 116–92; 133 Stat. __) is amended by striking “require-
 2 ments of national model fire codes developed by the Na-
 3 tional Fire Protection Association and the International
 4 Code Council” and inserting “NFPA 1, Fire Code of the
 5 National Fire Protection Association and applicable re-
 6 quirements of the international building code and inter-
 7 national fire code of the International Code Council”.

8 **TITLE XXIX—ADDITIONAL MILI-**
 9 **TARY CONSTRUCTION**
 10 **PROJECTS RELATED TO**
 11 **SCIENCE, TECHNOLOGY,**
 12 **TEST, AND EVALUATION**

13 **SEC. 2901. AUTHORIZED ARMY CONSTRUCTION AND LAND**
 14 **ACQUISITION PROJECTS.**

15 The Secretary of the Army may acquire real property
 16 and carry out the military construction projects related
 17 to science, technology, test, and evaluation for the installa-
 18 tions or locations inside the United States, and in the
 19 amounts, set forth in the following table:

Army Projects

State	Installation or Location	Amount
Maryland	Aberdeen Proving Ground	\$29,000,000
	Fort Detrick	\$94,000,000
Mississippi	Engineering Research and Develop- ment Center	\$49,000,000
New Mexico	White Sands Missile Range	\$43,000,000

1 **SEC. 2902. AUTHORIZED NAVY CONSTRUCTION AND LAND**
 2 **ACQUISITION PROJECTS.**

3 The Secretary of the Navy may acquire real property
 4 and carry out the military construction projects related
 5 to science, technology, test, and evaluation for the installa-
 6 tions or locations inside the United States, and in the
 7 amounts, set forth in the following table:

Navy Projects

State	Installation or location	Amount
California	Naval Information Warfare Center Pacific	\$49,970,000
District of Columbia	Naval Research Laboratory	\$556,030,000
Florida	Naval Surface Warfare Center Panama City	\$83,820,000
Indiana	Naval Surface Warfare Center Crane	\$86,920,000
Maryland	Naval Air Warfare Division	\$121,190,000
	Naval Surface Warfare Center Carderock	\$45,440,000
	Naval Surface Warfare Center Indian Head Explosive Ordnance Disposal Technology Division	\$132,030,000
Pennsylvania	Naval Surface Warfare Division Philadelphia	\$160,040,000
Rhode Island	Naval Undersea Warfare Center Newport	\$129,860,000
Virginia	Naval Surface Warfare Center Dahlgren	\$98,670,000

8 **SEC. 2903. AUTHORIZED AIR FORCE CONSTRUCTION AND**
 9 **LAND ACQUISITION PROJECTS.**

10 The Secretary of the Air Force may acquire real
 11 property and carry out the military construction projects
 12 related to science, technology, test, and evaluation for the
 13 installations or locations inside the United States, and in
 14 the amounts, set forth in the following table:

Air Force Projects

State	Installation or location	Amount
California	Edwards Air Force Base	\$103,000,000
Florida	Eglin Air Force Base	\$662,000,000

Air Force Projects—Continued

State	Installation or location	Amount
Hawaii	Maui Experimental Site	\$88,000,000
New Mexico	Holloman Air Force Base	\$186,600,000
	Kirtland Air Force Base	\$138,000,000
Ohio	Wright-Patterson Air Force Base	\$378,000,000
Tennessee	Arnold Air Force Base	\$120,618,000
Texas	Joint Base San Antonio-Fort Sam Houston.	\$113,000,000

1 SEC. 2904. AUTHORIZATION OF APPROPRIATIONS.

2 Funds are hereby authorized to be appropriated for
3 fiscal years beginning after September 30, 2021, for the
4 military construction projects related to science, tech-
5 nology, test, and evaluation authorized by this title, as
6 specified in the funding table in section 4601.

7 **DIVISION C—DEPARTMENT OF**
8 **ENERGY NATIONAL SECURITY**
9 **AUTHORIZATIONS AND**
10 **OTHER AUTHORIZATIONS**

11 **TITLE XXXI—DEPARTMENT OF**
12 **ENERGY NATIONAL SECURITY**
13 **PROGRAMS**

14 **Subtitle A—National Security**
15 **Programs and Authorizations**

16 **SEC. 3101. NATIONAL NUCLEAR SECURITY ADMINISTRA-**
17 **TION.**

18 (a) **AUTHORIZATION OF APPROPRIATIONS.**—Funds
19 are hereby authorized to be appropriated to the Depart-
20 ment of Energy for fiscal year 2022 for the activities of

1 the National Nuclear Security Administration in carrying
2 out programs as specified in the funding table in section
3 4701.

4 (b) AUTHORIZATION OF NEW PLANT PROJECTS.—
5 From funds referred to in subsection (a) that are available
6 for carrying out plant projects, the Secretary of Energy
7 may carry out new plant projects for the National Nuclear
8 Security Administration as follows:

9 Project 22–D–513, Power Sources Capability,
10 Sandia National Laboratories, Albuquerque, New
11 Mexico, \$13,827,000.

12 Project 22–D–514, Digital Infrastructure Capa-
13 bility Expansion, Lawrence Livermore National Lab-
14 oratory, Livermore, California, \$8,000,000.

15 Project 22–D–531, KL Chemistry and Radio-
16 logical Health Building, Knolls Atomic Power Lab-
17 oratory, Schenectady, New York, \$41,620,000.

18 Project 22–D–532, KL Security Upgrades,
19 Knolls Atomic Power Laboratory, Schenectady, New
20 York, \$5,100,000.

21 Shipping & Receiving (Exterior), Los Alamos
22 National Laboratory, Los Alamos, New Mexico,
23 \$9,700,000.

24 TCAP Restoration Column A, Savannah River
25 Site, Aiken, South Carolina, \$4,700,000.

1 **SEC. 3102. DEFENSE ENVIRONMENTAL CLEANUP.**

2 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds
3 are hereby authorized to be appropriated to the Depart-
4 ment of Energy for fiscal year 2022 for defense environ-
5 mental cleanup activities in carrying out programs as
6 specified in the funding table in section 4701.

7 (b) AUTHORIZATION OF NEW PLANT PROJECTS.—
8 From funds referred to in subsection (a) that are available
9 for carrying out plant projects, the Secretary of Energy
10 may carry out, for defense environmental cleanup activi-
11 ties, the following new plant projects:

12 Project 22–D–401, 400 Area Fire Station, Hanford
13 Site, Richland, Washington, \$15,200,000.

14 Project 22–D–402, 200 Area Water Treatment Facil-
15 ity, Hanford Site, Richland, Washington, \$12,800,000.

16 Project 22–D–403, Idaho Spent Nuclear Fuel Stag-
17 ing Facility, Idaho National Laboratory, Idaho Falls,
18 Idaho, \$3,000,000.

19 Project 22–D–404, Additional ICDF Landfill Dis-
20 posal Cell and Evaporation Ponds Project, Idaho National
21 Laboratory, Idaho Falls, Idaho, \$5,000,000.

22 **SEC. 3103. OTHER DEFENSE ACTIVITIES.**

23 Funds are hereby authorized to be appropriated to
24 the Department of Energy for fiscal year 2022 for other
25 defense activities in carrying out programs as specified in
26 the funding table in section 4701.

1 **SEC. 3104. NUCLEAR ENERGY.**

2 Funds are hereby authorized to be appropriated to
3 the Department of Energy for fiscal year 2022 for nuclear
4 energy as specified in the funding table in section 4701.

5 **Subtitle B—Program Authoriza-**
6 **tions, Restrictions, Limitations,**
7 **and Other Matters**

8 **SEC. 3111. IMPROVEMENTS TO ANNUAL REPORTS ON CON-**
9 **DITION OF THE UNITED STATES NUCLEAR**
10 **WEAPONS STOCKPILE.**

11 Section 4205(e)(3) of the Atomic Energy Defense Act
12 (50 U.S.C. 2525(e)(3)) is amended—

13 (1) in subparagraph (A), by inserting “, includ-
14 ing with respect to cyber assurance,” after “meth-
15 ods”; and

16 (2) in subparagraph (B), by inserting “, and
17 the confidence of the head in,” after “adequacy of”.

18 **SEC. 3112. MODIFICATIONS TO CERTAIN REPORTING RE-**
19 **QUIREMENTS.**

20 (a) NOTIFICATION OF EMPLOYEE PRACTICES AF-
21 FECTING NATIONAL SECURITY.—Section 3245 of the Na-
22 tional Nuclear Security Administration Act (50 U.S.C.
23 2443) is amended by striking subsections (a) and (b) and
24 inserting the following new subsections:

25 “(a) ANNUAL NOTIFICATION OF SECURITY CLEAR-
26 ANCE REVOCATIONS.—At or about the time that the

1 President's budget is submitted to Congress under section
2 1105(a) of title 31, United States Code, the Administrator
3 shall notify the appropriate congressional committees of—

4 “(1) the number of covered employees whose se-
5 curity clearance was revoked during the year prior
6 to the year in which the notification is made; and

7 “(2) for each employee counted under para-
8 graph (1), the length of time such employee has
9 been employed at the Administration, as the case
10 may be, since such revocation.

11 “(b) ANNUAL NOTIFICATION OF TERMINATIONS AND
12 REMOVALS.—Not later than December 31 of each year,
13 the Administrator shall notify the appropriate congres-
14 sional committees of each instance in which the Adminis-
15 trator terminated the employment of a covered employee
16 or removed and reassigned a covered employee for cause
17 during that year.”.

18 (b) PLAN FOR CONSTRUCTION AND OPERATION OF
19 MOX FACILITY.—Section 4306 of the Atomic Energy De-
20 fense Act (50 U.S.C. 2566) is amended—

21 (1) by striking subsections (a) and (b); and

22 (2) by redesignating subsections (c) through (h)
23 as subsections (a) through (f), respectively.

24 (c) REPORTS ON CERTAIN TRANSFERS OF CIVIL NU-
25 CLEAR TECHNOLOGY.—Section 3136 of the National De-

1 fense Authorization Act for Fiscal Year 2016 (42 U.S.C.
2 2077a) is amended—

3 (1) by striking subsection (a);

4 (2) by redesignating subsections (b) through (i)
5 as subsections (a) through (h), respectively; and

6 (3) in subsection (b)(2), as so redesignated, by
7 striking “each report under subsection (a) and”.

8 (d) CERTAIN ANNUAL REVIEWS BY NUCLEAR
9 SCIENCE ADVISORY COMMITTEE.—Section 3173(a)(4)(B)
10 of the National Defense Authorization Act for Fiscal Year
11 2013 (42 U.S.C. 2065(a)(4)(B)) is amended by striking
12 “annual reviews” and inserting “reviews during even-num-
13 bered years”.

14 (e) CONFORMING AMENDMENT.—Section 161 n. of
15 the Atomic Energy Act of 1954 (42 U.S.C. 2201(n)) is
16 amended by striking “(as defined in section 3136(i) of the
17 National Defense Authorization Act for Fiscal Year 2016
18 (42 U.S.C. 2077a(i)))” and inserting “(as defined in sec-
19 tion 3136(h) of the National Defense Authorization Act
20 for Fiscal Year 2016 (42 U.S.C. 2077a(h)))”.

21 **SEC. 3113. PLUTONIUM PIT PRODUCTION CAPACITY.**

22 (a) CERTIFICATIONS.—Section 4219 of the Atomic
23 Energy Defense Act (50 U.S.C. 2538a) is amended by
24 adding at the end the following new subsections:

1 “(d) CERTIFICATIONS ON PLUTONIUM ENTER-
2 PRISE.—

3 “(1) REQUIREMENT.—Not later than 30 days
4 after the date on which a covered project achieves a
5 critical decision milestone, the Assistant Secretary
6 for Environmental Management and the Deputy Ad-
7 ministrator for Defense Programs shall jointly cer-
8 tify to the congressional defense committees that the
9 operations, infrastructure, and workforce of such
10 project is adequate to carry out the delivery and dis-
11 posal of planned waste shipments relating to the plu-
12 tonium enterprise, as outlined in the critical decision
13 memoranda of the Department of Energy with re-
14 spect to such project.

15 “(2) FAILURE TO CERTIFY.—If the Assistant
16 Secretary for Environmental Management and the
17 Deputy Administrator for Defense Programs fail to
18 make a certification under paragraph (1) by the
19 date specified in such paragraph with respect to a
20 covered project achieving a critical decision mile-
21 stone, the Assistant Secretary and the Deputy Ad-
22 ministrator shall jointly submit to the congressional
23 defense committees, by not later than 30 days after
24 such date, a plan to ensure that the operations, in-
25 frastructure, and workforce of such project will be

1 adequate to carry out the delivery and disposal of
2 planned waste shipments described in such para-
3 graph.

4 “(e) REPORTS.—

5 “(1) REQUIREMENT.—Not later than March 1
6 of each year during the period beginning on the date
7 on which the first covered project achieves critical
8 decision 2 in the acquisition process and ending on
9 the date on which the second project achieves critical
10 decision 4 and begins operations, the Administrator
11 for Nuclear Security shall submit to the congres-
12 sional defense committees a report on the production
13 goals of both covered projects during the first 10
14 years of the operation of the projects.

15 “(2) ELEMENTS.—Each report under para-
16 graph (1) shall include, with respect to the covered
17 projects and the 10 years covered by the report—

18 “(A) the number of war reserve plutonium
19 pits planned to be produced during each year,
20 including the associated warhead type;

21 “(B) a description of risks and challenges
22 to meeting the performance baseline for the
23 projects, as approved in critical decision 2 in
24 the acquisition process;

1 “(C) options available to the Administrator
2 to balance scope, costs, and production require-
3 ments at the projects to decrease overall risk to
4 the plutonium enterprise and enduring pluto-
5 nium pit requirements; and

6 “(D) an explanation of any changes to the
7 production goals or requirements as compared
8 to the report submitted during the previous
9 year.

10 “(f) COVERED PROJECT DEFINED.—In this sub-
11 section, the term ‘covered project’ means—

12 “(1) the Savannah River Plutonium Processing
13 Facility, Savannah River Site, Aiken, South Carolina
14 (Project 21–D–511); or

15 “(2) the Plutonium Pit Production Project, Los
16 Alamos National Laboratory, Los Alamos, New
17 Mexico (Project 21–D–512).”.

18 (b) BRIEFING.—Not later than May 1, 2022, the Ad-
19 ministrator for Nuclear Security and the Director for Cost
20 Estimating and Program Evaluation shall jointly provide
21 to the congressional defense committees a briefing on the
22 ability of the National Nuclear Security Administration to
23 carry out the plutonium enterprise of the Administration,
24 including with respect to the adequacy of the program
25 management staff of the Administration to execute cov-

1 ered projects (as defined in subsection (f) of section 4219
2 of the Atomic Energy Defense Act (50 U.S.C. 2538a), as
3 amended by subsection (a)).

4 **SEC. 3114. REPORT ON RUNIT DOME AND RELATED HAZ-**
5 **ARDS.**

6 (a) REPORT.—

7 (1) AGREEMENT.—The Secretary of the Inte-
8 rior shall seek to enter into an agreement with an
9 entity to prepare a report on—

10 (A) the effects of climate change on the
11 Runit Dome nuclear waste disposal site in
12 Enewetak Atoll, Marshall Islands; and

13 (B) other environmental hazards created
14 by the United States relating to nuclear bomb
15 and other weapons testing in the vicinity of
16 Enewetak Atoll.

17 (2) INDEPENDENT ENTITY.—The Secretary
18 shall select an entity under paragraph (1) that is not
19 part of the Federal Government.

20 (b) MATTERS INCLUDED.—The report under sub-
21 section (a) shall include the following:

22 (1) A detailed scientific analysis of any threats
23 to the environment, and to the health and safety, of
24 the residents of Enewetak Atoll posed by each of—

1 (A) the Runit Dome nuclear waste disposal
2 site;

3 (B) crypts used to contain nuclear waste
4 and other toxins on Enewetak Atoll;

5 (C) radionuclides and other toxins present
6 in the lagoon of Enewetak Atoll, including areas
7 in the lagoon where nuclear waste was dumped;

8 (D) radionuclides and other toxins, includ-
9 ing beryllium, which may be present on the is-
10 lands of Enewetak Atoll as a result of nuclear
11 tests and other activities of the Federal Govern-
12 ment, including tests of chemical and biological
13 warfare agents, rocket tests, contaminated air-
14 craft landing on Enewetak Island, and nuclear
15 cleanup activities;

16 (E) radionuclides and other toxins that
17 may be present in the drinking water on
18 Enewetak Island or in the water source for the
19 desalination plant; and

20 (F) radionuclides and other toxins that
21 may be present in the ground water under and
22 in the vicinity of the Runit Dome nuclear waste
23 disposal site.

24 (2) A detailed scientific analysis of the extent to
25 which rising sea levels, severe weather events, and

1 other effects of climate change might exacerbate any
2 of the threats identified under paragraph (1).

3 (3) A detailed plan, including costs, to relocate
4 all of the nuclear waste and other toxic waste con-
5 tained in—

6 (A) the Runit Dome nuclear waste disposal
7 site;

8 (B) all of the crypts on Enewetak Atoll
9 containing such waste; and

10 (C) the three dumping areas in Enewetak's
11 lagoon to a safe, secure facility to be con-
12 structed in an uninhabited, unincorporated ter-
13 ritory of the United States.

14 (c) MARSHALLESE PARTICIPATION.—The Secretary
15 shall ensure that scientists or other experts selected by
16 the Government of the Marshall Islands are able to par-
17 ticipate in all aspects of the preparation of the report
18 under subsection (a), including, at a minimum, with re-
19 spect to developing the work plan, identifying questions,
20 conducting research, and collecting and interpreting data.

21 (d) SUBMISSION AND PUBLICATION.—

22 (1) FEDERAL REGISTER.—The Secretary shall
23 publish the report under subsection (a) in the Fed-
24 eral Register for public comment for a period of not
25 fewer than 60 days.

1 (2) CONGRESS.—Not later than one year after
2 the date of the enactment of this Act, the Secretary
3 shall submit to Congress the report under subsection
4 (a).

5 (3) PUBLIC AVAILABILITY.—The Secretary
6 shall publish on a publicly available internet website
7 the report under subsection (a) and the results of
8 the public comments pursuant to paragraph (1).

9 **SEC. 3115. UNIVERSITY-BASED NUCLEAR NONPROLIFERA-**
10 **TION COLLABORATION PROGRAM.**

11 Title XLIII of the Atomic Energy Defense Act (50
12 U.S.C. 2565 et seq.) is amended by adding at the end
13 the following new section (and conforming the table of
14 contents accordingly):

15 **“SEC. 4312. UNIVERSITY-BASED DEFENSE NUCLEAR NON-**
16 **PROLIFERATION COLLABORATION PRO-**
17 **GRAM.**

18 “(a) PROGRAM.—The Administrator shall carry out
19 a program under which the Administrator establishes a
20 policy research consortium of institutions of higher edu-
21 cation and nonprofit entities in support of implementing
22 and innovating the defense nuclear nonproliferation pro-
23 grams of the Administration. The Administrator shall es-
24 tablish and carry out such program in a manner similar
25 to the program established under section 4814.

1 “(b) PURPOSES.—The purposes of the consortium
2 under subsection (a) are as follows:

3 “(1) To shape the formulation and application
4 of policy through the conduct of research and anal-
5 ysis regarding defense nuclear nonproliferation pro-
6 grams.

7 “(2) To maintain open-source databases on
8 issues relevant to understanding defense nuclear
9 nonproliferation, arms control, and nuclear security.

10 “(3) To facilitate the collaboration of research
11 centers of excellence relating to defense nuclear non-
12 proliferation to better distribute expertise to specific
13 issues and scenarios regarding such threats.

14 “(c) DUTIES.—

15 “(1) SUPPORT.—The Administrator shall en-
16 sure that the consortium established under sub-
17 section (a) provides support to individuals described
18 in paragraph (2) through the use of nongovern-
19 mental fellowships, scholarships, research intern-
20 ships, workshops, short courses, summer schools,
21 and research grants.

22 “(2) INDIVIDUALS DESCRIBED.—The individ-
23 uals described in this paragraph are graduate stu-
24 dents, academics, and policy specialists, who are fo-
25 cused on policy innovation related to—

- 1 “(A) defense nuclear nonproliferation;
2 “(B) arms control;
3 “(C) nuclear deterrence;
4 “(D) the study of foreign nuclear pro-
5 grams;
6 “(E) nuclear security; or
7 “(F) educating and training the next gen-
8 eration of defense nuclear nonproliferation pol-
9 icy experts.”.

10 **SEC. 3116. PROHIBITION ON AVAILABILITY OF FUNDS TO**
11 **RECONVERT OR RETIRE W76-2 WARHEADS.**

12 (a) PROHIBITION.—Except as provided in subsection
13 (b), none of the funds authorized to be appropriated by
14 this Act or otherwise made available for fiscal year 2022
15 for the National Nuclear Security Administration may be
16 obligated or expended to reconvert or retire a W76-2 war-
17 head.

18 (b) WAIVER.—The Administrator for Nuclear Secu-
19 rity may waive the prohibition in subsection (a) if the Ad-
20 ministrator, in consultation with the Secretary of Defense,
21 the Director of National Intelligence, and the Chairman
22 of the Joint Chiefs of Staff, certifies to the congressional
23 defense committees that Russia and China do not possess
24 naval capabilities similar to the W76-2 warhead in the
25 active stockpiles of the respective country.

1 **TITLE XXXII—DEFENSE NU-**
2 **CLEAR FACILITIES SAFETY**
3 **BOARD**

4 **SEC. 3201. AUTHORIZATION.**

5 There are authorized to be appropriated for fiscal
6 year 2022, \$31,000,000 for the operation of the Defense
7 Nuclear Facilities Safety Board under chapter 21 of the
8 Atomic Energy Act of 1954 (42 U.S.C. 2286 et seq.).

9 **SEC. 3202. TECHNICAL AMENDMENTS REGARDING CHAIR**
10 **AND VICE CHAIR OF DEFENSE NUCLEAR FA-**
11 **CILITIES SAFETY BOARD.**

12 Chapter 21 of the Atomic Energy Act of 1954 (42
13 U.S.C. 2286 et seq.) is amended—

14 (1) in section 311 (42 U.S.C. 2286)—

15 (A) in subsection (c)(4), by striking “the
16 office of Chairman” and inserting “the office of
17 the Chair”; and

18 (B) by striking “Chairman” each place it
19 appears (including in the heading of subsection
20 (c)) and inserting “Chair”; and

21 (2) in section 313 (42 U.S.C. 2286b), by strik-
22 ing “Chairman” each place it appears and inserting
23 “Chair”.

1 **TITLE XXXIV—NAVAL**
2 **PETROLEUM RESERVES**

3 **SEC. 3401. AUTHORIZATION OF APPROPRIATIONS.**

4 (a) **AMOUNT.**—There are hereby authorized to be ap-
5 propriated to the Secretary of Energy \$13,650,000 for fis-
6 cal year 2022 for the purpose of carrying out activities
7 under chapter 869 of title 10, United States Code, relating
8 to the naval petroleum reserves.

9 (b) **PERIOD OF AVAILABILITY.**—Funds appropriated
10 pursuant to the authorization of appropriations in sub-
11 section (a) shall remain available until expended.

12 **TITLE XXXV—MARITIME**
13 **MATTERS**
14 **Subtitle A—Maritime**
15 **Administration**

16 **SEC. 3501. AUTHORIZATION OF THE MARITIME ADMINIS-**
17 **TRATION.**

18 (a) **IN GENERAL.**—There are authorized to be appro-
19 priated to the Department of Transportation for fiscal
20 year 2022, to be available without fiscal year limitation
21 if so provided in appropriations Acts, for programs associ-
22 ated with maintaining the United States merchant marine,
23 the following amounts:

1 (1) For expenses necessary for operations of the
2 United States Merchant Marine Academy,
3 \$90,532,000, of which—

4 (A) \$85,032,000 shall be for Academy op-
5 erations; and

6 (B) \$5,500,000 shall remain available until
7 expended for capital asset management at the
8 Academy.

9 (2) For expenses necessary to support the State
10 maritime academies, \$358,300,000, of which—

11 (A) \$2,400,000 shall remain available until
12 September 30, 2026, for the Student Incentive
13 Program; and

14 (B) \$30,500,000 shall remain available
15 until expended for maintenance and repair of
16 State maritime academy training vessels.

17 (3) For expenses necessary to support the Na-
18 tional Security Multi-Mission Vessel Program,
19 \$315,600,000, which shall remain available until ex-
20 pended.

21 (4) For expenses necessary to support Maritime
22 Administration operations and programs,
23 \$60,853,000.

1 (5) For expenses necessary to dispose of vessels
2 in the National Defense Reserve Fleet, \$10,000,000,
3 which shall remain available until expended.

4 (6) For expenses necessary to maintain and
5 preserve a United States flag merchant marine to
6 serve the national security needs of the United
7 States under chapter 531 of title 46, United States
8 Code, \$318,000,000.

9 (7) For expenses necessary for the loan guar-
10 antee program authorized under chapter 537 of title
11 46, United States Code, \$33,000,000, of which—

12 (A) \$30,000,000 may be used for the cost
13 (as defined in section 502(5) of the Federal
14 Credit Reform Act of 1990 (2 U.S.C. 661a(5)))
15 of loan guarantees under the program; and

16 (B) \$3,000,000 may be used for adminis-
17 trative expenses relating to loan guarantee com-
18 mitments under the program.

19 (8) For expenses necessary to provide for the
20 Tanker Security Fleet, as authorized under chapter
21 534 of title 46, United States Code, \$60,000,000, to
22 remain available until expended.

23 (9) For expenses necessary to support maritime
24 environmental and technical assistance activities au-
25 thorized under section 50307 of title 46, United

1 States Code, \$6,000,000, of which \$3,000,000 is au-
2 thORIZED to carry out activities related to port and
3 vessel air emission reduction technologies, including
4 zero emissions technologies; and

5 (10) For expenses necessary to support marine
6 highway program activities authorized under chapter
7 556 of such title, \$11,000,000.

8 (11) For expenses necessary to provide assist-
9 ance to small shipyards authorized under section
10 54101 of title 46, United States Code, \$20,000,000.

11 (12) For expenses necessary to support port de-
12 velopment activities authorized under subsections (a)
13 and (b) of section 54301 of such title (as added by
14 this title), \$750,000,000.

15 (b) LIMITATION.—No amounts authorized under sub-
16 section (a)(11) may be used to provide a grant to purchase
17 fully automated cargo handling equipment that is remotely
18 operated or remotely monitored with or without the exer-
19 cise of human intervention or control, if the Secretary de-
20 termines such equipment would result in a net loss of jobs
21 within a port or port terminal.

22 **SEC. 3502. MARITIME ADMINISTRATION.**

23 (a) IN GENERAL.—

1 (1) Part A of subtitle V of title 46, United
2 States Code, is amended by inserting before chapter
3 501 the following:

4 **“CHAPTER 500—MARITIME**
5 **ADMINISTRATION**

“Sec.
“50001. Maritime Administration.

6 **“§ 50001. Maritime Administration”.**

7 (2) Section 109 of title 49, United States Code,
8 is redesignated as section 50001 of title 46, United
9 States Code, and transferred to appear in chapter
10 500 of such title (as added by paragraph (1)).

11 (b) CLERICAL AMENDMENTS.—

12 (1) The table of chapters for subtitle V of title
13 46, United States Code, as amended by this title, is
14 further amended by inserting before the item relat-
15 ing to chapter 501 the following:

“500. Maritime Administration50001”.

16 (2) The analysis for chapter 1 of title 49,
17 United States Code, is amended by striking the item
18 relating to section 109.

19 **Subtitle B—Other Matters**

20 **SEC. 3511. EFFECTIVE PERIOD FOR ISSUANCE OF DOCU-**
21 **MENTATION FOR RECREATIONAL VESSELS.**

22 Section 12105(e)(2) of title 46, United States Code,
23 is amended—

1 (1) by striking subparagraphs (A) and (B) and
2 inserting the following:

3 “(A) IN GENERAL.—The owner or operator
4 of a recreational vessel may choose a period of
5 effectiveness of between 1 and 5 years for a cer-
6 tificate of documentation for a recreational ves-
7 sel or the renewal thereof.”; and

8 (2) by redesignating subparagraph (C) as sub-
9 paragraph (B).

10 **SEC. 3512. AMERICA’S MARINE HIGHWAY PROGRAM.**

11 (a) AMERICA’S MARINE HIGHWAY PROGRAM.—Sec-
12 tion 55601 of title 46, United States Code, is amended
13 to read as follows:

14 **“§ 55601. America’s marine highway program**

15 “(a) PROGRAM.—

16 “(1) IN GENERAL.—The Secretary of Transpor-
17 tation shall—

18 “(A) establish a marine highway program
19 to be known as America’s marine highway pro-
20 gram;

21 “(B) designate marine highway routes
22 under subsection (c);

23 “(C) designate marine highway transpor-
24 tation projects under subsection (d); and

1 “(D) subject to the availability of appro-
2 priations, provide assistance under subsection
3 (e).

4 “(2) PROGRAM ACTIVITIES.—In carrying out
5 the marine highway program established under para-
6 graph (1), the Secretary may—

7 “(A) coordinate with ports, State depart-
8 ments of transportation, localities, other public
9 agencies, and the private sector on the develop-
10 ment of landside facilities and infrastructure to
11 support marine highway transportation;

12 “(B) develop performance measures for
13 such marine highway program;

14 “(C) collect and disseminate data for the
15 designation and delineation of marine highway
16 transportation routes under subsection (c); and

17 “(D) conduct research on solutions to im-
18 pediments to marine highway transportation
19 projects designated under subsection (d).

20 “(b) CRITERIA.—Routes designated under subsection
21 (c) and projects designated under subsection (d) shall—

22 “(1) provide a coordinated and capable alter-
23 native to landside transportation;

24 “(2) mitigate or relieve landside congestion; or

25 “(3) promote marine highway transportation.

1 “(c) MARINE HIGHWAY TRANSPORTATION
2 ROUTES.—The Secretary shall designate marine highway
3 transportation routes that meet the criteria established in
4 subsection (b) as extensions of the surface transportation
5 system.

6 “(d) PROJECT DESIGNATION.—The Secretary may
7 designate a project that meets the criteria established in
8 subsection (b) to be a marine highway transportation
9 project if the Secretary determines that such project uses
10 vessels documented under chapter 121 and—

11 “(1) develops, expands or promotes—

12 “(A) marine highway transportation serv-
13 ices;

14 “(B) shipper utilization of marine highway
15 transportation; or

16 “(C) port and landside infrastructure for
17 which assistance is not available under section
18 54301; or

19 “(2) implements strategies developed under sec-
20 tion 55603.

21 “(e) ASSISTANCE.—

22 “(1) IN GENERAL.—The Secretary may make
23 grants, or enter into contracts or cooperative agree-
24 ments, to implement projects or components of a
25 project designated under subsection (d).

1 “(2) APPLICATION.—To receive a grant or
2 enter into a contract or cooperative agreement under
3 the program, an applicant shall—

4 “(A) submit an application to the Sec-
5 retary in such form and manner, at such time,
6 and containing such information as the Sec-
7 retary may require; and

8 “(B) demonstrate to the satisfaction of the
9 Secretary that—

10 “(i) the project is financially viable;

11 “(ii) the funds or other assistance re-
12 ceived will be spent or used efficiently and
13 effectively; and

14 “(iii) a market exists for the services
15 of the proposed project, as evidenced by
16 contracts or written statements of intent
17 from potential customers.

18 “(3) NON-FEDERAL SHARE.—An applicant shall
19 provide at least 20 percent of the project costs from
20 non-Federal sources. In awarding grants or entering
21 in contracts or cooperative agreements under this
22 subsection, the Secretary shall give a preference to
23 those projects or components that present the most
24 financially viable transportation services and require
25 the lowest percentage Federal share of the costs.”.

1 (b) MULTISTATE, STATE, AND REGIONAL TRANSPOR-
2 TATION PLANNING.—Chapter 556 of title 46, United
3 States Code, is amended by inserting after section 55602
4 the following:

5 **“§ 55603. Multistate, State, and regional transpor-**
6 **tation planning**

7 “(a) IN GENERAL.—The Secretary, in consultation
8 with Federal entities, State and local governments, and
9 the private sector, may develop strategies to encourage the
10 use of marine highways transportation for transportation
11 of passengers and cargo.

12 “(b) STRATEGIES.—In developing the strategies de-
13 scribed in subsection (a), the Secretary may—

14 “(1) assess the extent to which States and local
15 governments include marine highway transportation
16 and other marine transportation solutions in trans-
17 portation planning;

18 “(2) encourage State departments of transpor-
19 tation to develop strategies, where appropriate, to
20 incorporate marine highway transportation, ferries,
21 and other marine transportation solutions for re-
22 gional and interstate transport of freight and pas-
23 sengers in transportation planning; and

24 “(3) encourage groups of States and multi-
25 State transportation entities to determine how ma-

1 rine highways can address congestion, bottlenecks,
2 and other interstate transportation challenges.”.

3 (c) CLERICAL AMENDMENTS.—The analysis for
4 chapter 556 of title 46, United States Code, is amended—

5 (1) by striking the item relating to section
6 55601 and inserting the following:

“55601. America’s marine highway program.”; and

7 (2) by inserting after the item relating to sec-
8 tion 55602 the following:

“55603. Multistate, State, and regional transportation planning.”.

9 **SEC. 3513. COMMITTEES ON MARITIME MATTERS.**

10 (a) IN GENERAL.—

11 (1) Chapter 555 of title 46, United States
12 Code, is redesignated as chapter 504 of such title
13 and transferred to appear after chapter 503 of such
14 title.

15 (2) Chapter 504 of such title, as redesignated
16 by paragraph (1), is amended in the chapter heading
17 by striking “**MISCELLANEOUS**” and inserting
18 “**COMMITTEES**”.

19 (3) Sections 55501 and 55502 of such title are
20 redesignated as section 50401 and section 50402,
21 respectively, of such title and transferred to appear
22 in chapter 504 of such title (as redesignated by
23 paragraph (1)).

1 (4) The section heading for section 50401 of
 2 such title, as redesignated by paragraph (3), is
 3 amended to read as follows: “UNITED STATES COM-
 4 MITTEE ON THE MARINE TRANSPORTATION SYS-
 5 TEM”.

6 (b) CONFORMING AMENDMENT.—Section 8332(b)(1)
 7 of the Elijah E. Cummings Coast Guard Authorization
 8 Act of 2020 (division G of the William M. (Mac) Thorn-
 9 berry National Defense Authorization Act for Fiscal Year
 10 2021 (Public Law 116–283)) is amended by striking “sec-
 11 tion 55502” and inserting “section 50402”.

12 (c) CLERICAL AMENDMENTS.—

13 (1) The analysis for chapter 504 of title 46,
 14 United States Code, as redesignated by subsection
 15 (a)(1), is amended to read as follows:

“CHAPTER 504—COMMITTEES

“Sec.

“50401. United States Committee on the Marine Transportation System.

“50402. Maritime Transportation System National Advisory Committee.”.

16 (2) The table of chapters for subtitle V of title
 17 46, United States Code, is amended—

18 (A) by inserting after the item relating to
 19 chapter 503 the following:

“504. Committees50401”; and

20 (B) by striking the item relating to chapter
 21 555.

1 **SEC. 3514. PORT INFRASTRUCTURE DEVELOPMENT PRO-**
2 **GRAM.**

3 (a) IN GENERAL.—

4 (1) Part C of subtitle V of title 46, United
5 States Code, is amended by adding at the end the
6 following:

7 **“CHAPTER 543—PORT INFRASTRUCTURE**
8 **DEVELOPMENT PROGRAM**

“Sec.

“54301. Port infrastructure development program.

9 **“§ 54301. Port infrastructure development program”.**

10 (2) Subsections (c), (d), and (e) of section
11 50302 of such title are redesignated as subsections
12 (a), (b), and (c) of section 54301 of such title, re-
13 spectively, and transferred to appear in chapter 543
14 of such title (as added by paragraph (1)).

15 (b) AMENDMENTS TO SECTION 54301.—Section
16 54301 of such title, as redesignated by subsection (a)(2),
17 is amended—

18 (1) in subsection (a)—

19 (A) in paragraph (2) by striking “or sub-
20 section (d)” and inserting “or subsection (b)”;

21 (B) in paragraph (3)(A)(ii)—

22 (i) in subclause (II) by striking “; or”
23 and inserting a semicolon; and

1 (ii) by adding at the end the fol-
2 lowing:

3 “(IV) emissions mitigation meas-
4 ures directly related to reducing the
5 overall carbon footprint from port op-
6 erations; or”;

7 (C) in paragraph (5)—

8 (i) in subparagraph (A) by striking
9 “or subsection (d)” and inserting “or sub-
10 section (b)”;

11 (ii) in subparagraph (B) by striking
12 “subsection (d)” and inserting “subsection
13 (b)”;

14 (D) in paragraph (6)—

15 (i) in subparagraph (A)(i)—

16 (I) by striking “movement of
17 goods through a port or intermodal
18 connection to a port” and inserting
19 “movement of—”; and

20 (II) by adding at the end the fol-
21 lowing new subclauses:

22 “(I) goods through a port or
23 intermodal connection to a port; or

24 “(II) passengers through an
25 emission mitigation measure under

- 1 paragraph (3)(A)(ii)(IV) that provides
2 for the use of shore power for vessels
3 to which sections 3507 and 3508
4 apply.”; and
5 (ii) in subparagraph (B)—
6 (I) in clause (i) by striking “;
7 and” and inserting a semicolon;
8 (II) in clause (ii) by striking the
9 period and inserting “; and”; and
10 (III) by adding at the end the
11 following:
12 “(iii) projects that increase the port’s
13 resilience to sea-level rise, flooding, ex-
14 treme weather events, including events as-
15 sociated with climate change.”;
16 (E) in paragraph (7)—
17 (i) in subparagraph (B), by striking
18 “subsection (d)” in each place it appears
19 and inserting “subsection (b)”; and
20 (ii) in subparagraph (C) by striking
21 “subsection (d)(3)(A)(ii)(III)” and insert-
22 ing “subsection (b)(3)(A)(ii)(III)”;
23 (F) in paragraph (8)—

1 (i) in subparagraph (A) by striking
2 “or subsection (d)” and inserting “or sub-
3 section (b)”;

4 (ii) in subparagraph (B)—

5 (I) in clause (i) by striking “sub-
6 section (d)” and inserting “subsection
7 (b)”;

8 (II) in clause (ii) by striking
9 “subsection (d)” and inserting “sub-
10 section (b)”;

11 (G) in paragraph (9) by striking “sub-
12 section (d)” and inserting “subsection (b)”;

13 (H) in paragraph (10) by striking “sub-
14 section (d)” and inserting “subsection (b)”;

15 (I) in paragraph (12)—

16 (i) by striking “subsection (d)” and
17 inserting “subsection (b)”;

18 (ii) by adding at the end the fol-
19 lowing:

20 “(D) RESILIENCE.—The term ‘resilience’
21 means the ability to anticipate, prepare for,
22 adapt to, withstand, respond to, and recover
23 from operational disruptions and sustain critical
24 operations at ports, including disruptions
25 caused by natural or manmade hazards.

1 “(E) CARBON FOOTPRINT.—The term
2 ‘carbon footprint’ means the total carbon-based
3 pollutants, products, and any greenhouse gases
4 that are emitted into the atmosphere resulting
5 from the consumption of fossil fuels.

6 “(F) CLIMATE CHANGE.—The term ‘cli-
7 mate change’ means detectable changes in 1 or
8 more climate system components over multiple
9 decades, including—

10 “(i) changes in the average tempera-
11 ture of the atmosphere or ocean;

12 “(ii) changes in regional precipitation,
13 winds, and cloudiness; and

14 “(iii) changes in the severity or dura-
15 tion of extreme weather, including
16 droughts, floods, and storms.”;

17 (2) in subsection (b)—

18 (A) in the subsection heading by striking
19 “INLAND” and inserting “INLAND RIVER”;

20 (B) in paragraph (1) by striking “sub-
21 section (c)(7)(B)” and inserting “subsection
22 (a)(7)(B)”;

23 (C) in paragraph (3)(A)(ii)(III) by striking
24 “subsection (c)(3)(B)” and inserting “sub-
25 section (a)(3)(B)”;

1 (D) in paragraph (5)(A) by striking “sub-
2 section (c)(8)(B)” and inserting “subsection
3 (a)(8)(B)”; and
4 (3) in subsection (c)—

5 (A) by striking “subsection (c) or sub-
6 section (d)” and inserting “subsection (a) or
7 subsection (b)”; and

8 (B) by striking “subsection (c)(2)” and in-
9 serting “subsection (a)(2)”.

10 (c) CLERICAL AMENDMENTS.—The table of chapters
11 for subtitle V of title 46, United States Code, as amended
12 by this title, is further amended by inserting after the item
13 relating to chapter 541 the following:

“543. Port Infrastructure Development Program54301”.

14 **SEC. 3515. USES OF EMERGING MARINE TECHNOLOGIES**
15 **AND PRACTICES.**

16 Section 50307 of title 46, United States Code, is
17 amended—

18 (1) by redesignating subsection (e) as sub-
19 section (f);

20 (2) by inserting after subsection (d) the fol-
21 lowing:

22 “(e) USES.—The results of activities conducted under
23 subsection (b)(1) shall be used to inform—

24 “(1) the policy decisions of the United States
25 related to domestic regulations; and

1 “(2) the position of the United States on mat-
2 ters before the International Maritime Organiza-
3 tion.”; and

4 (3) by adding at the end the following:

5 “(g) AIR EMISSIONS DEFINED.—In this section, the
6 term ‘air emissions’ means release into the air of—

7 “(1) air pollutants, as such term is defined in
8 section 302 of the Clean Air Act (42 U.S.C. 7602);
9 or

10 “(2) gases listed in section 731(2) of the Global
11 Environmental Protection Assistance Act of 1989
12 (22 U.S.C. 7901(2)).”.

13 **SEC. 3516. PROHIBITION ON PARTICIPATION OF LONG**
14 **TERM CHARTERS IN TANKER SECURITY**
15 **FLEET.**

16 (a) DEFINITION OF LONG TERM CHARTER.—Section
17 53401 of title 46, United States Code, is amended by add-
18 ing at the end the following new paragraph:

19 “(8) LONG TERM CHARTER.—The term ‘long
20 term charter’ means any time charter of a product
21 tank vessel to the United States Government that
22 together with options is for more than 180 days.”.

23 (b) PARTICIPATION OF LONG TERM CHARTERS IN
24 TANKER SECURITY FLEET.—Section 53404(b) of such
25 title is amended—

1 (1) by striking “The program participant of a”
2 and inserting “Any”;

3 (2) by inserting “long term” before “charter”;

4 (3) by inserting “not” before “eligible”; and

5 (4) by striking “receive payments pursuant to
6 any operating agreement that covers such vessel”
7 and inserting “participate in the Fleet”.

8 **SEC. 3517. COASTWISE ENDORSEMENT.**

9 Notwithstanding sections 12112 of title 46, United
10 States Code, the Secretary of the department in which the
11 Coast Guard is operating may issue a certificate of docu-
12 mentation with a coastwise endorsement for the vessel
13 WIDGEON (United States official number 1299656).

14 **SEC. 3518. REPORT ON EFFORTS OF COMBATANT COM-**
15 **MANDS TO COMBAT THREATS POSED BY IL-**
16 **LEGAL, UNREPORTED, AND UNREGULATED**
17 **FISHING.**

18 (a) REPORT REQUIRED.—Not later than 180 days
19 after the date of the enactment of this Act, the Secretary
20 of the Navy, in consultation with the Director of the Office
21 of Naval Research and the heads of other relevant agen-
22 cies, as determined by the Secretary, shall submit to the
23 Committee on Armed Services, the Committee on Com-
24 merce, Science, and Transportation, the Committee on
25 Foreign Relations, and the Committee on Appropriations

1 of the Senate and the Committee on Armed Services, the
2 Committee on Natural Resources, the Committee on
3 Transportation and Infrastructure, the Committee on
4 Foreign Affairs, and the Committee on Appropriations of
5 the House of Representatives a report on the combatant
6 commands' maritime domain awareness efforts to combat
7 the threats posed by illegal, unreported, and unregulated
8 fishing.

9 (b) CONTENTS OF REPORT.—The report required by
10 subsection (a) shall include a detailed summary of each
11 of the following for each combatant command:

12 (1) The activities undertaken to date to combat
13 the threats posed by illegal, unreported, and unregu-
14 lated fishing in the geographic area of the combat-
15 ant command, including the steps taken to build
16 partner capacity to combat such threats.

17 (2) Coordination with the Armed Forces of the
18 United States, partner nations, and public-private
19 partnerships to combat such threats.

20 (3) Efforts undertaken to support unclassified
21 data integration, analysis, and delivery with regional
22 partners to combat such threats.

23 (4) Best practices and lessons learned from ex-
24 isting and previous efforts relating to such threats,

1 including strategies for coordination and successes in
2 public-private partnerships.

3 (5) Limitations related to affordability, resource
4 constraints, or other gaps or factors that constrain
5 the success or expansion of efforts related to such
6 threats.

7 (6) Any new authorities needed to support ef-
8 forts to combat the threats posed by illegal, unre-
9 ported, and unregulated fishing.

10 (c) FORM OF REPORT.—The report required by sub-
11 section (a) shall be submitted in unclassified form, but
12 may include a classified annex.

13 **SEC. 3519. COAST GUARD YARD IMPROVEMENT.**

14 Of the amounts authorized to be appropriated under
15 section 4902(2)(A)(ii) of title 14, United States Code, for
16 fiscal year 2022, \$175,000,000 shall be made available to
17 the Commandant to improve facilities at the Coast Guard
18 Yard in Baltimore, Maryland, including improvements to
19 dock, dry dock, capital equipment improvements, or dredg-
20 ing necessary to facilitate access to such Yard.

21 **SEC. 3520. AUTHORIZATION TO PURCHASE DUPLICATE**
22 **MEDALS.**

23 (a) IN GENERAL.—The Secretary of Transportation,
24 acting through the Administrator of the Maritime Admin-
25 istration, may use funds appropriated for the fiscal year

1 in which the date of the enactment of this Act occurs, or
2 funds appropriated for any prior fiscal year, for the Mari-
3 time Administration to purchase duplicate medals author-
4 ized under the Merchant Mariners of World War II Con-
5 gressional Gold Medal Act of 2020 (Public Law 116–125)
6 and provide such medals to eligible individuals who en-
7 gaged in qualified service who submit an application under
8 subsection (b) and were United States merchant mariners
9 of World War II.

10 (b) APPLICATION.—To be eligible to receive a medal
11 described in subsection (a), an eligible individual who en-
12 gaged in qualified service shall submit to the Adminis-
13 trator an application containing such information and as-
14 surances as the Administrator may require.

15 (c) ELIGIBLE INDIVIDUAL WHO ENGAGED IN QUALI-
16 FIED SERVICE.—In this section, the term “eligible indi-
17 vidual who engaged in qualified service” means an indi-
18 vidual who, between December 7, 1941, and December 31,
19 1946—

20 (1) was a member of the United States mer-
21 chant marine, including the Army Transport Service
22 and the Navy Transport Service, serving as a crew-
23 member of a vessel that was—

1 (A) operated by the War Shipping Admin-
2 istration, the Office of Defense Transportation,
3 or an agent of such departments;

4 (B) operated in waters other than inland
5 waters, the Great Lakes, and other lakes, bays,
6 or harbors of the United States;

7 (C) under contract or charter to, or prop-
8 erty of, the Government of the United States;
9 and

10 (D) serving in the Armed Forces; and

11 (2) while so serving, was licensed or otherwise
12 documented for service as a crewmember of such a
13 vessel by an officer or employee of the United States
14 authorized to license or document the person for
15 such service.

16 **DIVISION D—FUNDING TABLES**

17 **SEC. 4001. AUTHORIZATION OF AMOUNTS IN FUNDING TA-** 18 **BLES.**

19 (a) AUTHORIZATION.—Whenever a funding table in
20 this division specifies a dollar amount authorized for a
21 project, program, or activity, the obligation and expendi-
22 ture of the specified dollar amount for the project, pro-
23 gram, or activity is hereby authorized, subject to the avail-
24 ability of appropriations.

25 (b) MERIT-BASED DECISIONS.—

1 (1) IN GENERAL.—A decision to commit, obli-
2 gate, or expend funds with or to a specific entity on
3 the basis of a dollar amount authorized pursuant to
4 subsection (a) shall—

5 (A) except as provided in paragraph (2),
6 be based on merit-based selection procedures in
7 accordance with the requirements of sections
8 2304(k) and 2374 of title 10, United States
9 Code, or on competitive procedures; and

10 (B) comply with other applicable provisions
11 of law.

12 (2) EXCEPTION.—Paragraph (1)(A) does not
13 apply to a decision to commit, obligate, or expend
14 funds on the basis of a dollar amount authorized
15 pursuant to subsection (a) if the project, program,
16 or activity involved—

17 (A) is listed in section 4201; and

18 (B) is identified as Community Project
19 Funding through the inclusion of the abbrevia-
20 tion “CPF” immediately before the name of the
21 project, program, or activity.

22 (c) RELATIONSHIP TO TRANSFER AND PROGRAM-
23 MING AUTHORITY.—An amount specified in the funding
24 tables in this division may be transferred or repro-
25 grammed under a transfer or reprogramming authority

1 provided by another provision of this Act or by other law.
 2 The transfer or reprogramming of an amount specified in
 3 such funding tables shall not count against a ceiling on
 4 such transfers or reprogrammings under section 1001 or
 5 section 1512 of this Act or any other provision of law,
 6 unless such transfer or reprogramming would move funds
 7 between appropriation accounts.

8 (d) **APPLICABILITY TO CLASSIFIED ANNEX.**—This
 9 section applies to any classified annex that accompanies
 10 this Act.

11 (e) **ORAL AND WRITTEN COMMUNICATIONS.**—No
 12 oral or written communication concerning any amount
 13 specified in the funding tables in this division shall super-
 14 sede the requirements of this section.

15 **TITLE XLI—PROCUREMENT**

16 **SEC. 4101. PROCUREMENT.**

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2022 Request	House Authorized
AIRCRAFT PROCUREMENT, ARMY			
FIXED WING			
001	UTILITY F/W AIRCRAFT		20,000
	Avionics upgrade		[20,000]
004	SMALL UNMANNED AIRCRAFT SYSTEM	16,005	16,005
ROTARY			
007	AH-64 APACHE BLOCK IIIA REMAN	504,136	494,136
	Unit cost growth		[-10,000]
008	AH-64 APACHE BLOCK IIIA REMAN AP	192,230	192,230
010	UH-60 BLACKHAWK M MODEL (MYP)	630,263	582,263
	Unit cost growth		[-48,000]
011	UH-60 BLACKHAWK M MODEL (MYP) AP	146,068	357,568
	UH-60 Black Hawk for Army Guard		[211,500]
012	UH-60 BLACK HAWK L AND V MODELS	166,205	166,205
013	CH-47 HELICOPTER	145,218	397,218
	Army UPL		[111,100]
	Program increase—F Block II Army UPL		[140,900]
014	CH-47 HELICOPTER AP	18,559	47,559
	Program increase—F Block II		[29,000]
MODIFICATION OF AIRCRAFT			
017	GRAY EAGLE MODS2	3,143	33,143
	Recapitalization of MQ-1 aircraft to extended range Multi Domain Operations configuration.		[30,000]
018	MULTI SENSOR ABN RECON	127,665	115,910
	ABN ISR Mods—insufficient justification		[-4,000]
	ARL Payloads—MEP SIL reduction		[-3,000]
	Unjustified cost—spares		[-4,755]

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2022 Request	House Authorized
019	AH-64 MODS	118,560	113,560
	Unjustified cost—Spike NLOS integration		[-5,000]
020	CH-47 CARGO HELICOPTER MODS (MYP)	9,918	9,918
021	GRCS SEMA MODS	2,762	2,762
022	ARL SEMA MODS	9,437	9,437
023	EMARSS SEMA MODS	1,568	1,568
024	UTILITY/CARGO AIRPLANE MODS	8,530	8,530
025	UTILITY HELICOPTER MODS	15,826	51,826
	Program increase		[11,000]
	UH-72 modernization		[25,000]
026	NETWORK AND MISSION PLAN	29,206	29,206
027	COMMS, NAV SURVEILLANCE	58,117	58,117
029	AVIATION ASSURED PNT	47,028	45,862
	Excess to need		[-1,166]
030	GATM ROLLUP	16,776	16,776
032	UAS MODS	3,840	3,840
GROUND SUPPORT AVIONICS			
033	AIRCRAFT SURVIVABILITY EQUIPMENT	64,561	64,561
034	SURVIVABILITY CM	5,104	5,104
035	CMWS	148,570	148,570
036	COMMON INFRARED COUNTERMEASURES (CIRCM)	240,412	240,412
OTHER SUPPORT			
038	COMMON GROUND EQUIPMENT	13,561	13,561
039	AIRCREW INTEGRATED SYSTEMS	41,425	41,425
040	AIR TRAFFIC CONTROL	21,759	21,759
	TOTAL AIRCRAFT PROCUREMENT, ARMY	2,806,452	3,309,031
MISSILE PROCUREMENT, ARMY			
SURFACE-TO-AIR MISSILE SYSTEM			
002	LOWER TIER AIR AND MISSILE DEFENSE (AMD) SEN	35,473	35,473
003	M-SHORAD—PROCUREMENT	331,575	331,575
004	MSE MISSILE	776,696	776,696
005	PRECISION STRIKE MISSILE (PRSM)	166,130	166,130
006	INDIRECT FIRE PROTECTION CAPABILITY INC 2-I	25,253	20,253
	Maintain level of effort		[-5,000]
AIR-TO-SURFACE MISSILE SYSTEM			
007	HELLFIRE SYS SUMMARY	118,800	115,800
	Unit cost growth		[-3,000]
008	JOINT AIR-TO-GROUND MSLs (JAGM)	152,177	214,177
	Army UPL		[67,000]
	Unit cost growth		[-5,000]
009	LONG RANGE PRECISION MUNITION	44,744	40,744
	Early to need		[-4,000]
ANTI-TANK/ASSAULT MISSILE SYS			
010	JAVELIN (AAWS-M) SYSTEM SUMMARY	120,842	130,842
	Early to need		[-5,000]
	JAVELIN Lightweight Command Launch Units (LWCLU)—Army UPL		[15,000]
011	TOW 2 SYSTEM SUMMARY	104,412	102,412
	Excess to need		[-2,000]
012	GUIDED MLRS ROCKET (GMLRS)	935,917	975,917
	Army UPL		[20,000]
	Previously funded		[-30,000]
	Program increase—Army UPL		[50,000]
013	MLRS REDUCED RANGE PRACTICE ROCKETS (RRPR)	29,574	29,574
014	HIGH MOBILITY ARTILLERY ROCKET SYSTEM (HIMARS)	128,438	128,438
016	LETHAL MINIATURE AERIAL MISSILE SYSTEM (LMAMS)	68,278	68,278
MODIFICATIONS			
017	PATRIOT MODS	205,469	205,469
021	AVENGER MODS	11,227	11,227
022	ITAS/TOW MODS	4,561	4,561
023	MLRS MODS	273,856	273,856
024	HIMARS MODIFICATIONS	7,192	7,192
SPARES AND REPAIR PARTS			
025	SPARES AND REPAIR PARTS	5,019	5,019
SUPPORT EQUIPMENT & FACILITIES			
026	AIR DEFENSE TARGETS	10,618	10,618
	TOTAL MISSILE PROCUREMENT, ARMY	3,556,251	3,654,251
PROCUREMENT OF W&TCV, ARMY			
TRACKED COMBAT VEHICLES			
001	ARMORED MULTI PURPOSE VEHICLE (AMPV)	104,727	104,727
002	ASSAULT BREACHER VEHICLE (ABV)	16,454	16,454
003	MOBILE PROTECTED FIREPOWER	286,977	286,977
MODIFICATION OF TRACKED COMBAT VEHICLES			
005	STRYKER UPGRADE	1,005,028	1,120,028
	Excess growth		[-24,000]
	Program increase		[139,000]
006	BRADLEY PROGRAM (MOD)	461,385	564,704

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2022 Request	House Authorized
	Program increase		[46,350]
	Program increase for IBAS—Army UPL		[56,969]
007	M109 FOV MODIFICATIONS	2,534	2,534
008	PALADIN INTEGRATED MANAGEMENT (PIM)	446,430	673,430
	Program increase		[77,515]
	Program increase Army UPL		[149,485]
009	IMPROVED RECOVERY VEHICLE (M88A2 HERCULES)	52,059	52,059
010	ASSAULT BRIDGE (MOD)	2,136	2,136
013	JOINT ASSAULT BRIDGE	110,773	110,773
	Cost growth		[-4,000]
	Program increase		[4,000]
015	ABRAMS UPGRADE PROGRAM	981,337	1,350,337
	Army UPL		[234,457]
	Excess carryover		[-40,457]
	Program increase		[175,000]
016	VEHICLE PROTECTION SYSTEMS (VPS)	80,286	80,286
WEAPONS & OTHER COMBAT VEHICLES			
018	MULTI-ROLE ANTI-ARMOR ANTI-PERSONNEL WEAPON S	31,623	31,623
019	MORTAR SYSTEMS	37,485	50,338
	Mortar cannons—Army UPL		[12,853]
020	XM320 GRENADE LAUNCHER MODULE (GLM)	8,666	8,666
021	PRECISION SNIPER RIFLE	11,040	11,040
023	CARBINE	4,434	4,434
024	NEXT GENERATION SQUAD WEAPON	97,087	97,087
026	HANDGUN	4,930	4,930
MOD OF WEAPONS AND OTHER COMBAT VEH			
027	MK-19 GRENADE MACHINE GUN MODS	13,027	13,027
028	M777 MODS	21,976	23,771
	S/W Defined Radio-Hardware Integration kits—Army UPL		[1,795]
030	M2 50 CAL MACHINE GUN MODS	3,612	21,527
	M2A1 machine guns—Army UPL		[17,915]
SUPPORT EQUIPMENT & FACILITIES			
036	ITEMS LESS THAN \$5.0M (WOCV-WTCV)	1,068	1,068
037	PRODUCTION BASE SUPPORT (WOCV-WTCV)	90,819	90,819
TOTAL PROCUREMENT OF W&TCV, ARMY		3,875,893	4,722,775
PROCUREMENT OF AMMUNITION, ARMY			
SMALL/MEDIUM CAL AMMUNITION			
001	CTG, 5.56MM, ALL TYPES	47,490	79,890
	Program increase		[16,480]
	Small Caliber Ammo—Army UPL		[15,920]
002	CTG, 7.62MM, ALL TYPES	74,870	103,343
	Program increase		[28,473]
003	NEXT GENERATION SQUAD WEAPON AMMUNITION	76,794	76,794
004	CTG, HANDGUN, ALL TYPES	7,812	7,812
005	CTG, .50 CAL, ALL TYPES	29,716	58,116
	Program increase		[28,400]
006	CTG, 20MM, ALL TYPES	4,371	4,371
008	CTG, 30MM, ALL TYPES	34,511	34,511
009	CTG, 40MM, ALL TYPES	35,231	49,231
	Medium Caliber Ammo—Army UPL		[14,000]
MORTAR AMMUNITION			
010	60MM MORTAR, ALL TYPES	23,219	23,219
011	81MM MORTAR, ALL TYPES	52,135	52,135
012	120MM MORTAR, ALL TYPES	104,144	104,144
TANK AMMUNITION			
013	CARTRIDGES, TANK, 105MM AND 120MM, ALL TYPES	224,503	218,503
	Early to need		[-6,000]
ARTILLERY AMMUNITION			
014	ARTILLERY CARTRIDGES, 75MM & 105MM, ALL TYPES	26,709	54,753
	Army UPL		[30,844]
	Prior-year carryover		[-2,800]
015	ARTILLERY PROJECTILE, 155MM, ALL TYPES	174,015	148,015
	Prior-year carryover		[-26,000]
016	PROJ 155MM EXTENDED RANGE M982	73,498	61,498
	Unit cost growth		[-12,000]
017	ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL	150,873	150,873
MINES			
018	MINES & CLEARING CHARGES, ALL TYPES	25,980	20,980
	Excess to need		[-5,000]
019	CLOSE TERRAIN SHAPING OBSTACLE	34,761	29,761
	Contract Delay		[-5,000]
ROCKETS			
020	SHOULDER LAUNCHED MUNITIONS, ALL TYPES	24,408	22,408
	Excess to need		[-2,000]
021	ROCKET, HYDRA 70, ALL TYPES	109,536	123,336
	Program increase		[13,800]
OTHER AMMUNITION			

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2022 Request	House Authorized
022	CAD/PAD, ALL TYPES	6,549	6,549
023	DEMOLITION MUNITIONS, ALL TYPES	27,904	27,904
024	GRENADES, ALL TYPES	37,437	37,437
025	SIGNALS, ALL TYPES	7,530	7,530
026	SIMULATORS, ALL TYPES	8,350	8,350
027	REACTIVE ARMOR TILES	17,755	17,755
	MISCELLANEOUS		
028	AMMO COMPONENTS, ALL TYPES	2,784	2,784
029	ITEMS LESS THAN \$5 MILLION (AMMO)	17,797	17,797
030	AMMUNITION PECULIAR EQUIPMENT	12,290	12,290
031	FIRST DESTINATION TRANSPORTATION (AMMO)	4,331	4,331
032	CLOSEOUT LIABILITIES	99	99
	PRODUCTION BASE SUPPORT		
034	INDUSTRIAL FACILITIES	538,120	642,620
	Demo/Environmental remediation (RAAP)—Army UPL		[40,000]
	Environmental, Safety, Construction, Maintenance and Repair GOCO—Army UPL		[40,000]
	Pyrotechnics Energetic Capability (LCAAP)—Army UPL		[12,000]
	Solvent Propellant Facility (RAAP)—Army UPL		[12,500]
035	CONVENTIONAL MUNITIONS DEMILITARIZATION	139,410	232,410
	Program increase		[93,000]
036	ARMS INITIATIVE	3,178	3,178
	TOTAL PROCUREMENT OF AMMUNITION, ARMY	2,158,110	2,444,727
	OTHER PROCUREMENT, ARMY		
	TACTICAL VEHICLES		
002	SEMITRAILERS, FLATBED:	12,539	18,931
	M872A4 trailer—Army UPL		[6,392]
003	SEMITRAILERS, TANKERS	17,985	17,985
004	HI MOB MULTI-PURP WHLD VEH (HMMWV)	60,706	60,706
005	GROUND MOBILITY VEHICLES (GMV)	29,807	44,807
	Program increase for ISV		[15,000]
008	JOINT LIGHT TACTICAL VEHICLE FAMILY OF VEHICL	574,562	605,562
	Early to need		[-89,000]
	Program increase		[120,000]
009	TRUCK, DUMP, 20T (CCE)	9,882	29,382
	Heavy Dump, M917A3		[10,000]
	Program increase		[9,500]
010	FAMILY OF MEDIUM TACTICAL VEH (FMTV)	36,885	76,885
	Program Increase		[40,000]
011	FAMILY OF COLD WEATHER ALL-TERRAIN VEHICLE (C	16,450	13,823
	Cost growth		[-2,627]
012	FIRETRUCKS & ASSOCIATED FIREFIGHTING EQUIP	26,256	26,256
013	FAMILY OF HEAVY TACTICAL VEHICLES (FHTV)	64,282	64,282
014	PLS ESP	16,943	16,943
015	HVY EXPANDED MOBILE TACTICAL TRUCK EXT SERV		109,000
	Program increase		[109,000]
017	TACTICAL WHEELED VEHICLE PROTECTION KITS	17,957	17,957
018	MODIFICATION OF IN SVC EQUIP	29,349	212,650
	HMMWV modifications		[183,301]
	NON-TACTICAL VEHICLES		
020	PASSENGER CARRYING VEHICLES	1,232	1,232
021	NONTACTICAL VEHICLES, OTHER	24,246	19,246
	Excess carryover		[-5,000]
	COMM—JOINT COMMUNICATIONS		
022	SIGNAL MODERNIZATION PROGRAM	140,036	140,036
023	TACTICAL NETWORK TECHNOLOGY MOD IN SVC	436,524	429,024
	Excess to need		[-7,500]
025	DISASTER INCIDENT RESPONSE COMMS TERMINAL	3,863	3,863
026	JCSE EQUIPMENT (USRDECOM)	4,845	4,845
	COMM—SATELLITE COMMUNICATIONS		
029	DEFENSE ENTERPRISE WIDEBAND SATCOM SYSTEMS	97,369	97,369
030	TRANSPORTABLE TACTICAL COMMAND COMMUNICATIONS	120,550	115,550
	Early to need		[-5,000]
031	SHF TERM	38,129	38,129
032	ASSURED POSITIONING, NAVIGATION AND TIMING	115,291	112,791
	Excess to need		[-2,500]
033	SMART-T (SPACE)	15,407	15,407
034	GLOBAL BRDCST SVC—GBS	2,763	2,763
	COMM—C3 SYSTEM		
037	COE TACTICAL SERVER INFRASTRUCTURE (TSD)	99,858	99,858
	COMM—COMBAT COMMUNICATIONS		
038	HANDHELD MANPACK SMALL FORM FIT (HMS)	775,069	730,069
	Cost deviation		[-5,000]
	Single Channel Data Radio program decrease		[-35,000]
	Support cost excess to need		[-5,000]
040	ARMY LINK 16 SYSTEMS	17,749	17,749
042	UNIFIED COMMAND SUITE	17,984	17,984

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2022 Request	House Authorized
043	COTS COMMUNICATIONS EQUIPMENT	191,702	185,702
	Unit cost growth		[-6,000]
044	FAMILY OF MED COMM FOR COMBAT CASUALTY CARE	15,957	15,957
045	ARMY COMMUNICATIONS & ELECTRONICS	89,441	79,441
	Insufficient justification		[-10,000]
	COMM—INTELLIGENCE COMM		
047	CI AUTOMATION ARCHITECTURE-INTEL	13,317	13,317
048	DEFENSE MILITARY DECEPTION INITIATIVE	5,207	5,207
049	MULTI-DOMAIN INTELLIGENCE	20,095	20,095
	INFORMATION SECURITY		
051	INFORMATION SYSTEM SECURITY PROGRAM-ISSP	987	987
052	COMMUNICATIONS SECURITY (COMSEC)	126,273	126,273
053	DEFENSIVE CYBER OPERATIONS	27,389	31,489
	Cybersecurity / IT network mapping		[4,100]
056	SIO CAPABILITY	21,303	21,303
057	BIOMETRIC ENABLING CAPABILITY (BEC)	914	914
	COMM—LONG HAUL COMMUNICATIONS		
059	BASE SUPPORT COMMUNICATIONS	9,209	24,209
	Land Mobile Radios		[15,000]
	COMM—BASE COMMUNICATIONS		
060	INFORMATION SYSTEMS	219,026	219,026
061	EMERGENCY MANAGEMENT MODERNIZATION PROGRAM	4,875	4,875
064	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM	223,001	225,041
	EUCOM—MPE USAREUR		[2,040]
	ELECT EQUIP—TACT INT REL ACT (TIARA)		
067	JTT/CIBS-M	5,463	5,463
068	TERRESTRIAL LAYER SYSTEMS (TLS)	39,240	39,240
070	DCGS-A-INTEL	92,613	114,563
	Army UPL		[26,950]
	Program decrease		[-5,000]
071	JOINT TACTICAL GROUND STATION (JTAGS)-INTEL	8,088	8,088
072	TROJAN	30,828	30,828
073	MOD OF IN-SVC EQUIP (INTEL SPT)	39,039	39,039
074	BIOMETRIC TACTICAL COLLECTION DEVICES	11,097	11,097
	ELECT EQUIP—ELECTRONIC WARFARE (EW)		
076	EW PLANNING & MANAGEMENT TOOLS (EWPMT)	783	783
077	AIR VIGILANCE (AV)	13,486	10,986
	Program decrease		[-2,500]
079	FAMILY OF PERSISTENT SURVEILLANCE CAP.	14,414	14,414
080	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES	19,111	19,111
081	CI MODERNIZATION	421	421
	ELECT EQUIP—TACTICAL SURV. (TAC SURV)		
082	SENTINEL MODS	47,642	47,642
083	NIGHT VISION DEVICES	1,092,341	828,875
	IVAS program delay		[-213,466]
	Transfer to RDT&E, Army line 98		[-50,000]
084	SMALL TACTICAL OPTICAL RIFLE MOUNTED MLRF	21,103	21,103
085	INDIRECT FIRE PROTECTION FAMILY OF SYSTEMS	6,153	6,153
086	FAMILY OF WEAPON SIGHTS (FWS)	184,145	184,145
087	ENHANCED PORTABLE INDUCTIVE ARTILLERY FUZE SE	2,371	2,371
088	FORWARD LOOKING INFRARED (IFLIR)	11,929	11,929
089	COUNTER SMALL UNMANNED AERIAL SYSTEM (C-SUAS)	60,058	60,058
090	JOINT BATTLE COMMAND—PLATFORM (JBC-P)	263,661	259,661
	Excess carryover		[-4,000]
091	JOINT EFFECTS TARGETING SYSTEM (JETS)	62,082	62,082
093	COMPUTER BALLISTICS: LHMCB XM32	2,811	2,811
094	MORTAR FIRE CONTROL SYSTEM	17,236	17,236
095	MORTAR FIRE CONTROL SYSTEMS MODIFICATIONS	2,830	2,830
096	COUNTERFIRE RADARS	31,694	26,694
	Excess to need		[-5,000]
	ELECT EQUIP—TACTICAL C2 SYSTEMS		
097	ARMY COMMAND POST INTEGRATED INFRASTRUCTURE (.....	49,410	49,410
098	FIRE SUPPORT C2 FAMILY	9,853	9,853
099	AIR & MSL DEFENSE PLANNING & CONTROL SYS	67,193	67,193
100	LAMD BATTLE COMMAND SYSTEM	301,872	291,872
	Excess costs previously funded		[-10,000]
101	LIFE CYCLE SOFTWARE SUPPORT (LCSS)	5,182	5,182
102	NETWORK MANAGEMENT INITIALIZATION AND SERVICE	31,349	31,349
104	GLOBAL COMBAT SUPPORT SYSTEM-ARMY (GCSS-A)	11,271	11,271
105	INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY (IPP)	16,077	16,077
107	MOD OF IN-SVC EQUIPMENT (ENFIRE)	3,160	9,160
	GPS laser survey equipment		[6,000]
	ELECT EQUIP—AUTOMATION		
108	ARMY TRAINING MODERNIZATION	9,833	9,833
109	AUTOMATED DATA PROCESSING EQUIP	130,924	133,924
	ATRRS Unlimited Data Rights		[3,000]
110	ACCESSIONS INFORMATION ENVIRONMENT (AIE)	44,635	39,635
	Program decrease		[-5,000]

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2022 Request	House Authorized
111	GENERAL FUND ENTERPRISE BUSINESS SYSTEMS FAM	1,452	1,452
112	HIGH PERF COMPUTING MOD PGM (HPCMP)	69,943	69,943
113	CONTRACT WRITING SYSTEM	16,957	16,957
114	CSS COMMUNICATIONS	73,110	73,110
115	RESERVE COMPONENT AUTOMATION SYS (RCAS)	12,905	12,905
	ELECT EQUIP—SUPPORT		
117	BCT EMERGING TECHNOLOGIES	13,835	13,835
	CLASSIFIED PROGRAMS		
117A	CLASSIFIED PROGRAMS	18,304	18,304
	CHEMICAL DEFENSIVE EQUIPMENT		
119	BASE DEFENSE SYSTEMS (BDS)	62,295	62,295
120	CBRN DEFENSE	55,632	55,632
	BRIDGING EQUIPMENT		
122	TACTICAL BRIDGING	9,625	9,625
123	TACTICAL BRIDGE, FLOAT-RIBBON	76,082	76,082
124	BRIDGE SUPPLEMENTAL SET	19,867	6,867
	Excess carryover		[-13,000]
125	COMMON BRIDGE TRANSPORTER (CBT) RECAP	109,796	99,339
	Cost growth		[-10,457]
	ENGINEER (NON-CONSTRUCTION) EQUIPMENT		
126	HANDHELD STANDOFF MINEFIELD DETECTION SYS-HST	5,628	5,628
128	HUSKY MOUNTED DETECTION SYSTEM (HMDS)	26,823	26,823
131	ROBOTICS AND APPLIQUE SYSTEMS	124,233	124,233
	Common Robotic System—Individual (CRS-I) - Army UPL		[10,000]
	Excess carryover CRS-I		[-10,000]
132	RENDER SAFE SETS KITS OUTFITS	84,000	87,158
	Army UPL		[3,158]
	COMBAT SERVICE SUPPORT EQUIPMENT		
134	HEATERS AND ECU'S	7,116	5,116
	Contract delay		[-2,000]
135	SOLDIER ENHANCEMENT	1,286	7,786
	Program increase		[6,500]
136	PERSONNEL RECOVERY SUPPORT SYSTEM (PRSS)	9,741	9,741
137	GROUND SOLDIER SYSTEM	150,244	150,244
138	MOBILE SOLDIER POWER	17,815	17,815
139	FORCE PROVIDER	28,860	28,860
140	FIELD FEEDING EQUIPMENT	2,321	2,321
141	CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM	40,240	40,240
142	FAMILY OF ENGR COMBAT AND CONSTRUCTION SETS	36,163	36,163
	PETROLEUM EQUIPMENT		
144	QUALITY SURVEILLANCE EQUIPMENT	744	744
145	DISTRIBUTION SYSTEMS, PETROLEUM & WATER	72,296	65,657
	Army UPL		[4,420]
	Excess to need		[-11,059]
	MEDICAL EQUIPMENT		
146	COMBAT SUPPORT MEDICAL	122,145	128,395
	Mobile digital x-ray units		[6,250]
	MAINTENANCE EQUIPMENT		
147	MOBILE MAINTENANCE EQUIPMENT SYSTEMS	14,756	12,856
	Excess carryover		[-1,900]
	CONSTRUCTION EQUIPMENT		
154	ALL TERRAIN CRANES	112,784	107,784
	Cost savings		[-5,000]
156	CONST EQUIP ESP	8,694	8,694
	RAIL FLOAT CONTAINERIZATION EQUIPMENT		
158	ARMY WATERCRAFT ESP	44,409	44,409
159	MANEUVER SUPPORT VESSEL (MSV)	76,660	76,660
	GENERATORS		
161	GENERATORS AND ASSOCIATED EQUIP	47,606	47,606
162	TACTICAL ELECTRIC POWER RECAPITALIZATION	10,500	10,500
	MATERIAL HANDLING EQUIPMENT		
163	FAMILY OF FORKLIFTS	13,325	13,325
	TRAINING EQUIPMENT		
164	COMBAT TRAINING CENTERS SUPPORT	79,565	79,565
165	TRAINING DEVICES, NONSYSTEM	174,644	174,644
166	SYNTHETIC TRAINING ENVIRONMENT (STE)	122,104	122,104
168	GAMING TECHNOLOGY IN SUPPORT OF ARMY TRAINING	11,642	10,642
	Excess carryover		[-1,000]
	TEST MEASURE AND DIG EQUIPMENT (TMD)		
170	INTEGRATED FAMILY OF TEST EQUIPMENT (IFTE)	42,934	42,934
172	TEST EQUIPMENT MODERNIZATION (TEMOD)	24,304	24,304
	OTHER SUPPORT EQUIPMENT		
174	PHYSICAL SECURITY SYSTEMS (OPA3)	86,930	86,930
175	BASE LEVEL COMMON EQUIPMENT	27,823	27,823
176	MODIFICATION OF IN-SVC EQUIPMENT (OPA-3)	32,392	32,392
177	BUILDING, PRE-FAB, RELOCATABLE	32,227	32,227
179	SPECIAL EQUIPMENT FOR TEST AND EVALUATION	76,917	70,917
	Program decrease		[-6,000]

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2022 Request	House Authorized
OPA2			
180	INITIAL SPARES—C&E	9,272	9,272
	TOTAL OTHER PROCUREMENT, ARMY	8,873,558	8,926,160
AIRCRAFT PROCUREMENT, NAVY			
COMBAT AIRCRAFT			
001	F/A-18E/F (FIGHTER) HORNET	87,832	1,168,161
	Aircraft increase		[970,000]
	Production line shutdown		[-10,671]
	Program increase		[121,000]
003	JOINT STRIKE FIGHTER CV	2,111,009	2,047,709
	Target cost savings		[-63,300]
004	JOINT STRIKE FIGHTER CV AP	246,781	246,781
005	JSF STOVL	2,256,829	2,317,929
	F-35B PGSE & Depot Support—USMC UPL		[128,800]
	Target cost savings		[-67,700]
006	JSF STOVL AP	216,720	216,720
007	CH-53K (HEAVY LIFT)	1,286,296	1,256,514
	Excess to need—Pub/tech data		[-14,782]
	Unjustified growth—NRE production capacity		[-15,000]
008	CH-53K (HEAVY LIFT) AP	182,871	182,871
009	V-22 (MEDIUM LIFT)	751,716	1,166,116
	5 additional aircraft—Navy UPL		[414,400]
011	H-1 UPGRADES (UH-1Y/AH-1Z)	939	939
013	P-8A POSEIDON	44,595	724,595
	Four additional aircraft		[680,000]
014	E-2D ADV HAWKEYE	766,788	957,788
	Navy UPL		[191,000]
015	E-2D ADV HAWKEYE AP	118,095	118,095
TRAINER AIRCRAFT			
016	ADVANCED HELICOPTER TRAINING SYSTEM	163,490	163,490
OTHER AIRCRAFT			
017	KC-130J	520,787	914,787
	Two additional aircraft—USMC UPL		[197,000]
	Two additional C-130J aircraft—Navy UPL		[197,000]
018	KC-130J AP	68,088	68,088
021	MQ-4 TRITON	160,151	351,151
	One additional aircraft		[191,000]
023	MQ-8 UAV	49,249	49,249
024	STUASLO UAV	13,151	13,151
025	MQ-25 AP	47,468	47,468
026	MQ-9A REAPER		40,000
	Navy UPL		[40,000]
027	MARINE GROUP 5 UAS	233,686	233,686
MODIFICATION OF AIRCRAFT			
030	F-18 A-D UNIQUE	163,095	245,595
	AESA Radar Upgrades—USMC UPL		[27,500]
	RWR Upgrades—USMC UPL		[55,000]
031	F-18E/F AND EA-18G MODERNIZATION AND SUSTAINM	482,899	482,899
032	MARINE GROUP 5 UAS SERIES	1,982	1,982
033	AEA SYSTEMS	23,296	20,221
	Excess support costs		[-3,075]
034	AV-8 SERIES	17,882	17,882
035	INFRARED SEARCH AND TRACK (IRST)	138,827	138,827
036	ADVERSARY	143,571	143,571
037	F-18 SERIES	327,571	327,571
038	H-53 SERIES	112,436	109,136
	Excess to need		[-3,300]
039	MH-60 SERIES	94,794	94,794
040	H-1 SERIES	124,194	118,857
	Excess to need		[-5,337]
041	EP-3 SERIES	28,848	28,848
042	E-2 SERIES	204,826	204,826
043	TRAINER A/C SERIES	7,849	7,849
044	C-2A	2,843	2,843
045	C-130 SERIES	145,610	145,610
046	FEWSG	734	734
047	CARGO/TRANSPORT A/C SERIES	10,682	10,682
048	E-6 SERIES	128,029	128,029
049	EXECUTIVE HELICOPTERS SERIES	45,326	45,326
051	T-45 SERIES	158,772	158,772
052	POWER PLANT CHANGES	24,915	24,915
053	JPATS SERIES	22,955	22,955
054	AVIATION LIFE SUPPORT MODS	2,477	2,477
055	COMMON ECM EQUIPMENT	119,574	119,574
056	COMMON AVIONICS CHANGES	118,839	118,839
057	COMMON DEFENSIVE WEAPON SYSTEM	5,476	5,476
058	ID SYSTEMS	13,154	13,154

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2022 Request	House Authorized
059	P-8 SERIES	131,298	131,298
060	MAGTF EW FOR AVIATION	29,151	29,151
061	MQ-8 SERIES	31,624	31,624
062	V-22 (TILT/ROTOR ACFT) OSPREY	312,835	312,835
063	NEXT GENERATION JAMMER (NGJ)	266,676	266,676
064	F-35 STOVL SERIES	177,054	168,154
	TR-3/B4 Delay		[-8,900]
065	F-35 CV SERIES	138,269	131,369
	TR-3/B4 Delay		[-6,900]
066	QRC	98,563	98,563
067	MQ-4 SERIES	7,100	7,100
068	RQ-21 SERIES	14,123	14,123
	AIRCRAFT SPARES AND REPAIR PARTS		
072	SPARES AND REPAIR PARTS	2,339,077	2,456,877
	F-35B spare engines—USMC UPL		[117,800]
	AIRCRAFT SUPPORT EQUIP & FACILITIES		
073	COMMON GROUND EQUIPMENT	517,267	517,267
074	AIRCRAFT INDUSTRIAL FACILITIES	80,500	80,500
075	WAR CONSUMABLES	42,496	42,496
076	OTHER PRODUCTION CHARGES	21,374	21,374
077	SPECIAL SUPPORT EQUIPMENT	271,774	271,774
	TOTAL AIRCRAFT PROCUREMENT, NAVY	16,477,178	19,608,713
	WEAPONS PROCUREMENT, NAVY		
	MODIFICATION OF MISSILES		
001	TRIDENT II MODS	1,144,446	1,144,446
	SUPPORT EQUIPMENT & FACILITIES		
002	MISSILE INDUSTRIAL FACILITIES	7,319	7,319
	STRATEGIC MISSILES		
003	TOMAHAWK	124,513	138,140
	Program increase		[13,627]
	TACTICAL MISSILES		
005	SIDEWINDER	86,366	86,366
006	STANDARD MISSILE	521,814	521,814
007	STANDARD MISSILE AP	45,357	45,357
008	JASSM	37,039	37,039
009	SMALL DIAMETER BOMB II	40,877	40,877
010	RAM	92,981	72,981
	Contract award delay		[-20,000]
011	JOINT AIR GROUND MISSILE (JAGM)	49,702	49,702
012	HELLFIRE	7,557	7,557
013	AERIAL TARGETS	150,339	150,339
014	DRONES AND DECOYS	30,321	30,321
015	OTHER MISSILE SUPPORT	3,474	3,474
016	LRASM	161,212	161,212
017	NAVAL STRIKE MISSILE (NSM)	59,331	52,377
	Program decrease		[-6,954]
	MODIFICATION OF MISSILES		
018	TOMAHAWK MODS	206,233	206,233
019	ESSM	248,619	161,519
	ESSM block 2 contract award delays		[-87,100]
021	AARGM	116,345	116,345
022	STANDARD MISSILES MODS	148,834	148,834
	SUPPORT EQUIPMENT & FACILITIES		
023	WEAPONS INDUSTRIAL FACILITIES	1,819	1,819
	ORDNANCE SUPPORT EQUIPMENT		
026	ORDNANCE SUPPORT EQUIPMENT	191,905	191,905
	TORPEDOES AND RELATED EQUIP		
027	SSTD	4,545	4,545
028	MK-48 TORPEDO	159,107	172,477
	Contract award delay		[-34,000]
	Heavyweight Torpedo—Navy UPL		[50,000]
	Program decrease		[-2,630]
029	ASW TARGETS	13,630	13,630
	MOD OF TORPEDOES AND RELATED EQUIP		
030	MK-54 TORPEDO MODS	106,112	94,168
	Program decrease		[-11,944]
031	MK-48 TORPEDO ADCAP MODS	35,680	35,680
032	MARITIME MINES	8,567	8,567
	SUPPORT EQUIPMENT		
033	TORPEDO SUPPORT EQUIPMENT	93,400	93,400
034	ASW RANGE SUPPORT	3,997	3,997
	DESTINATION TRANSPORTATION		
035	FIRST DESTINATION TRANSPORTATION	4,023	4,023
	GUNS AND GUN MOUNTS		
036	SMALL ARMS AND WEAPONS	14,909	14,909
	MODIFICATION OF GUNS AND GUN MOUNTS		
037	CIWS MODS	6,274	6,274

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2022 Request	House Authorized
038	COAST GUARD WEAPONS	45,958	45,958
039	GUN MOUNT MODS	68,775	68,775
040	LCS MODULE WEAPONS	2,121	2,121
041	AIRBORNE MINE NEUTRALIZATION SYSTEMS	14,822	14,822
	SPARES AND REPAIR PARTS		
043	SPARES AND REPAIR PARTS	162,382	166,682
	Maritime Outfitting and Spares		[4,300]
	TOTAL WEAPONS PROCUREMENT, NAVY	4,220,705	4,126,004
	PROCUREMENT OF AMMO, NAVY & MC		
	NAVY AMMUNITION		
001	GENERAL PURPOSE BOMBS	48,635	48,635
002	JDAM	74,140	74,140
003	AIRBORNE ROCKETS, ALL TYPES	75,383	75,383
004	MACHINE GUN AMMUNITION	11,215	11,215
005	PRACTICE BOMBS	52,225	52,225
006	CARTRIDGES & CART ACTUATED DEVICES	70,876	70,876
007	AIR EXPENDABLE COUNTERMEASURES	61,600	61,600
008	JATOS	6,620	6,620
009	5 INCH/54 GUN AMMUNITION	28,922	28,922
010	INTERMEDIATE CALIBER GUN AMMUNITION	36,038	36,038
011	OTHER SHIP GUN AMMUNITION	39,070	39,070
012	SMALL ARMS & LANDING PARTY AMMO	45,493	45,493
013	PYROTECHNIC AND DEMOLITION	9,163	9,163
015	AMMUNITION LESS THAN \$5 MILLION	1,575	1,575
	MARINE CORPS AMMUNITION		
016	MORTARS	50,707	50,707
017	DIRECT SUPPORT MUNITIONS	120,037	120,037
018	INFANTRY WEAPONS AMMUNITION	94,001	94,001
019	COMBAT SUPPORT MUNITIONS	35,247	35,247
020	AMMO MODERNIZATION	16,267	16,267
021	ARTILLERY MUNITIONS	105,669	95,169
	Contract Delay		[-10,500]
022	ITEMS LESS THAN \$5 MILLION	5,135	5,135
	TOTAL PROCUREMENT OF AMMO, NAVY & MC	988,018	977,518
	SHIPBUILDING AND CONVERSION, NAVY		
	FLEET BALLISTIC MISSILE SHIPS		
001	OHIO REPLACEMENT SUBMARINE	3,003,000	2,923,012
	Columbia partial restoral		[75,000]
	Excessive cost growth		[-154,988]
002	OHIO REPLACEMENT SUBMARINE AP	1,643,980	1,843,584
	Submarine supplier development		[300,000]
	Submarine supplier development reduction		[-100,396]
	OTHER WARSHIPS		
003	CARRIER REPLACEMENT PROGRAM	1,068,705	1,062,205
	Program decrease		[-6,500]
004	CVN-81	1,299,764	1,287,719
	Program decrease		[-12,045]
005	VIRGINIA CLASS SUBMARINE	4,249,240	4,816,240
	Industrial base expansion to 3 VA class/year starting in FY 2025		[567,000]
006	VIRGINIA CLASS SUBMARINE AP	2,120,407	2,120,407
007	CVN REFUELING OVERHAULS	2,456,018	2,232,018
	Full funding rephase		[-224,000]
008	CVN REFUELING OVERHAULS AP	66,262	66,262
009	DDG 1000	56,597	56,597
010	DDG-51	2,016,787	5,058,424
	AP for a third ship in FY 2023		[130,000]
	Change order excessive cost growth		[-12,300]
	Electronics excessive cost growth		[-35,500]
	One additional ship		[3,059,900]
	Plans cost excessive cost growth		[-47,000]
	Program decrease		[-20,463]
	Termination liability not required		[-33,000]
013	FFG-FRIGATE	1,087,900	1,087,900
014	FFG-FRIGATE AP	69,100	69,100
	AMPHIBIOUS SHIPS		
015	LPD FLIGHT II	60,636	60,636
019	LHA REPLACEMENT	68,637	1,268,637
	One additional ship		[1,200,000]
020	EXPEDITIONARY FAST TRANSPORT (EPF)		540,000
	Two additional ships		[540,000]
	AUXILIARIES, CRAFT AND PRIOR YR PROGRAM COST		
021	TAO FLEET OILER	668,184	1,336,384
	One additional ship		[668,200]
022	TAO FLEET OILER AP	76,012	76,012
023	TAGOS SURTASS SHIPS	434,384	434,384
024	TOWING, SALVAGE, AND RESCUE SHIP (ATS)	183,800	80,800

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SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2022 Request	House Authorized
	One ship excess to Program of Record		[-103,000]
025	LCU 1700	67,928	67,928
026	OUTFITTING	655,707	581,931
	Outfitting early to need		[-32,800]
	Program decrease		[-40,976]
027	SHIP TO SHORE CONNECTOR	156,738	286,738
	Ship to Shore Connector		[130,000]
028	SERVICE CRAFT	67,866	67,866
029	LCAC SLEP	32,712	32,712
030	AUXILIARY VESSELS (USED SEALIFT)	299,900	299,900
031	COMPLETION OF PY SHIPBUILDING PROGRAMS	660,795	660,795
	TOTAL SHIPBUILDING AND CONVERSION, NAVY	22,571,059	28,418,191
	OTHER PROCUREMENT, NAVY		
	SHIP PROPULSION EQUIPMENT		
001	SURFACE POWER EQUIPMENT	41,414	41,414
	GENERATORS		
002	SURFACE COMBATANT HM&E	83,746	71,054
	Program decrease		[-12,692]
	NAVIGATION EQUIPMENT		
003	OTHER NAVIGATION EQUIPMENT	72,300	72,300
	OTHER SHIPBOARD EQUIPMENT		
004	SUB PERISCOPE, IMAGING AND SUPT EQUIP PROG	234,932	234,932
005	DDG MOD	583,136	583,136
006	FIREFIGHTING EQUIPMENT	15,040	15,040
007	COMMAND AND CONTROL SWITCHBOARD	2,194	2,194
008	LHA/LHD MIDLIFE	133,627	120,854
	Program decrease		[-12,773]
009	LCC 19/20 EXTENDED SERVICE LIFE PROGRAM	4,387	4,387
010	POLLUTION CONTROL EQUIPMENT	18,159	18,159
011	SUBMARINE SUPPORT EQUIPMENT	88,284	88,284
012	VIRGINIA CLASS SUPPORT EQUIPMENT	22,669	22,669
013	LCS CLASS SUPPORT EQUIPMENT	9,640	9,640
014	SUBMARINE BATTERIES	21,834	21,834
015	LPD CLASS SUPPORT EQUIPMENT	34,292	29,478
	Program decrease		[-4,814]
016	DDG 1000 CLASS SUPPORT EQUIPMENT	126,107	106,107
	Program decrease		[-20,000]
017	STRATEGIC PLATFORM SUPPORT EQUIP	12,256	12,256
018	DSSP EQUIPMENT	10,682	10,682
019	CG MODERNIZATION	156,951	156,951
020	LCAC	21,314	21,314
021	UNDERWATER EOD EQUIPMENT	24,146	24,146
022	ITEMS LESS THAN \$5 MILLION	84,789	84,789
023	CHEMICAL WARFARE DETECTORS	2,997	2,997
	REACTOR PLANT EQUIPMENT		
025	SHIP MAINTENANCE, REPAIR AND MODERNIZATION	1,307,651	1,475,051
	A-120 Availabilities		[167,400]
026	REACTOR POWER UNITS	3,270	3,270
027	REACTOR COMPONENTS	438,729	438,729
	OCEAN ENGINEERING		
028	DIVING AND SALVAGE EQUIPMENT	10,772	10,772
	SMALL BOATS		
029	STANDARD BOATS	58,770	58,770
	PRODUCTION FACILITIES EQUIPMENT		
030	OPERATING FORCES IPE	168,822	150,822
	Program decrease		[-18,000]
	OTHER SHIP SUPPORT		
031	LCS COMMON MISSION MODULES EQUIPMENT	74,231	74,231
032	LCS MCM MISSION MODULES	40,630	30,119
	Program decrease		[-10,511]
033	LCS ASW MISSION MODULES	1,565	1,565
034	LCS SUW MISSION MODULES	3,395	3,395
035	LCS IN-SERVICE MODERNIZATION	122,591	122,591
036	SMALL & MEDIUM UUV	32,534	32,534
	SHIP SONARS		
038	SPQ-9B RADAR	15,927	15,927
039	AN/SQQ-89 SURF ASW COMBAT SYSTEM	131,829	126,871
	Program decrease		[-4,958]
040	SSN ACOUSTIC EQUIPMENT	379,850	341,898
	Program decrease		[-18,952]
	Virginia class technical insertion kits previously funded		[-19,000]
041	UNDERSEA WARFARE SUPPORT EQUIPMENT	13,965	13,965
	ASW ELECTRONIC EQUIPMENT		
042	SUBMARINE ACOUSTIC WARFARE SYSTEM	24,578	24,578
043	SSTD	11,010	11,010
044	FIXED SURVEILLANCE SYSTEM	363,651	363,651
045	SURTASS	67,500	67,500

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2022 Request	House Authorized
ELECTRONIC WARFARE EQUIPMENT			
046	AN/SLQ-32	370,559	257,644
	Block 3 Kit early to need		[-56,500]
	Program decrease		[-56,415]
RECONNAISSANCE EQUIPMENT			
047	SHIPBOARD IW EXPLOIT	261,735	261,735
048	AUTOMATED IDENTIFICATION SYSTEM (AIS)	3,777	3,777
OTHER SHIP ELECTRONIC EQUIPMENT			
049	COOPERATIVE ENGAGEMENT CAPABILITY	24,641	46,924
	Maritime Outfitting and Spares		[13,300]
	Navy Tactical Grid Development for JADC2		[8,983]
050	NAVAL TACTICAL COMMAND SUPPORT SYSTEM (NTCSS)	14,439	14,439
051	ATDLS	101,595	101,595
052	NAVY COMMAND AND CONTROL SYSTEM (NCCS)	3,535	3,535
053	MINESWEEPING SYSTEM REPLACEMENT	15,640	15,640
054	SHALLOW WATER MCM	5,610	0
	COBRA Block I mods excess to need		[-5,610]
055	NAVSTAR GPS RECEIVERS (SPACE)	33,097	33,097
056	AMERICAN FORCES RADIO AND TV SERVICE	2,513	2,513
057	STRATEGIC PLATFORM SUPPORT EQUIP	4,823	4,823
AVIATION ELECTRONIC EQUIPMENT			
058	ASHORE ATC EQUIPMENT	83,464	83,464
059	AFLOAT ATC EQUIPMENT	67,055	67,055
060	ID SYSTEMS	46,918	46,918
061	JOINT PRECISION APPROACH AND LANDING SYSTEM	35,386	35,386
062	NAVAL MISSION PLANNING SYSTEMS	17,951	17,951
OTHER SHORE ELECTRONIC EQUIPMENT			
063	MARITIME INTEGRATED BROADCAST SYSTEM	2,360	2,360
064	TACTICAL/MOBILE C4I SYSTEMS	18,919	18,919
065	DCGS-N	16,691	16,691
066	CANES	412,002	441,002
	Resilient PNT		[29,000]
067	RADLAC	9,074	9,074
068	CANES-INTELL	51,593	51,593
069	GPETE	23,930	23,930
070	MASF	8,795	8,795
071	INTEG COMBAT SYSTEM TEST FACILITY	5,829	5,829
072	EMI CONTROL INSTRUMENTATION	3,925	3,925
073	ITEMS LESS THAN \$5 MILLION	156,042	156,042
SHIPBOARD COMMUNICATIONS			
074	SHIPBOARD TACTICAL COMMUNICATIONS	43,212	43,212
075	SHIP COMMUNICATIONS AUTOMATION	90,724	128,707
	Navy Tactical Grid Development for JADC2		[8,983]
	Resilient PNT		[29,000]
076	COMMUNICATIONS ITEMS UNDER \$5M	44,447	44,447
SUBMARINE COMMUNICATIONS			
077	SUBMARINE BROADCAST SUPPORT	47,579	47,579
078	SUBMARINE COMMUNICATION EQUIPMENT	64,642	64,642
SATELLITE COMMUNICATIONS			
079	SATELLITE COMMUNICATIONS SYSTEMS	38,636	38,636
080	NAVY MULTIBAND TERMINAL (NMT)	34,723	34,723
SHORE COMMUNICATIONS			
081	JOINT COMMUNICATIONS SUPPORT ELEMENT (JCSE)	2,651	2,651
CRYPTOGRAPHIC EQUIPMENT			
082	INFO SYSTEMS SECURITY PROGRAM (ISSP)	146,879	146,879
083	MIO INTEL EXPLOITATION TEAM	977	977
CRYPTOLOGIC EQUIPMENT			
084	CRYPTOLOGIC COMMUNICATIONS EQUIP	17,809	17,809
OTHER ELECTRONIC SUPPORT			
092	COAST GUARD EQUIPMENT	63,214	63,214
SONOBUOYS			
094	SONOBUOYS—ALL TYPES	249,121	303,521
	Navy UPL		[54,400]
AIRCRAFT SUPPORT EQUIPMENT			
095	MINOTAUR	4,963	4,963
096	WEAPONS RANGE SUPPORT EQUIPMENT	98,898	98,898
097	AIRCRAFT SUPPORT EQUIPMENT	178,647	178,647
098	ADVANCED ARRESTING GEAR (AAG)	22,265	22,265
099	METEOROLOGICAL EQUIPMENT	13,687	13,687
100	LEGACY AIRBORNE MCM	4,446	4,446
101	LAMPS EQUIPMENT	1,470	1,470
102	AVIATION SUPPORT EQUIPMENT	70,665	70,665
103	UMCS-UNMAN CARRIER AVIATION(UCA)MISSION CNTRL	86,584	86,584
SHIP GUN SYSTEM EQUIPMENT			
104	SHIP GUN SYSTEMS EQUIPMENT	5,536	5,536
SHIP MISSILE SYSTEMS EQUIPMENT			
105	HARPOON SUPPORT EQUIPMENT	204	204
106	SHIP MISSILE SUPPORT EQUIPMENT	237,987	237,987

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2022 Request	House Authorized
107	TOMAHAWK SUPPORT EQUIPMENT	88,726	88,726
	FBM SUPPORT EQUIPMENT		
108	STRATEGIC MISSILE SYSTEMS EQUIP	281,259	281,259
	ASW SUPPORT EQUIPMENT		
109	SSN COMBAT CONTROL SYSTEMS	143,289	143,289
110	ASW SUPPORT EQUIPMENT	30,595	30,595
	OTHER ORDNANCE SUPPORT EQUIPMENT		
111	EXPLOSIVE ORDNANCE DISPOSAL EQUIP	1,721	1,721
112	ITEMS LESS THAN \$5 MILLION	8,746	8,746
	OTHER EXPENDABLE ORDNANCE		
113	ANTI-SHIP MISSILE DECOY SYSTEM	76,994	76,994
114	SUBMARINE TRAINING DEVICE MODS	75,813	75,813
115	SURFACE TRAINING EQUIPMENT	127,814	127,814
	CIVIL ENGINEERING SUPPORT EQUIPMENT		
116	PASSENGER CARRYING VEHICLES	4,140	4,140
117	GENERAL PURPOSE TRUCKS	2,805	2,805
118	CONSTRUCTION & MAINTENANCE EQUIP	48,403	51,003
	Excess carryover		[-2,000]
	GPS laser survey equipment		[4,600]
119	FIRE FIGHTING EQUIPMENT	15,084	15,084
120	TACTICAL VEHICLES	27,400	27,400
121	POLLUTION CONTROL EQUIPMENT	2,607	2,607
122	ITEMS LESS THAN \$5 MILLION	51,963	51,963
123	PHYSICAL SECURITY VEHICLES	1,165	1,165
	SUPPLY SUPPORT EQUIPMENT		
124	SUPPLY EQUIPMENT	24,698	24,698
125	FIRST DESTINATION TRANSPORTATION	5,385	5,385
126	SPECIAL PURPOSE SUPPLY SYSTEMS	660,750	660,750
	TRAINING DEVICES		
127	TRAINING SUPPORT EQUIPMENT	3,465	3,465
128	TRAINING AND EDUCATION EQUIPMENT	60,114	60,114
	COMMAND SUPPORT EQUIPMENT		
129	COMMAND SUPPORT EQUIPMENT	31,007	31,007
130	MEDICAL SUPPORT EQUIPMENT	7,346	7,346
132	NAVAL MIP SUPPORT EQUIPMENT	2,887	2,887
133	OPERATING FORCES SUPPORT EQUIPMENT	12,815	12,815
134	CHSR EQUIPMENT	6,324	6,324
135	ENVIRONMENTAL SUPPORT EQUIPMENT	25,098	25,098
136	PHYSICAL SECURITY EQUIPMENT	110,647	100,647
	Program decrease		[-10,000]
137	ENTERPRISE INFORMATION TECHNOLOGY	31,709	31,709
	OTHER		
141	NEXT GENERATION ENTERPRISE SERVICE	41	41
142	CYBERSPACE ACTIVITIES	12,859	12,859
	CLASSIFIED PROGRAMS		
142A	CLASSIFIED PROGRAMS	19,808	19,808
	SPARES AND REPAIR PARTS		
143	SPARES AND REPAIR PARTS	424,405	517,105
	Maritime Outfitting and Spares		[92,700]
	TOTAL OTHER PROCUREMENT, NAVY	10,875,912	11,032,053
	PROCUREMENT, MARINE CORPS		
	TRACKED COMBAT VEHICLES		
001	AAV7A1 PIP	36,836	36,836
002	AMPHIBIOUS COMBAT VEHICLE FAMILY OF VEHICLES	532,355	532,355
	Excess growth		[-7,000]
	Program increase		[7,000]
003	LAV PIP	23,476	23,476
	ARTILLERY AND OTHER WEAPONS		
004	155MM LIGHTWEIGHT TOWED HOWITZER	32	32
005	ARTILLERY WEAPONS SYSTEM	67,548	221,348
	Program increase—NSM USMC UPL		[57,800]
	Program increase—TACTOM USMC UPL		[96,000]
006	WEAPONS AND COMBAT VEHICLES UNDER \$5 MILLION	35,402	35,402
	GUIDED MISSILES		
008	GROUND BASED AIR DEFENSE	9,349	9,349
009	ANTI-ARMOR MISSILE-JAVELIN	937	937
010	FAMILY ANTI-ARMOR WEAPON SYSTEMS (FOAAWS)	20,481	20,481
011	ANTI-ARMOR MISSILE-TOW	14,359	12,359
	Unit cost growth		[-2,000]
012	GUIDED MLRS ROCKET (GMLRS)	98,299	98,299
	COMMAND AND CONTROL SYSTEMS		
013	COMMON AVIATION COMMAND AND CONTROL SYSTEM	18,247	18,247
	REPAIR AND TEST EQUIPMENT		
014	REPAIR AND TEST EQUIPMENT	33,554	33,554
	OTHER SUPPORT (TEL)		
015	MODIFICATION KITS	167	167
	COMMAND AND CONTROL SYSTEM (NON-TEL)		

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2022 Request	House Authorized
016	ITEMS UNDER \$5 MILLION (COMM & ELEC)	64,879	90,779
	Fly-Away Broadcast System (FABS)—USMC UPL		[9,000]
	Improved Night/Day Observation Device (INOD) Block III—USMC UPL		[16,900]
017	AIR OPERATIONS C2 SYSTEMS	1,291	1,291
	RADAR + EQUIPMENT (NON-TEL)		
019	GROUND/AIR TASK ORIENTED RADAR (G/ATOR)	297,369	645,369
	AN/TPS-80 Retrofit Kits—USMC UPL		[44,000]
	AN/TPS-80 Procure (+8)—USMC UPL		[304,000]
	INTELL/COMM EQUIPMENT (NON-TEL)		
020	GCSS-MC	604	604
021	FIRE SUPPORT SYSTEM	39,810	39,810
022	INTELLIGENCE SUPPORT EQUIPMENT	67,309	72,909
	SCINet—USMC UPL		[5,600]
024	UNMANNED AIR SYSTEMS (INTEL)	24,299	24,299
025	DCGS-MC	28,633	28,633
026	UAS PAYLOADS	3,730	3,730
	OTHER SUPPORT (NON-TEL)		
029	NEXT GENERATION ENTERPRISE NETWORK (NGEN)	97,060	97,060
030	COMMON COMPUTER RESOURCES	83,606	116,506
	(SONIC)—Enterprise Infrastructure Modernization (EIM)		[7,500]
	Marine Corps Hardware Suite (MCHS) End User Devices (EUD) Refresh		[6,300]
	NGEN Infrastructure Refresh		[19,100]
031	COMMAND POST SYSTEMS	53,708	39,708
	NOTM refresh early to need		[-14,000]
032	RADIO SYSTEMS	468,678	444,678
	TCM ground radios sparing previously funded		[-10,000]
	Unjustified request		[-14,000]
033	COMM SWITCHING & CONTROL SYSTEMS	49,600	41,600
	Excess growth		[-8,000]
034	COMM & ELEC INFRASTRUCTURE SUPPORT	110,835	116,635
	Excess growth		[-10,000]
	NETWORK Base Telecommunications Infrastructure (BTI)—USMC UPL		[15,800]
035	CYBERSPACE ACTIVITIES	25,377	46,577
	Defensive Cyber Operations (DCO)—Internal Defensive Measures (IDM) Kits		[21,200]
	CLASSIFIED PROGRAMS		
037A	CLASSIFIED PROGRAMS	4,034	4,034
	ADMINISTRATIVE VEHICLES		
038	COMMERCIAL CARGO VEHICLES	17,848	17,848
	TACTICAL VEHICLES		
039	MOTOR TRANSPORT MODIFICATIONS	23,363	19,363
	Excess growth		[-4,000]
040	JOINT LIGHT TACTICAL VEHICLE	322,013	322,013
042	TRAILERS	9,876	9,876
	ENGINEER AND OTHER EQUIPMENT		
044	TACTICAL FUEL SYSTEMS	2,161	2,161
045	POWER EQUIPMENT ASSORTED	26,625	26,625
046	AMPHIBIOUS SUPPORT EQUIPMENT	17,119	10,119
	Excess carryover		[-7,000]
047	EOD SYSTEMS	94,472	107,672
	Buried Command Wire Detector (BCWD)—USMC UPL		[7,800]
	Instrument Set, Recon and Survey (ENFIRE)—USMC UPL		[5,400]
	MATERIALS HANDLING EQUIPMENT		
048	PHYSICAL SECURITY EQUIPMENT	84,513	84,513
	GENERAL PROPERTY		
049	FIELD MEDICAL EQUIPMENT	8,105	8,105
050	TRAINING DEVICES	37,814	37,814
051	FAMILY OF CONSTRUCTION EQUIPMENT	34,658	50,458
	All-Terrain Crane (ATC)—USMC UPL		[10,800]
	Rough Terrain Container Handler (RTCH)—USMC UPL		[5,000]
052	ULTRA-LIGHT TACTICAL VEHICLE (ULTV)	15,439	15,439
	OTHER SUPPORT		
053	ITEMS LESS THAN \$5 MILLION	4,402	15,002
	Lightweight Water Purification System—USMC UPL		[10,600]
	SPARES AND REPAIR PARTS		
054	SPARES AND REPAIR PARTS	32,819	32,819
	TOTAL PROCUREMENT, MARINE CORPS	3,043,091	3,616,891
	AIRCRAFT PROCUREMENT, AIR FORCE		
	STRATEGIC OFFENSIVE		
001	B-21 RAIDER AP	108,027	108,027
	TACTICAL FORCES		
002	F-35	4,167,604	3,973,504
	F135 PM Procurement—Air Force UPL		[175,000]
	Sustainment Enterprise Support		[-429,100]
	USG depot aceleration		[60,000]
003	F-35 AP	352,632	352,632
005	F-15EX	1,186,903	2,562,903
	12 additional aircraft		[1,376,000]

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SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2022 Request	House Authorized
006	F-15EX AP	147,919	147,919
	TACTICAL AIRLIFT		
007	KC-46A MDAP	2,380,315	2,275,315
	Excess growth		[-105,000]
	OTHER AIRLIFT		
008	C-130J	128,896	128,896
009	MC-130J	220,049	220,049
	UPT TRAINERS		
011	ADVANCED TRAINER REPLACEMENT T-X	10,397	10,397
	HELICOPTERS		
013	COMBAT RESCUE HELICOPTER	792,221	792,221
	MISSION SUPPORT AIRCRAFT		
016	CIVIL AIR PATROL A/C	2,813	11,413
	Recapitalization rate increase		[8,600]
	OTHER AIRCRAFT		
017	TARGET DRONES	116,169	116,169
018	COMPASS CALL		75,000
	Add 5 spare engines—Air Force UPL		[75,000]
019	E-11 BACN/HAG	124,435	124,435
021	MQ-9	3,288	118,288
	Add 6 aircraft		[115,000]
	STRATEGIC AIRCRAFT		
023	B-2A	29,944	29,944
024	B-1B	30,518	30,518
025	B-52	74,957	74,957
026	COMBAT RESCUE HELICOPTER	61,191	45,891
	Early to need—contract delay		[-15,300]
027	LARGE AIRCRAFT INFRARED COUNTERMEASURES	57,001	57,001
	TACTICAL AIRCRAFT		
028	A-10	83,621	183,621
	Modernization and Upgrades		[100,000]
029	E-11 BACN/HAG	68,955	68,955
030	F-15	234,340	234,340
031	F-16	613,166	733,166
	ANG AESA Radars		[100,000]
	HUD upgrade		[20,000]
032	F-22A	424,722	384,722
	Program decrease		[-40,000]
033	F-35 MODIFICATIONS	304,135	308,935
	RMIP increase		[20,000]
	TR-3/B4 delay		[-15,200]
034	F-15 EPAW	149,797	149,797
036	KC-46A MDAP	1,984	1,984
	AIRLIFT AIRCRAFT		
037	C-5	25,431	25,431
038	C-17A	59,570	59,570
040	C-32A	1,949	1,949
041	C-37A	5,984	5,984
	TRAINER AIRCRAFT		
042	GLIDER MODS	142	142
043	T-6	8,735	8,735
044	T-1	3,872	3,872
045	T-38	49,851	49,851
	OTHER AIRCRAFT		
046	U-2 MODS	126,809	126,809
047	KC-10A (ATCA)	1,902	1,902
049	VC-25A MOD	96	96
050	C-40	262	262
051	C-130	29,071	169,771
	Modular Airborne Fire Fighting Systems		[15,000]
	NP-2000 modifications		[75,700]
	T-56 engine modifications		[50,000]
052	C-130J MODS	110,784	116,584
	Virtual reality maintenance training		[5,800]
053	C-135	61,376	61,376
054	COMPASS CALL	195,098	195,098
056	RC-135	207,596	207,596
057	E-3	109,855	109,855
058	E-4	19,081	19,081
059	E-8	16,312	43,312
	Program increase—CDL		[27,000]
060	AIRBORNE WARNING AND CNTRL SYS (AWACS) 40/45	30,327	26,627
	Block 40/45 carryover		[-3,700]
062	H-1	1,533	1,533
063	H-60	13,709	32,139
	OLR mod early to need		[-1,570]
	Restore degraded visual environment		[20,000]
064	RQ-4 MODS	3,205	3,205

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2022 Request	House Authorized
065	HC/MC-130 MODIFICATIONS	150,263	150,263
066	OTHER AIRCRAFT	54,828	54,828
067	MQ-9 MODS	144,287	129,787
	Early to need—MQ-9 Upgrade		[-11,500]
	Unjustified increase—MQ-9 Upgrade other government support		[-3,000]
068	MQ-9 UAS PAYLOADS	40,800	40,800
069	SENIOR LEADER C3, SYSTEM—AIRCRAFT	23,554	23,554
070	CV-22 MODS	158,162	240,562
	Nacelle improvement program		[5,000]
	SOCOM—CV-22 Reliability Acceleration		[77,400]
	AIRCRAFT SPARES AND REPAIR PARTS		
071	INITIAL SPARES/REPAIR PARTS	923,573	923,573
	COMMON SUPPORT EQUIPMENT		
072	AIRCRAFT REPLACEMENT SUPPORT EQUIP	138,761	138,761
	POST PRODUCTION SUPPORT		
073	B-2A	1,651	1,651
074	B-2B	38,811	38,811
075	B-52	5,602	5,602
078	F-15	2,324	2,324
079	F-16	10,456	10,456
081	RQ-4 POST PRODUCTION CHARGES	24,592	24,592
	INDUSTRIAL PREPAREDNESS		
082	INDUSTRIAL RESPONSIVENESS	18,110	18,110
	WAR CONSUMABLES		
083	WAR CONSUMABLES	35,866	35,866
	OTHER PRODUCTION CHARGES		
084	OTHER PRODUCTION CHARGES	979,388	1,019,388
	Classified modifications—program increase		[40,000]
	CLASSIFIED PROGRAMS		
086A	CLASSIFIED PROGRAMS	18,092	18,092
	TOTAL AIRCRAFT PROCUREMENT, AIR FORCE	15,727,669	17,468,799
	MISSILE PROCUREMENT, AIR FORCE		
	MISSILE REPLACEMENT EQUIPMENT—BALLISTIC		
001	MISSILE REPLACEMENT EQ-BALLISTIC	57,793	57,793
	BALLISTIC MISSILES		
002	GROUND BASED STRATEGIC DETERRENT	10,895	10,895
	Review of Engineering and Manufacturing Development Contract		
	TACTICAL		
003	REPLAC EQUIP & WAR CONSUMABLES	7,681	7,681
004	AGM-183A AIR-LAUNCHED RAPID RESPONSE WEAPON	160,850	110,850
	Procurement early to need		[-50,000]
006	JOINT AIR-SURFACE STANDOFF MISSILE	710,550	660,550
	Program decrease		[-50,000]
008	SIDEWINDER (AIM-9X)	107,587	107,587
009	AMRAAM	214,002	214,002
010	PREDATOR HELLFIRE MISSILE	103,684	103,684
011	SMALL DIAMETER BOMB	82,819	82,819
012	SMALL DIAMETER BOMB II	294,649	294,649
	INDUSTRIAL FACILITIES		
013	INDUSTRIAL PREPAREDNS/POL PREVENTION	757	757
	CLASS IV		
015	ICBM FUZE MOD	53,013	53,013
016	ICBM FUZE MOD AP	47,757	47,757
017	MM III MODIFICATIONS	88,579	88,579
019	AIR LAUNCH CRUISE MISSILE (ALCM)	46,799	46,799
	MISSILE SPARES AND REPAIR PARTS		
020	MSL SPRS/REPAIR PARTS (INITIAL)	14,212	14,212
021	MSL SPRS/REPAIR PARTS (REPLEN)	63,547	63,547
022	INITIAL SPARES/REPAIR PARTS	4,045	4,045
	SPECIAL PROGRAMS		
027	SPECIAL UPDATE PROGRAMS	30,352	30,352
	CLASSIFIED PROGRAMS		
027A	CLASSIFIED PROGRAMS	570,240	570,240
	TOTAL MISSILE PROCUREMENT, AIR FORCE	2,669,811	2,569,811
	PROCUREMENT OF AMMUNITION, AIR FORCE		
	ROCKETS		
001	ROCKETS	36,597	36,597
	CARTRIDGES		
002	CARTRIDGES	169,163	164,163
	Excess to need		[-5,000]
	BOMBS		
003	PRACTICE BOMBS	48,745	48,745
004	GENERAL PURPOSE BOMBS	176,565	176,565
005	MASSIVE ORDNANCE PENETRATOR (MOP)	15,500	15,500
006	JOINT DIRECT ATTACK MUNITION	124,102	124,102

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2022 Request	House Authorized
007	B-61	2,709	2,709
	OTHER ITEMS		
008	CAD/PAD	47,210	47,210
009	EXPLOSIVE ORDNANCE DISPOSAL (EOD)	6,151	6,151
010	SPARES AND REPAIR PARTS	535	535
011	MODIFICATIONS	292	292
012	ITEMS LESS THAN \$5,000,000	9,164	9,164
	FLARES		
013	FLARES	95,297	95,297
	FUZES		
014	FUZES	50,795	50,795
	SMALL ARMS		
015	SMALL ARMS	12,343	12,343
	TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE	795,168	790,168
	PROCUREMENT, SPACE FORCE		
	SPACE PROCUREMENT, SF		
002	AF SATELLITE COMM SYSTEM	43,655	43,655
003	COUNTERSPACE SYSTEMS	64,804	64,804
004	FAMILY OF BEYOND LINE-OF-SIGHT TERMINALS	39,444	39,444
005	GENERAL INFORMATION TECH—SPACE	3,316	9,816
	Increase satellite control capacity UPL		[4,700]
	Modernize Space Aggressor Equipment		[1,800]
006	GPSIII FOLLOW ON	601,418	601,418
007	GPS III SPACE SEGMENT	84,452	84,452
008	GLOBAL POSITIONING (SPACE)	2,274	2,274
009	HERITAGE TRANSITION	13,529	13,529
010	SPACEBORNE EQUIP (COMSEC)	26,245	26,245
011	MILSATCOM	24,333	24,333
012	SBIR HIGH (SPACE)	154,526	154,526
013	SPECIAL SPACE ACTIVITIES	142,188	142,188
014	MOBILE USER OBJECTIVE SYSTEM	45,371	45,371
015	NATIONAL SECURITY SPACE LAUNCH	1,337,347	1,337,347
016	NUDET DETECTION SYSTEM	6,690	6,690
017	PTES HUB	7,406	7,406
018	ROCKET SYSTEMS LAUNCH PROGRAM	10,429	10,429
020	SPACE MODS	64,371	64,371
021	SPACELIFT RANGE SYSTEM SPACE	93,774	93,774
	SPARES		
022	SPARES AND REPAIR PARTS	1,282	1,282
	TOTAL PROCUREMENT, SPACE FORCE	2,766,854	2,773,354
	OTHER PROCUREMENT, AIR FORCE		
	PASSENGER CARRYING VEHICLES		
001	PASSENGER CARRYING VEHICLES	8,448	8,448
	CARGO AND UTILITY VEHICLES		
002	MEDIUM TACTICAL VEHICLE	5,804	5,804
003	CAP VEHICLES	1,066	1,800
	Program increase		[734]
004	CARGO AND UTILITY VEHICLES	57,459	49,959
	Prior-year underexecution		[-7,500]
	SPECIAL PURPOSE VEHICLES		
005	JOINT LIGHT TACTICAL VEHICLE	97,326	92,326
	Excess carryover		[-5,000]
006	SECURITY AND TACTICAL VEHICLES	488	488
007	SPECIAL PURPOSE VEHICLES	75,694	75,694
	FIRE FIGHTING EQUIPMENT		
008	FIRE FIGHTING/CRASH RESCUE VEHICLES	12,525	12,525
	MATERIALS HANDLING EQUIPMENT		
009	MATERIALS HANDLING VEHICLES	34,933	34,933
	BASE MAINTENANCE SUPPORT		
010	RUNWAY SNOW REMOV AND CLEANING EQU	9,134	9,134
011	BASE MAINTENANCE SUPPORT VEHICLES	111,820	87,013
	Insufficient justification		[-4,807]
	Program decrease		[-20,000]
	COMM SECURITY EQUIPMENT(COMSEC)		
013	COMSEC EQUIPMENT	66,022	66,022
014	STRATEGIC MICROELECTRONIC SUPPLY SYSTEM	885,051	885,051
	INTELLIGENCE PROGRAMS		
015	INTERNATIONAL INTEL TECH & ARCHITECTURES	5,809	5,809
016	INTELLIGENCE TRAINING EQUIPMENT	5,719	5,719
017	INTELLIGENCE COMM EQUIPMENT	25,844	25,844
	ELECTRONICS PROGRAMS		
018	AIR TRAFFIC CONTROL & LANDING SYS	44,516	44,516
019	BATTLE CONTROL SYSTEM—FIXED	2,940	2,940
020	THEATER AIR CONTROL SYS IMPROVEMEN	43,442	43,442
021	3D EXPEDITIONARY LONG-RANGE RADAR	96,186	307,686
	ANG/Cyber Requirements—AF UPL		[164,000]

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2022 Request	House Authorized
	Build Command and Control Framework		[55,000]
	Program decrease		[-7,500]
022	WEATHER OBSERVATION FORECAST	32,376	32,376
023	STRATEGIC COMMAND AND CONTROL	37,950	37,950
024	CHEYENNE MOUNTAIN COMPLEX	8,258	8,258
025	MISSION PLANNING SYSTEMS	14,717	14,717
	SPCL COMM-ELECTRONICS PROJECTS		
027	GENERAL INFORMATION TECHNOLOGY	43,917	116,247
	EUCOM—MPE MOB/FOB		[13,800]
	INDOPACOM Mission Partner Environment		[30,530]
	MISO		[28,000]
028	AF GLOBAL COMMAND & CONTROL SYS	414	414
030	MOBILITY COMMAND AND CONTROL	10,619	10,619
031	AIR FORCE PHYSICAL SECURITY SYSTEM	101,896	91,896
	Program decrease		[-10,000]
032	COMBAT TRAINING RANGES	222,598	222,598
033	COMBAT TRAINING RANGES AP	14,730	14,730
034	MINIMUM ESSENTIAL EMERGENCY COMM N	77,119	77,119
035	WIDE AREA SURVEILLANCE (WAS)	38,794	38,794
036	C3 COUNTERMEASURES	131,238	131,238
037	INTEGRATED PERSONNEL AND PAY SYSTEM	15,240	15,240
038	GCSS-AF FOS	3,959	3,959
040	MAINTENANCE REPAIR & OVERHAUL INITIATIVE	4,387	4,387
041	THEATER BATTLE MGT C2 SYSTEM	4,052	4,052
042	AIR & SPACE OPERATIONS CENTER (AOC)	2,224	2,224
	AIR FORCE COMMUNICATIONS		
043	BASE INFORMATION TRANSP T INFRAST (BITI) WIRED	58,499	58,499
044	AFNET	65,354	65,354
045	JOINT COMMUNICATIONS SUPPORT ELEMENT (JCSE)	4,377	4,377
046	USCENTCOM	18,101	18,101
047	USSTRATCOM	4,226	4,226
	ORGANIZATION AND BASE		
048	TACTICAL C-E EQUIPMENT	162,955	156,955
	Program decrease		[-6,000]
049	RADIO EQUIPMENT	14,232	12,232
	Program decrease		[-2,000]
051	BASE COMM INFRASTRUCTURE	200,797	310,797
	EUCOM—Modernize IT infrastructure		[55,000]
	Improve Space Digital Integrated Network and Network Switches		[7,000]
	Modernize Essential Warfighter IT infrastructure		[55,000]
	MQ-9 UAV—Excess carryover		[-7,000]
	MODIFICATIONS		
052	COMM ELECT MODS	18,607	18,607
	PERSONAL SAFETY & RESCUE EQUIP		
053	PERSONAL SAFETY AND RESCUE EQUIPMENT	106,449	106,449
	DEPOT PLANT+MTRLS HANDLING EQ		
054	POWER CONDITIONING EQUIPMENT	11,274	11,274
055	MECHANIZED MATERIAL HANDLING EQUIP	8,594	8,594
	BASE SUPPORT EQUIPMENT		
056	BASE PROCURED EQUIPMENT	1	1
057	ENGINEERING AND EOD EQUIPMENT	32,139	32,139
058	MOBILITY EQUIPMENT	63,814	63,814
059	FUELS SUPPORT EQUIPMENT (FSE)	17,928	17,928
060	BASE MAINTENANCE AND SUPPORT EQUIPMENT	48,534	48,534
	SPECIAL SUPPORT PROJECTS		
062	DARP RC135	27,359	27,359
063	DCGS-AF	261,070	261,070
065	SPECIAL UPDATE PROGRAM	777,652	777,652
	CLASSIFIED PROGRAMS		
065A	CLASSIFIED PROGRAMS	20,983,908	21,183,908
	Program Increase		[200,000]
	SPARES AND REPAIR PARTS		
066	SPARES AND REPAIR PARTS (CYBER)	978	978
067	SPARES AND REPAIR PARTS	9,575	9,575
	TOTAL OTHER PROCUREMENT, AIR FORCE	25,251,137	25,790,394
	PROCUREMENT, DEFENSE-WIDE		
	MAJOR EQUIPMENT, SDA		
024	MAJOR EQUIPMENT, DPAA	494	494
047	MAJOR EQUIPMENT, OSD	31,420	31,420
048	JOINT CAPABILITY TECH DEMONSTRATION (JCTD)	74,060	74,060
	MAJOR EQUIPMENT, NSA		
046	INFORMATION SYSTEMS SECURITY PROGRAM (ISSP)	315	315
	MAJOR EQUIPMENT, DISA		
010	INFORMATION SYSTEMS SECURITY	18,923	18,923
011	TELEPORT PROGRAM	34,908	34,908
012	JOINT FORCES HEADQUARTERS—DODIN	1,968	1,968
013	ITEMS LESS THAN \$5 MILLION	42,270	42,270

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2022 Request	House Authorized
014	DEFENSE INFORMATION SYSTEM NETWORK	18,025	18,025
015	WHITE HOUSE COMMUNICATION AGENCY	44,522	44,522
016	SENIOR LEADERSHIP ENTERPRISE	54,592	54,592
017	JOINT REGIONAL SECURITY STACKS (JRSS)	62,657	62,657
018	JOINT SERVICE PROVIDER	102,039	102,039
019	FOURTH ESTATE NETWORK OPTIMIZATION (4ENO)	80,645	70,645
	Program execution		[-10,000]
	MAJOR EQUIPMENT, DLA		
021	MAJOR EQUIPMENT	530,896	510,896
	Excess growth		[-20,000]
	MAJOR EQUIPMENT, DCSA		
002	MAJOR EQUIPMENT	3,014	3,014
	MAJOR EQUIPMENT, TJS		
049	MAJOR EQUIPMENT, TJS	7,830	7,830
	MAJOR EQUIPMENT, MISSILE DEFENSE AGENCY		
029	THAAD	251,543	361,122
	12 additional systems		[109,579]
031	AEGIS BMD	334,621	334,621
032	AEGIS BMD AP	17,493	17,493
033	BMDS AN/TPY-2 RADARS	2,738	2,738
034	SM-3 IILAS	295,322	336,822
	Procure 2 additional all-up rounds		[41,500]
035	ARROW 3 UPPER TIER SYSTEMS	62,000	62,000
036	SHORT RANGE BALLISTIC MISSILE DEFENSE (SRBMD)	30,000	30,000
037	DEFENSE OF GUAM PROCUREMENT	40,000	40,000
038	AEGIS ASHORE PHASE III	25,866	25,866
039	IRON DOME	108,000	108,000
040	AEGIS BMD HARDWARE AND SOFTWARE	81,791	81,791
	MAJOR EQUIPMENT, DHRA		
004	PERSONNEL ADMINISTRATION	4,042	4,042
	MAJOR EQUIPMENT, DEFENSE THREAT REDUCTION AGENCY		
026	VEHICLES	118	118
027	OTHER MAJOR EQUIPMENT	12,681	12,681
	MAJOR EQUIPMENT, DODEA		
023	AUTOMATION/EDUCATIONAL SUPPORT & LOGISTICS	2,963	2,963
	MAJOR EQUIPMENT, DMACT		
022	MAJOR EQUIPMENT	8,498	8,498
	CLASSIFIED PROGRAMS		
051A	CLASSIFIED PROGRAMS	635,338	635,338
	AGILE PROCUREMENT TRANSITION PILOT		
081	AGILE PROCUREMENT TRANSITION PILOT		100,000
	Program increase		[100,000]
	AVIATION PROGRAMS		
052	ARMED OVERWATCH/TARGETING	170,000	170,000
053	MANNED ISR	2,500	2,500
054	MC-12	2,250	2,250
055	MH-60 BLACKHAWK	29,900	29,900
056	ROTARY WING UPGRADES AND SUSTAINMENT	202,278	202,278
057	UNMANNED ISR	55,951	55,951
058	NON-STANDARD AVIATION	3,282	3,282
059	U-28	4,176	4,176
060	MH-47 CHINOOK	130,485	130,485
061	CV-22 MODIFICATION	41,762	47,572
	SOCOM—CV-22 Reliability Acceleration		[5,810]
062	MQ-9 UNMANNED AERIAL VEHICLE	8,020	8,020
063	PRECISION STRIKE PACKAGE	165,224	165,224
064	AC/MC-130J	205,216	205,216
065	C-130 MODIFICATIONS	13,373	13,373
	SHIPBUILDING		
066	UNDERWATER SYSTEMS	17,227	23,327
	SOCOM—Modernized Forward Look Sonar		[900]
	SOCOM Combat Diving Advanced Equipment Acceleration		[5,200]
	AMMUNITION PROGRAMS		
067	ORDNANCE ITEMS <\$5M	168,072	168,072
	OTHER PROCUREMENT PROGRAMS		
068	INTELLIGENCE SYSTEMS	131,889	123,889
	Program decrease		[-8,000]
069	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	5,991	5,991
070	OTHER ITEMS <\$5M	62,722	62,722
071	COMBATANT CRAFT SYSTEMS	17,080	17,080
072	SPECIAL PROGRAMS	44,351	75,531
	SOCOM—Medium Fixed Wing Mobility Modifications		[31,180]
073	TACTICAL VEHICLES	26,806	26,806
074	WARRIOR SYSTEMS <\$5M	284,548	304,548
	Radio Integration System Program Upgrade		[20,000]
075	COMBAT MISSION REQUIREMENTS	27,513	27,513
077	OPERATIONAL ENHANCEMENTS INTELLIGENCE	20,252	20,252
078	OPERATIONAL ENHANCEMENTS	328,569	389,872

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2022 Request	House Authorized
	SOCOM—Armored Ground Mobility Systems (AGMS) Acceleration		[33,303]
	SOCOM—Fused Panoramic Night Vision Goggles Acceleration		[28,000]
	CBDP		
079	CHEMICAL BIOLOGICAL SITUATIONAL AWARENESS	167,918	167,918
080	CB PROTECTION & HAZARD MITIGATION	189,265	189,265
	TOTAL PROCUREMENT, DEFENSE-WIDE	5,548,212	5,885,684
	NATIONAL GUARD AND RESERVE EQUIPMENT		
	UNDISTRIBUTED		
007	UNDISTRIBUTED		950,000
	Program increase		[950,000]
	TOTAL NATIONAL GUARD AND RESERVE EQUIPMENT		950,000
	TOTAL PROCUREMENT	132,205,078	147,064,524

1 **TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUA-**
 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 2022 Request	House Authorized
		RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY		
		BASIC RESEARCH		
001	0601102A	DEFENSE RESEARCH SCIENCES	297,241	324,288
		Lightweight, High Entropy Alloy Research		[5,000]
		Program increase		[22,047]
002	0601103A	UNIVERSITY RESEARCH INITIATIVES	66,981	72,809
		Program increase		[5,828]
003	0601104A	UNIVERSITY AND INDUSTRY RESEARCH CENTERS	94,003	109,003
		Biotechnology advancements		[4,000]
		Polar Research and Training		[6,000]
		SMART and Cognitive Research for RF/ Radar		[5,000]
004	0601121A	CYBER COLLABORATIVE RESEARCH ALLIANCE	5,067	5,067
005	0601601A	ARTIFICIAL INTELLIGENCE AND MACHINE LEARNING BASIC RESEARCH.	10,183	15,183
		Program increase		[5,000]
		SUBTOTAL BASIC RESEARCH	473,475	526,350
		APPLIED RESEARCH		
006	0602115A	BIOMEDICAL TECHNOLOGY	11,925	11,925
007	0602134A	COUNTER IMPROVISED-THREAT ADVANCED STUDIES	1,976	1,976
008	0602141A	LETHALITY TECHNOLOGY	64,126	65,126
		CPF—Research and Development of Next Generation Explosives and Propellants.		[1,000]
009	0602142A	ARMY APPLIED RESEARCH	28,654	28,654
010	0602143A	SOLDIER LETHALITY TECHNOLOGY	105,168	115,168
		AFC Pathfinder Partnership Program-Air Assault		[10,000]
011	0602144A	GROUND TECHNOLOGY	56,400	118,400
		Additive Manufacturing Materials		[9,000]
		Advanced materials process		[10,000]
		Chemical and Biological Detection		[5,000]
		CPF—Army Research Lab (ARL) Additive Manufacturing/Ma- chine Learning (AM/ML) Initiative.		[5,000]
		High performance polymers		[10,000]
		Modeling Enabled Multifunctional Materials Development (MEMMD).		[6,000]
		Program increase		[17,000]
012	0602145A	NEXT GENERATION COMBAT VEHICLE TECHNOLOGY	172,166	190,166
		CPF—High-efficiency Truck Users Forum (HTUF)		[2,500]
		CPF—Structural Thermoplastics Large-Scale Low-Cost Tooling Solutions.		[4,500]
		Prototyping Energy Smart Autonomous Ground Systems		[8,000]

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2022 Request	House Authorized
		Tactical Behaviors for Autonomous Maneuver		[3,000]
013	0602146A	NETWORK C3I TECHNOLOGY	84,606	136,406
		Advanced fabrics for shelters		[9,000]
		Alternative PNT		[15,000]
		CPF—Future Nano- and Micro-Fabrication - Advanced Materials Engineering Research Institute.		[6,800]
		CPF—Multiple Drone, Multiple Sensor ISR Capabilities		[5,000]
		Distributed Radio Frequency Sensor/Effector Technology for Strategic Defense.		[10,000]
		Intelligent Electronic Protection Technologies		[6,000]
014	0602147A	LONG RANGE PRECISION FIRES TECHNOLOGY	64,285	94,535
		Machine Learning for Army Integrated Fires		[10,000]
		Novel Printed Armaments Components		[15,000]
		Precision Long Range Integrated Strike (PLRIS)		[5,250]
015	0602148A	FUTURE VERTICLE LIFT TECHNOLOGY	91,411	91,411
016	0602150A	AIR AND MISSILE DEFENSE TECHNOLOGY	19,316	64,316
		Advancement of critical HEL technologies		[10,000]
		Cyber Electromagnetic (CEMA) Missile Defender		[15,000]
		High energy laser integration		[20,000]
017	0602180A	ARTIFICIAL INTELLIGENCE AND MACHINE LEARNING TECHNOLOGIES.	15,034	15,034
018	0602181A	ALL DOMAIN CONVERGENCE APPLIED RESEARCH	25,967	25,967
019	0602182A	C3I APPLIED RESEARCH	12,406	12,406
020	0602183A	AIR PLATFORM APPLIED RESEARCH	6,597	16,597
		High density eVTOL power source		[10,000]
021	0602184A	SOLDIER APPLIED RESEARCH	11,064	26,064
		Advanced AI/AA analytics		[5,000]
		AFC Pathfinder Partnership Program		[10,000]
022	0602213A	C3I APPLIED CYBER	12,123	12,123
023	0602386A	BIOTECHNOLOGY FOR MATERIALS—APPLIED RESEARCH ...	20,643	20,643
024	0602785A	MANPOWER/PERSONNEL/TRAINING TECHNOLOGY	18,701	18,701
025	0602787A	MEDICAL TECHNOLOGY	91,720	95,720
		CPF—Human Performance Optimization (HPO) Center		[2,000]
		CPF—Suicide Prevention with Focus on Rural, Remote, Isolated, and OCONUS Installations.		[2,000]
		SUBTOTAL APPLIED RESEARCH	914,288	1,161,338
		ADVANCED TECHNOLOGY DEVELOPMENT		
026	0603002A	MEDICAL ADVANCED TECHNOLOGY	43,804	43,804
027	0603007A	MANPOWER, PERSONNEL AND TRAINING ADVANCED TECHNOLOGY.	14,273	14,273
028	0603025A	ARMY AGILE INNOVATION AND DEMONSTRATION	22,231	22,231
029	0603040A	ARTIFICIAL INTELLIGENCE AND MACHINE LEARNING ADVANCED TECHNOLOGIES.	909	909
030	0603041A	ALL DOMAIN CONVERGENCE ADVANCED TECHNOLOGY	17,743	17,743
031	0603042A	C3I ADVANCED TECHNOLOGY	3,151	3,151
032	0603043A	AIR PLATFORM ADVANCED TECHNOLOGY	754	754
033	0603044A	SOLDIER ADVANCED TECHNOLOGY	890	890
034	0603115A	MEDICAL DEVELOPMENT	26,521	26,521
035	0603116A	LETHALITY ADVANCED TECHNOLOGY	8,066	8,066
036	0603117A	ARMY ADVANCED TECHNOLOGY DEVELOPMENT	76,815	76,815
037	0603118A	SOLDIER LETHALITY ADVANCED TECHNOLOGY	107,966	107,966
038	0603119A	GROUND ADVANCED TECHNOLOGY	23,403	63,403
		Advanced Entry Control Point Design		[5,000]
		Cold weather military research		[2,000]
		CPF—Military Operations in a Permafrost Environment		[3,000]
		Ground Advanced Technology—3D Printed Structures		[12,000]
		Program increase		[10,000]
		Rapid entry and sustainment for the Arctic		[8,000]
039	0603134A	COUNTER IMPROVISED-THREAT SIMULATION	24,747	24,747
040	0603386A	BIOTECHNOLOGY FOR MATERIALS—ADVANCED RESEARCH	53,736	53,736
041	0603457A	C3I CYBER ADVANCED DEVELOPMENT	31,426	31,426
042	0603461A	HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM.	189,123	231,523
		Program increase		[42,400]
043	0603462A	NEXT GENERATION COMBAT VEHICLE ADVANCED TECHNOLOGY.	164,951	169,951
		Vehicle Cyber Security Research		[5,000]
044	0603463A	NETWORK C3I ADVANCED TECHNOLOGY	155,867	174,267
		C3I Assured Position, Navigation, and Timing Technology		[10,000]
		Infrastructure Smart Technology		[8,400]
045	0603464A	LONG RANGE PRECISION FIRES ADVANCED TECHNOLOGY	93,909	123,909
		Extended Range Artillery Munition Suite (ERAMS)		[10,000]
		Missile effects planning tool development		[10,000]
		Project AG5		[10,000]
046	0603465A	FUTURE VERTICAL LIFT ADVANCED TECHNOLOGY	179,677	179,677
047	0603466A	AIR AND MISSILE DEFENSE ADVANCED TECHNOLOGY	48,826	66,326
		Late contract award		[-2,500]

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2022 Request	House Authorized
		Program increase—Missile Mentor		[10,000]
		Vehicle-mounted high-energy laser weapon systems development ...		[10,000]
048	0603920A	HUMANITARIAN DEMINING	8,649	8,649
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT.	1,297,437	1,450,737
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
049	0603305A	ARMY MISSILE DEFENSE SYSTEMS INTEGRATION	11,702	53,702
		Electro-Magnetic Denial and Protect		[10,000]
		Flight Analysis Software Toolkit		[8,000]
		PNT Resiliency Lab		[8,000]
		Program increase		[10,000]
		Scalable High Powered Microwave Technology		[6,000]
050	0603308A	ARMY SPACE SYSTEMS INTEGRATION	18,755	21,755
		Multi-Mission Synthetic Aperture Radar Payload Development		[3,000]
052	0603619A	LANDMINE WARFARE AND BARRIER—ADV DEV	50,314	50,314
053	0603639A	TANK AND MEDIUM CALIBER AMMUNITION	79,873	79,873
054	0603645A	ARMORED SYSTEM MODERNIZATION—ADV DEV	170,590	176,390
		Excess to need		[-4,000]
		Ground vehicle modeling and simulation research and development		[9,800]
055	0603747A	SOLDIER SUPPORT AND SURVIVABILITY	2,897	2,897
056	0603766A	TACTICAL ELECTRONIC SURVEILLANCE SYSTEM—ADV DEV	113,365	113,365
057	0603774A	NIGHT VISION SYSTEMS ADVANCED DEVELOPMENT	18,000	21,804
		Soldier Maneuver Sensors Adv Dev Lethality Smart System— Army UPL		[3,804]
058	0603779A	ENVIRONMENTAL QUALITY TECHNOLOGY—DEM/VAL	11,921	11,921
059	0603790A	NATO RESEARCH AND DEVELOPMENT	3,777	3,777
060	0603801A	AVIATION—ADV DEV	1,125,641	1,134,141
		Excess to need		[-24,500]
		FLRAA risk reduction		[33,000]
061	0603804A	LOGISTICS AND ENGINEER EQUIPMENT—ADV DEV	7,055	7,055
062	0603807A	MEDICAL SYSTEMS—ADV DEV	22,071	22,071
063	0603827A	SOLDIER SYSTEMS—ADVANCED DEVELOPMENT	17,459	17,459
064	0604017A	ROBOTICS DEVELOPMENT	87,198	75,048
		Excess carryover		[-7,150]
		Unjustified growth—other support costs		[-5,000]
065	0604019A	EXPANDED MISSION AREA MISSILE (EMAM)	50,674	43,674
		IFPC-HEL Late Contract Award		[-7,000]
067	0604035A	LOW EARTH ORBIT (LEO) SATELLITE CAPABILITY	19,638	19,638
068	0604036A	MULTI-DOMAIN SENSING SYSTEM (MDSS) ADV DEV	50,548	45,498
		Insufficient justification		[-5,050]
069	0604037A	TACTICAL INTEL TARGETING ACCESS NODE (TITAN) ADV DEV	28,347	28,347
070	0604100A	ANALYSIS OF ALTERNATIVES	10,091	10,091
071	0604101A	SMALL UNMANNED AERIAL VEHICLE (SUAV) (6.4)	926	926
072	0604113A	FUTURE TACTICAL UNMANNED AIRCRAFT SYSTEM (FTUAS)	69,697	69,697
073	0604114A	LOWER TIER AIR MISSILE DEFENSE (LTAMD) SENSOR	327,690	327,690
074	0604115A	TECHNOLOGY MATURATION INITIATIVES	270,124	180,324
		Insufficient justification		[-80,000]
		Program decrease		[-9,800]
075	0604117A	MANEUVER—SHORT RANGE AIR DEFENSE (M-SHORAD)	39,376	32,976
		Excess carryover		[-6,400]
076	0604119A	ARMY ADVANCED COMPONENT DEVELOPMENT & PROTO- TYPING	189,483	189,483
077	0604120A	ASSURED POSITIONING, NAVIGATION AND TIMING (PNT) ...	96,679	96,679
078	0604121A	SYNTHETIC TRAINING ENVIRONMENT REFINEMENT & PROTOTYPING	194,195	192,195
		Prior-year carryover		[-2,000]
079	0604134A	COUNTER IMPROVISED-THREAT DEMONSTRATION, PROTO- TYPE DEVELOPMENT, AND TESTING	13,379	13,379
080	0604182A	HYPERSONICS	300,928	300,928
081	0604403A	FUTURE INTERCEPTOR	7,895	7,895
082	0604531A	COUNTER—SMALL UNMANNED AIRCRAFT SYSTEMS AD- VANCED DEVELOPMENT	19,148	19,148
083	0604541A	UNIFIED NETWORK TRANSPORT	35,409	35,409
084	0604644A	MOBILE MEDIUM RANGE MISSILE	286,457	281,457
		Prior-year carryover		[-5,000]
085	0604785A	INTEGRATED BASE DEFENSE (BUDGET ACTIVITY 4)	2,040	2,040
086	0305251A	CYBERSPACE OPERATIONS FORCES AND FORCE SUPPORT ..	52,988	52,988
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES.	3,806,330	3,742,034
		SYSTEM DEVELOPMENT & DEMONSTRATION		
089	0604201A	AIRCRAFT AVIONICS	6,654	6,654
090	0604270A	ELECTRONIC WARFARE DEVELOPMENT	30,840	26,440
		Early to need		[-4,400]

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091	0604601A	INFANTRY SUPPORT WEAPONS	67,873	72,873
		Turret Gunner Survivability and Simulation Environment		[5,000]
092	0604604A	MEDIUM TACTICAL VEHICLES	11,374	11,374
093	0604611A	JAVELIN	7,094	7,094
094	0604622A	FAMILY OF HEAVY TACTICAL VEHICLES	31,602	31,602
095	0604633A	AIR TRAFFIC CONTROL	4,405	4,405
096	0604642A	LIGHT TACTICAL WHEELED VEHICLES	2,055	7,655
		Electric Light Recon Vehicle—Army UPL		[5,600]
097	0604645A	ARMORED SYSTEMS MODERNIZATION (ASM)—ENG DEV	137,256	137,256
098	0604710A	NIGHT VISION SYSTEMS—ENG DEV	62,690	112,690
		Transfer from Other Procurement, Army line 83		[50,000]
099	0604713A	COMBAT FEEDING, CLOTHING, AND EQUIPMENT	1,658	1,658
100	0604715A	NON-SYSTEM TRAINING DEVICES—ENG DEV	26,540	26,540
101	0604741A	AIR DEFENSE COMMAND, CONTROL AND INTELLIGENCE— ENG DEV.	59,518	59,518
102	0604742A	CONSTRUCTIVE SIMULATION SYSTEMS DEVELOPMENT	22,331	22,331
103	0604746A	AUTOMATIC TEST EQUIPMENT DEVELOPMENT	8,807	8,807
104	0604760A	DISTRIBUTIVE INTERACTIVE SIMULATIONS (DIS)—ENG DEV.	7,453	7,453
107	0604798A	BRIGADE ANALYSIS, INTEGRATION AND EVALUATION	21,534	21,534
108	0604802A	WEAPONS AND MUNITIONS—ENG DEV	309,778	309,778
109	0604804A	LOGISTICS AND ENGINEER EQUIPMENT—ENG DEV	59,261	52,261
		Excess carryover		[-7,000]
110	0604805A	COMMAND, CONTROL, COMMUNICATIONS SYSTEMS—ENG DEV.	20,121	20,121
111	0604807A	MEDICAL MATERIEL/MEDICAL BIOLOGICAL DEFENSE EQUIPMENT—ENG DEV.	44,424	44,424
112	0604808A	LANDMINE WARFARE/BARRIER—ENG DEV	14,137	9,137
		Insufficient justification		[-5,000]
113	0604818A	ARMY TACTICAL COMMAND & CONTROL HARDWARE & SOFTWARE.	162,704	162,704
114	0604820A	RADAR DEVELOPMENT	127,919	127,919
115	0604822A	GENERAL FUND ENTERPRISE BUSINESS SYSTEM (GPEBS)	17,623	17,623
117	0604827A	SOLDIER SYSTEMS—WARRIOR DEM/VAL	6,454	6,454
118	0604852A	SUITE OF SURVIVABILITY ENHANCEMENT SYSTEMS—EMD Program increase for vehicle protection system research—Army UPL.	106,354	127,354
				[21,000]
120	0605013A	INFORMATION TECHNOLOGY DEVELOPMENT	122,168	122,168
121	0605018A	INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY (IPPS-A)	76,936	76,936
122	0605028A	ARMORED MULTI-PURPOSE VEHICLE (AMPV)	35,560	35,560
124	0605030A	JOINT TACTICAL NETWORK CENTER (JTNC)	16,364	16,364
125	0605031A	JOINT TACTICAL NETWORK (JTN)	28,954	28,954
128	0605035A	COMMON INFRARED COUNTERMEASURES (CIRCM)	16,630	16,630
130	0605038A	NUCLEAR BIOLOGICAL CHEMICAL RECONNAISSANCE VEHI- CLE (NBCRV) SENSOR SUITE.	7,618	7,618
131	0605041A	DEFENSIVE CYBER TOOL DEVELOPMENT	18,892	18,892
132	0605042A	TACTICAL NETWORK RADIO SYSTEMS (LOW-TIER)	28,849	28,849
133	0605047A	CONTRACT WRITING SYSTEM	22,960	22,960
135	0605051A	AIRCRAFT SURVIVABILITY DEVELOPMENT	65,603	65,603
136	0605052A	INDIRECT FIRE PROTECTION CAPABILITY INC 2—BLOCK 1	233,512	233,512
137	0605053A	GROUND ROBOTICS	18,241	18,241
138	0605054A	EMERGING TECHNOLOGY INITIATIVES	254,945	254,945
139	0605143A	BIOMETRICS ENABLING CAPABILITY (BEC)	4,326	4,326
140	0605144A	NEXT GENERATION LOAD DEVICE—MEDIUM	15,616	15,616
141	0605145A	MEDICAL PRODUCTS AND SUPPORT SYSTEMS DEVELOP- MENT.	962	962
142	0605148A	TACTICAL INTEL TARGETING ACCESS NODE (TITAN) EMD ..	54,972	54,972
143	0605203A	ARMY SYSTEM DEVELOPMENT & DEMONSTRATION	122,175	122,175
144	0605205A	SMALL UNMANNED AERIAL VEHICLE (SUAV) (6.5)	2,275	2,275
145	0605224A	MULTI-DOMAIN INTELLIGENCE	9,313	9,313
146	0605225A	SIO CAPABILITY DEVELOPMENT	22,713	22,713
147	0605231A	PRECISION STRIKE MISSILE (PRSM)	188,452	188,452
148	0605232A	HYPERSONICS EMD	111,473	111,473
149	0605233A	ACCESSIONS INFORMATION ENVIRONMENT (AIE)	18,790	18,790
150	0605450A	JOINT AIR-TO-GROUND MISSILE (JAGM)	2,134	2,134
151	0605457A	ARMY INTEGRATED AIR AND MISSILE DEFENSE (AIAMD)	157,873	157,873
152	0605531A	COUNTER—SMALL UNMANNED AIRCRAFT SYSTEMS SYS DEV & DEMONSTRATION.	33,386	33,386
153	0605625A	MANNED GROUND VEHICLE	225,106	203,106
		Excess carryover		[-10,000]
		Unjustified growth—other support costs		[-7,000]
		Unjustified growth—program management		[-5,000]
154	0605766A	NATIONAL CAPABILITIES INTEGRATION (MIP)	14,454	14,454
155	0605812A	JOINT LIGHT TACTICAL VEHICLE (JLTV) ENGINEERING AND MANUFACTURING DEVELOPMENT PH.	2,564	2,564
156	0605830A	AVIATION GROUND SUPPORT EQUIPMENT	1,201	1,201
157	0303032A	TROJAN—RH12	3,362	3,362
161	0304270A	ELECTRONIC WARFARE DEVELOPMENT	75,520	75,520

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SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION.			3,392,358	3,435,558
MANAGEMENT SUPPORT				
162	0604256A	THREAT SIMULATOR DEVELOPMENT	18,439	18,439
163	0604258A	TARGET SYSTEMS DEVELOPMENT	17,404	17,404
164	0604759A	MAJOR T&E INVESTMENT	68,139	68,139
165	0605103A	RAND ARROYO CENTER	33,126	33,126
166	0605301A	ARMY KWAJALEIN ATOLL	240,877	240,877
167	0605326A	CONCEPTS EXPERIMENTATION PROGRAM	79,710	79,710
169	0605601A	ARMY TEST RANGES AND FACILITIES	354,227	354,227
170	0605602A	ARMY TECHNICAL TEST INSTRUMENTATION AND TARGETS Modular Open System Architecture (MOSA) integration research and testing.	49,253	69,739 [20,486]
171	0605604A	SURVIVABILITY/LETHALITY ANALYSIS	36,389	36,389
172	0605606A	AIRCRAFT CERTIFICATION	2,489	2,489
173	0605702A	METEOROLOGICAL SUPPORT TO RDT&E ACTIVITIES	6,689	6,689
174	0605706A	MATERIEL SYSTEMS ANALYSIS	21,558	21,558
175	0605709A	EXPLOITATION OF FOREIGN ITEMS	13,631	13,631
176	0605712A	SUPPORT OF OPERATIONAL TESTING	55,122	55,122
177	0605716A	ARMY EVALUATION CENTER	65,854	65,854
178	0605718A	ARMY MODELING & SIM X-CMD COLLABORATION & INTEG ...	2,633	2,633
179	0605801A	PROGRAMWIDE ACTIVITIES	96,589	96,589
180	0605803A	TECHNICAL INFORMATION ACTIVITIES	26,808	26,808
181	0605805A	MUNITIONS STANDARDIZATION, EFFECTIVENESS AND SAFETY. Program increase for Advanced Ammunition Material and Manu- facturing Technologies.	43,042	48,042 [5,000]
182	0605857A	ENVIRONMENTAL QUALITY TECHNOLOGY MGMT SUPPORT	1,789	1,789
183	0605898A	ARMY DIRECT REPORT HEADQUARTERS—R&D - MHA	52,108	52,108
185	0606002A	RONALD REAGAN BALLISTIC MISSILE DEFENSE TEST SITE	80,952	80,952
186	0606003A	COUNTERINTEL AND HUMAN INTEL MODERNIZATION	5,363	5,363
187	0606105A	MEDICAL PROGRAM-WIDE ACTIVITIES	39,041	39,041
188	0606942A	ASSESSMENTS AND EVALUATIONS CYBER VULNERABILITIES.	5,466	5,466
SUBTOTAL MANAGEMENT SUPPORT			1,416,698	1,442,184
OPERATIONAL SYSTEMS DEVELOPMENT				
190	0603778A	MLRS PRODUCT IMPROVEMENT PROGRAM	12,314	12,314
191	0605024A	ANTI-TAMPER TECHNOLOGY SUPPORT	8,868	8,868
192	0607131A	WEAPONS AND MUNITIONS PRODUCT IMPROVEMENT PRO- GRAMS. Agile Manufacturing for Advanced Armament Systems	22,828	38,828 [16,000]
194	0607136A	BLACKHAWK PRODUCT IMPROVEMENT PROGRAM	4,773	6,773 [2,000]
195	0607137A	CHINOOK PRODUCT IMPROVEMENT PROGRAM	52,372	62,372 [10,000]
196	0607139A	IMPROVED TURBINE ENGINE PROGRAM	275,024	315,024 [40,000]
197	0607142A	AVIATION ROCKET SYSTEM PRODUCT IMPROVEMENT AND DEVELOPMENT.	12,417	12,417
198	0607143A	UNMANNED AIRCRAFT SYSTEM UNIVERSAL PRODUCTS	4,594	4,594
199	0607145A	APACHE FUTURE DEVELOPMENT	10,067	25,067 [15,000]
200	0607148A	AN/TPQ-53 COUNTERFIRE TARGET ACQUISITION RADAR SYSTEM.	56,681	56,681
201	0607150A	INTEL CYBER DEVELOPMENT	3,611	12,471 [8,860]
202	0607312A	ARMY OPERATIONAL SYSTEMS DEVELOPMENT	28,029	28,029
203	0607313A	ELECTRONIC WARFARE DEVELOPMENT	5,673	5,673
204	0607665A	FAMILY OF BIOMETRICS	1,178	1,178
205	0607865A	PATRIOT PRODUCT IMPROVEMENT	125,932	125,932
206	0203728A	JOINT AUTOMATED DEEP OPERATION COORDINATION SYS- TEM (JADOCs).	25,547	25,547
207	0203735A	COMBAT VEHICLE IMPROVEMENT PROGRAMS	211,523	276,523 [65,000]
208	0203743A	155MM SELF-PROPELLED HOWITZER IMPROVEMENTS	213,281	208,136 [-5,145]
210	0203752A	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	132	132
211	0203758A	DIGITIZATION	3,936	3,936
212	0203801A	MISSILE/AIR DEFENSE PRODUCT IMPROVEMENT PROGRAM	127	127
213	0203802A	OTHER MISSILE PRODUCT IMPROVEMENT PROGRAMS	10,265	10,265
214	0205412A	ENVIRONMENTAL QUALITY TECHNOLOGY—OPERATIONAL SYSTEM DEV.	262	262
215	0205456A	LOWER TIER AIR AND MISSILE DEFENSE (AMD) SYSTEM	182	182
216	0205778A	GUIDED MULTIPLE-LAUNCH ROCKET SYSTEM (GMLRS)	63,937	63,937
217	0208053A	JOINT TACTICAL GROUND SYSTEM	13,379	13,379

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219	0303028A	SECURITY AND INTELLIGENCE ACTIVITIES	24,531	24,531
220	0303140A	INFORMATION SYSTEMS SECURITY PROGRAM	15,720	15,720
221	0303141A	GLOBAL COMBAT SUPPORT SYSTEM	52,739	61,739
		ERP Convergence		[9,000]
222	0303142A	SATCOM GROUND ENVIRONMENT (SPACE)	15,247	15,247
226	0305179A	INTEGRATED BROADCAST SERVICE (IBS)	5,430	5,430
227	0305204A	TACTICAL UNMANNED AERIAL VEHICLES	8,410	8,410
228	0305206A	AIRBORNE RECONNAISSANCE SYSTEMS	24,460	24,460
233	0307665A	BIOMETRICS ENABLED INTELLIGENCE	2,066	2,066
234	0708045A	END ITEM INDUSTRIAL PREPAREDNESS ACTIVITIES	61,720	76,720
		Digital Night Vision Cameras		[15,000]
236A	9999999999	CLASSIFIED PROGRAMS	2,993	2,993
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT.	1,380,248	1,555,963
		SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS		
237	0608041A	DEFENSIVE CYBER—SOFTWARE PROTOTYPE DEVELOPMENT.	118,811	118,811
		SUBTOTAL SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS.	118,811	118,811
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY.	12,799,645	13,432,975
		RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY		
		BASIC RESEARCH		
001	0601103N	UNIVERSITY RESEARCH INITIATIVES	117,448	160,136
		Defense University Research Instrumentation Program		[20,000]
		Program increase		[22,688]
002	0601152N	IN-HOUSE LABORATORY INDEPENDENT RESEARCH		23,399
		Program increase		[23,399]
003	0601153N	DEFENSE RESEARCH SCIENCES	484,421	489,406
		CPF—Digital Twins for Navy Maintenance		[1,985]
		Program increase		[3,000]
		SUBTOTAL BASIC RESEARCH	601,869	672,941
		APPLIED RESEARCH		
004	0602114N	POWER PROJECTION APPLIED RESEARCH	23,013	33,013
		Multi-Mission UAV-borne Electronic Attack		[10,000]
005	0602123N	FORCE PROTECTION APPLIED RESEARCH	122,888	143,388
		Program increase		[5,000]
		Relative positioning of autonomous platforms		[5,000]
		Talent and technology for Navy power and energy systems		[10,500]
006	0602131M	MARINE CORPS LANDING FORCE TECHNOLOGY	51,112	61,112
		Unmanned logistics solutions		[10,000]
007	0602235N	COMMON PICTURE APPLIED RESEARCH	51,477	51,477
008	0602236N	WARFIGHTER SUSTAINMENT APPLIED RESEARCH	70,547	80,547
		High Mobility Ground Robots to Assist Dismounted Infantry in Urban Operations.		[5,000]
		Humanoid robotics in complex unstructured environments		[5,000]
009	0602271N	ELECTROMAGNETIC SYSTEMS APPLIED RESEARCH	85,157	85,157
010	0602435N	OCEAN WARFIGHTING ENVIRONMENT APPLIED RESEARCH	70,086	90,086
		Program increase		[20,000]
011	0602651M	JOINT NON-LETHAL WEAPONS APPLIED RESEARCH	6,405	6,405
012	0602747N	UNDERSEA WARFARE APPLIED RESEARCH	57,484	112,484
		Academic partnerships for undersea vehicle research and manufacturing.		[16,500]
		Continuous distributed sensing systems		[20,000]
		CPF—Connected AI for Autonomous UUV Systems		[5,000]
		CPF—Persistent Maritime Surveillance		[5,000]
		Program increase		[8,500]
013	0602750N	FUTURE NAVAL CAPABILITIES APPLIED RESEARCH	173,356	193,356
		Remote acoustic sensing		[20,000]
014	0602782N	MINE AND EXPEDITIONARY WARFARE APPLIED RESEARCH	32,160	32,160
015	0602792N	INNOVATIVE NAVAL PROTOTYPES (INP) APPLIED RESEARCH.	152,976	152,976
016	0602861N	SCIENCE AND TECHNOLOGY MANAGEMENT—ONR FIELD ACTIVITIES.	79,254	79,254
		SUBTOTAL APPLIED RESEARCH	975,915	1,121,415
		ADVANCED TECHNOLOGY DEVELOPMENT		
017	0603123N	FORCE PROTECTION ADVANCED TECHNOLOGY	21,661	21,661
018	0603271N	ELECTROMAGNETIC SYSTEMS ADVANCED TECHNOLOGY	8,146	8,146
019	0603640M	USMC ADVANCED TECHNOLOGY DEMONSTRATION (ATD)	224,155	264,055
		Low Cost Attributable Aircraft Technology		[25,000]
		Maritime Targeting Cell—Expeditionary (MTC-X)		[5,300]
		Next Generation Logistics – Autonomous Littoral Connector		[9,600]

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020	0603651M	JOINT NON-LETHAL WEAPONS TECHNOLOGY DEVELOPMENT.	13,429	13,429
021	0603673N	FUTURE NAVAL CAPABILITIES ADVANCED TECHNOLOGY DEVELOPMENT.	265,299	265,299
022	0603680N	MANUFACTURING TECHNOLOGY PROGRAM	57,236	57,236
023	0603729N	WARFIGHTER PROTECTION ADVANCED TECHNOLOGY	4,935	4,935
024	0603758N	NAVY WARFIGHTING EXPERIMENTS AND DEMONSTRATIONS.	47,167	52,167
		Net-Zero and Resilient Energy Installations		[5,000]
025	0603782N	MINE AND EXPEDITIONARY WARFARE ADVANCED TECHNOLOGY.	1,981	1,981
026	0603801N	INNOVATIVE NAVAL PROTOTYPES (INP) ADVANCED TECHNOLOGY DEVELOPMENT.	133,779	158,779
		Attributable Group III Ultra-Long Endurance Unmanned Aircraft for Persistent ISR.		[10,000]
		Program increase—railgun		[15,000]
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT.	777,788	847,688
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
027	0603128N	UNMANNED AERIAL SYSTEM	16,879	16,879
028	0603178N	MEDIUM AND LARGE UNMANNED SURFACE VEHICLES (USVs).	144,846	144,846
029	0603207N	AIR/OCEAN TACTICAL APPLICATIONS	27,849	27,849
030	0603216N	AVIATION SURVIVABILITY	16,815	16,815
031	0603239N	NAVAL CONSTRUCTION FORCES	5,290	5,290
033	0603254N	ASW SYSTEMS DEVELOPMENT	17,612	17,612
034	0603261N	TACTICAL AIRBORNE RECONNAISSANCE	3,111	3,111
035	0603382N	ADVANCED COMBAT SYSTEMS TECHNOLOGY	32,310	32,310
036	0603502N	SURFACE AND SHALLOW WATER MINE COUNTERMEASURES.	58,013	58,013
037	0603506N	SURFACE SHIP TORPEDO DEFENSE	1,862	1,862
038	0603512N	CARRIER SYSTEMS DEVELOPMENT	7,182	7,182
039	0603525N	PILOT FISH	408,087	408,087
040	0603527N	RETRACT LARCH	44,197	44,197
041	0603536N	RETRACT JUNIPER	144,541	144,541
042	0603542N	RADIOLOGICAL CONTROL	761	761
043	0603553N	SURFACE ASW	1,144	1,144
044	0603561N	ADVANCED SUBMARINE SYSTEM DEVELOPMENT	99,782	79,782
		Production delay		[-20,000]
045	0603562N	SUBMARINE TACTICAL WARFARE SYSTEMS	14,059	14,059
046	0603563N	SHIP CONCEPT ADVANCED DESIGN	111,590	111,590
047	0603564N	SHIP PRELIMINARY DESIGN & FEASIBILITY STUDIES	106,957	106,957
048	0603570N	ADVANCED NUCLEAR POWER SYSTEMS	203,572	203,572
049	0603573N	ADVANCED SURFACE MACHINERY SYSTEMS	78,122	78,122
050	0603576N	CHALK EAGLE	80,270	80,270
051	0603581N	LITTORAL COMBAT SHIP (LCS)	84,924	84,924
052	0603582N	COMBAT SYSTEM INTEGRATION	17,322	17,322
053	0603595N	OHIO REPLACEMENT	296,231	266,231
		Excessive cost growth		[-30,000]
054	0603596N	LCS MISSION MODULES	75,995	75,995
055	0603597N	AUTOMATED TEST AND RE-TEST (ATRT)	7,805	7,805
056	0603599N	FRIGATE DEVELOPMENT	109,459	109,459
057	0603609N	CONVENTIONAL MUNITIONS	7,296	7,296
058	0603635M	MARINE CORPS GROUND COMBAT/SUPPORT SYSTEM	77,065	77,065
059	0603654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	34,785	34,785
060	0603713N	OCEAN ENGINEERING TECHNOLOGY DEVELOPMENT	8,774	8,774
061	0603721N	ENVIRONMENTAL PROTECTION	20,677	20,677
062	0603724N	NAVY ENERGY PROGRAM	33,824	43,824
		AR3P Auto Refueling System		[10,000]
063	0603725N	FACILITIES IMPROVEMENT	6,327	6,327
064	0603734N	CHALK CORAL	579,389	579,389
065	0603739N	NAVY LOGISTIC PRODUCTIVITY	669	669
066	0603746N	RETRACT MAPLE	295,295	295,295
067	0603748N	LINK PLUMERIA	692,280	692,280
068	0603751N	RETRACT ELM	83,904	83,904
069	0603764M	LINK EVERGREEN	221,253	221,253
071	0603790N	NATO RESEARCH AND DEVELOPMENT	5,805	5,805
072	0603795N	LAND ATTACK TECHNOLOGY	4,017	4,017
073	0603851M	JOINT NON-LETHAL WEAPONS TESTING	29,589	29,589
074	0603860N	JOINT PRECISION APPROACH AND LANDING SYSTEMS—DEM/VAL.	24,450	24,450
075	0603925N	DIRECTED ENERGY AND ELECTRIC WEAPON SYSTEMS	81,803	81,803
076	0604014N	F/A -18 INFRARED SEARCH AND TRACK (IRST)	48,793	48,793
077	0604027N	DIGITAL WARFARE OFFICE	46,769	55,752
		Navy Tactical Grid Development for JADC2		[8,983]
078	0604028N	SMALL AND MEDIUM UNMANNED UNDERSEA VEHICLES	84,676	84,676

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079	0604029N	UNMANNED UNDERSEA VEHICLE CORE TECHNOLOGIES	59,299	59,299
081	0604031N	LARGE UNMANNED UNDERSEA VEHICLES	88,063	88,063
082	0604112N	GERALD R. FORD CLASS NUCLEAR AIRCRAFT CARRIER (CVN 78—80). Integrated Digital Shipbuilding	121,509	156,509
083	0604126N	LITTORAL AIRBORNE MCM	18,669	69
		COBRA Block II early to need		[-18,600]
084	0604127N	SURFACE MINE COUNTERMEASURES	13,655	13,655
085	0604272N	TACTICAL AIR DIRECTIONAL INFRARED COUNTER- MEASURES (TADIRCM).	33,246	33,246
086	0604289M	NEXT GENERATION LOGISTICS	1,071	6,071
		Additive Manufacturing Part Screening and Selection Software Tool.		[5,000]
087	0604292N	FUTURE VERTICAL LIFT (MARITIME STRIKE)	9,825	9,825
088	0604320M	RAPID TECHNOLOGY CAPABILITY PROTOTYPE	6,555	6,555
089	0604454N	LX (R)	3,344	3,344
090	0604536N	ADVANCED UNDERSEA PROTOTYPING	58,473	58,473
091	0604636N	COUNTER UNMANNED AIRCRAFT SYSTEMS (C-UAS)	5,529	5,529
092	0604659N	PRECISION STRIKE WEAPONS DEVELOPMENT PROGRAM	97,944	97,944
093	0604707N	SPACE AND ELECTRONIC WARFARE (SEW) ARCHITECTURE/ ENGINEERING SUPPORT.	9,340	9,340
094	0604786N	OFFENSIVE ANTI-SURFACE WARFARE WEAPON DEVELOP- MENT.	127,756	127,756
095	0605512N	MEDIUM UNMANNED SURFACE VEHICLES (MUSVS))	60,028	101,728
		Carry out execution of CLIN 0101		[41,700]
096	0605513N	UNMANNED SURFACE VEHICLE ENABLING CAPABILITIES ..	170,838	123,838
		USV machinery qualification insufficient justification		[-47,000]
097	0605514M	GROUND BASED ANTI-SHIP MISSILE (MARFORRES)	102,716	102,716
098	0605516M	LONG RANGE FIRES (MARFORRES)	88,479	88,479
099	0605518N	CONVENTIONAL PROMPT STRIKE (CPS)	1,372,340	1,498,340
		Conventional Prompt Strike (CPS) RDT&E		[126,000]
100	0303354N	ASW SYSTEMS DEVELOPMENT—MIP	8,571	8,571
101	0304240M	ADVANCED TACTICAL UNMANNED AIRCRAFT SYSTEM	16,204	63,604
		KMAX		[12,400]
		Solar-powered UAS		[35,000]
102	0304270N	ELECTRONIC WARFARE DEVELOPMENT—MIP	506	506
		SUBTOTAL ADVANCED COMPONENT DEVELOP- MENT & PROTOTYPES.	7,077,987	7,236,470
		SYSTEM DEVELOPMENT & DEMONSTRATION		
103	0603208N	TRAINING SYSTEM AIRCRAFT	5,864	5,864
104	0604212N	OTHER HELO DEVELOPMENT	56,444	49,312
		AURA—excess to need		[-7,132]
105	0604214M	AV-8B AIRCRAFT—ENG DEV	10,146	10,146
106	0604215N	STANDARDS DEVELOPMENT	4,082	4,082
107	0604216N	MULTI-MISSION HELICOPTER UPGRADE DEVELOPMENT	46,418	56,418
		Program increase—MH-60 modernization		[10,000]
108	0604221N	P-3 MODERNIZATION PROGRAM	579	579
109	0604230N	WARFARE SUPPORT SYSTEM	10,167	10,167
110	0604231N	COMMAND AND CONTROL SYSTEMS	122,913	122,913
111	0604234N	ADVANCED HAWKEYE	386,860	386,860
112	0604245M	H-1 UPGRADES	50,158	50,158
113	0604261N	ACOUSTIC SEARCH SENSORS	46,066	46,066
114	0604262N	V-22A	107,984	107,984
115	0604264N	AIR CREW SYSTEMS DEVELOPMENT	22,746	22,746
116	0604269N	EA-18	68,425	68,425
117	0604270N	ELECTRONIC WARFARE DEVELOPMENT	139,535	136,593
		Dual Band Decoy previously funded		[-2,942]
118	0604273M	EXECUTIVE HELO DEVELOPMENT	45,932	45,932
119	0604274N	NEXT GENERATION JAMMER (NGJ)	243,923	245,423
		High band risk reduction		[10,000]
		Test and evaluation delays		[-8,500]
120	0604280N	JOINT TACTICAL RADIO SYSTEM—NAVY (JTRS-NAVY)	234,434	243,417
		Navy Tactical Grid Development for JADC2		[8,983]
121	0604282N	NEXT GENERATION JAMMER (NGJ) INCREMENT II	248,096	230,100
		Contract delays		[-17,996]
122	0604307N	SURFACE COMBATANT COMBAT SYSTEM ENGINEERING	371,575	371,575
123	0604311N	LPD-17 CLASS SYSTEMS INTEGRATION	904	904
124	0604329N	SMALL DIAMETER BOMB (SDB)	46,769	46,769
125	0604366N	STANDARD MISSILE IMPROVEMENTS	343,511	343,511
126	0604373N	AIRBORNE MCM	10,881	10,881
127	0604378N	NAVAL INTEGRATED FIRE CONTROL—COUNTER AIR SYS- TEMS ENGINEERING.	46,121	46,121
129	0604501N	ADVANCED ABOVE WATER SENSORS	77,852	77,852
130	0604503N	SSN-688 AND TRIDENT MODERNIZATION	95,693	95,693
131	0604504N	AIR CONTROL	27,499	27,499
132	0604512N	SHIPBOARD AVIATION SYSTEMS	8,924	8,924
133	0604518N	COMBAT INFORMATION CENTER CONVERSION	11,631	11,631

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134	0604522N	AIR AND MISSILE DEFENSE RADAR (AMDR) SYSTEM	96,556	96,556
135	0604530N	ADVANCED ARRESTING GEAR (AAG)	147	147
136	0604558N	NEW DESIGN SSN	503,252	653,252
		SSN Block VI design and advanced capabilities		[150,000]
137	0604562N	SUBMARINE TACTICAL WARFARE SYSTEM	62,115	68,115
		Submarine Launched UAS		[6,000]
138	0604567N	SHIP CONTRACT DESIGN/ LIVE FIRE T&E	54,829	54,829
139	0604574N	NAVY TACTICAL COMPUTER RESOURCES	4,290	4,290
140	0604601N	MINE DEVELOPMENT	76,027	76,027
141	0604610N	LIGHTWEIGHT TORPEDO DEVELOPMENT	94,386	94,386
142	0604654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	8,348	8,348
143	0604657M	USMC GROUND COMBAT/SUPPORTING ARMS SYSTEMS— ENG DEV.	42,144	42,144
144	0604703N	PERSONNEL, TRAINING, SIMULATION, AND HUMAN FAC- TORS.	7,375	7,375
146	0604755N	SHIP SELF DEFENSE (DETECT & CONTROL)	149,433	149,433
147	0604756N	SHIP SELF DEFENSE (ENGAGE: HARD KILL)	87,862	87,862
148	0604757N	SHIP SELF DEFENSE (ENGAGE: SOFT KILL/EW)	69,006	69,006
149	0604761N	INTELLIGENCE ENGINEERING	20,684	20,684
150	0604771N	MEDICAL DEVELOPMENT	3,967	11,467
		Program increase – autonomous aerial technology for distributed logistics..		[7,500]
151	0604777N	NAVIGATION/ID SYSTEM	48,837	48,837
152	0604800M	JOINT STRIKE FIGHTER (JSF)—EMD	577	577
153	0604800N	JOINT STRIKE FIGHTER (JSF)—EMD	262	262
154	0604850N	SSN(X)	29,829	29,829
155	0605013M	INFORMATION TECHNOLOGY DEVELOPMENT	11,277	11,277
156	0605013N	INFORMATION TECHNOLOGY DEVELOPMENT	243,828	243,828
157	0605024N	ANTI-TAMPER TECHNOLOGY SUPPORT	8,426	8,426
158	0605180N	TACAMO MODERNIZATION	150,592	90,472
		Unjustified air vehicle acquisition strategy		[-60,120]
159	0605212M	CH-53K RDTE	256,903	256,903
160	0605215N	MISSION PLANNING	88,128	88,128
161	0605217N	COMMON AVIONICS	60,117	92,017
		MAGTF Agile Network Gateway Link (MANGL) Wholene Tac- tical.		[31,900]
162	0605220N	SHIP TO SHORE CONNECTOR (SSC)	6,320	6,320
163	0605327N	T-AO 205 CLASS	4,336	4,336
164	0605414N	UNMANNED CARRIER AVIATION (UCA)	268,937	268,937
165	0605450M	JOINT AIR-TO-GROUND MISSILE (JAGM)	356	356
166	0605500N	MULTI-MISSION MARITIME AIRCRAFT (MMA)	27,279	27,279
167	0605504N	MULTI-MISSION MARITIME (MMA) INCREMENT III	173,784	173,784
168	0605611M	MARINE CORPS ASSAULT VEHICLES SYSTEM DEVELOP- MENT & DEMONSTRATION.	80,709	80,709
169	0605813M	JOINT LIGHT TACTICAL VEHICLE (JLTV) SYSTEM DEVEL- OPMENT & DEMONSTRATION.	2,005	2,005
170	0204202N	DDG-1000	112,576	112,576
174	0304785N	ISR & INFO OPERATIONS	136,140	126,140
		Program decrease		[-10,000]
175	0306250M	CYBER OPERATIONS TECHNOLOGY DEVELOPMENT	26,318	26,318
		SUBTOTAL SYSTEM DEVELOPMENT & DEM- ONSTRATION.	5,910,089	6,027,782
		MANAGEMENT SUPPORT		
176	0604256N	THREAT SIMULATOR DEVELOPMENT	20,862	20,862
177	0604258N	TARGET SYSTEMS DEVELOPMENT	12,113	12,113
178	0604759N	MAJOR T&E INVESTMENT	84,617	84,617
179	0605152N	STUDIES AND ANALYSIS SUPPORT—NAVY	3,108	3,108
180	0605154N	CENTER FOR NAVAL ANALYSES	38,590	38,590
183	0605804N	TECHNICAL INFORMATION SERVICES	934	934
184	0605853N	MANAGEMENT, TECHNICAL & INTERNATIONAL SUPPORT	93,966	93,966
185	0605856N	STRATEGIC TECHNICAL SUPPORT	3,538	3,538
186	0605863N	RDT&E SHIP AND AIRCRAFT SUPPORT	135,149	135,149
187	0605864N	TEST AND EVALUATION SUPPORT	429,277	429,277
188	0605865N	OPERATIONAL TEST AND EVALUATION CAPABILITY	24,872	24,872
189	0605866N	NAVY SPACE AND ELECTRONIC WARFARE (SEW) SUPPORT	17,653	17,653
190	0605867N	SEW SURVEILLANCE/RECONNAISSANCE SUPPORT	8,065	8,065
191	0605873M	MARINE CORPS PROGRAM WIDE SUPPORT	47,042	44,042
		Wargaming capability project restructured		[-3,000]
192	0605898N	MANAGEMENT HQ—R&D	35,614	35,614
193	0606355N	WARFARE INNOVATION MANAGEMENT	38,958	38,958
194	0305327N	INSIDER THREAT	2,581	2,581
195	0902498N	MANAGEMENT HEADQUARTERS (DEPARTMENTAL SUP- PORT ACTIVITIES).	1,747	1,747
		SUBTOTAL MANAGEMENT SUPPORT	998,686	995,686
		OPERATIONAL SYSTEMS DEVELOPMENT		
199	0604840M	F-35 C2D2	515,746	464,146

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Line	Program Element	Item	FY 2022 Request	House Authorized
		TR-3/B4 cost growth		[-51,600]
200	0604840N	F-35 C2D2	481,962	433,762
		TR-3/B4 cost growth		[-48,200]
201	0605520M	MARINE CORPS AIR DEFENSE WEAPONS SYSTEMS (MARFORRES)	65,381	65,381
202	0607658N	COOPERATIVE ENGAGEMENT CAPABILITY (CEC)	176,486	176,486
203	0101221N	STRATEGIC SUB & WEAPONS SYSTEM SUPPORT	177,098	186,098
		Next Generation Strategic Inertial Measurement Unit		[9,000]
204	0101224N	SSBN SECURITY TECHNOLOGY PROGRAM	45,775	45,775
205	0101226N	SUBMARINE ACOUSTIC WARFARE DEVELOPMENT	64,752	74,752
		MK 5 acoustic device countermeasure		[10,000]
206	0101402N	NAVY STRATEGIC COMMUNICATIONS	35,451	35,451
207	0204136N	F/A-18 SQUADRONS	189,224	193,224
		Jet Noise Reduction Technology		[4,000]
208	0204228N	SURFACE SUPPORT	13,733	13,733
209	0204229N	TOMAHAWK AND TOMAHAWK MISSION PLANNING CENTER (TMPIC)	132,181	132,181
210	0204311N	INTEGRATED SURVEILLANCE SYSTEM	84,276	84,276
211	0204313N	SHIP-TOWED ARRAY SURVEILLANCE SYSTEMS	6,261	6,261
212	0204413N	AMPHIBIOUS TACTICAL SUPPORT UNITS (DISPLACEMENT CRAFT)	1,657	1,657
213	0204460M	GROUND/AIR TASK ORIENTED RADAR (G/ATOR)	21,367	68,367
		Naval Integrated Fire Control—USMC UPL		[12,000]
		Radar Signal Processor Refresh—USMC UPL		[12,000]
		SENSOR AN/TPS-80 Ground/Air Task-Oriented Radar (G/ATOR): Air Traffic Control (ATC) Block IV Development—USMC UPL		[23,000]
214	0204571N	CONSOLIDATED TRAINING SYSTEMS DEVELOPMENT	56,741	56,741
215	0204575N	ELECTRONIC WARFARE (EW) READINESS SUPPORT	62,006	62,006
216	0205601N	ANTI-RADIATION MISSILE IMPROVEMENT	133,520	123,520
		Program decrease		[-10,000]
217	0205620N	SURFACE ASW COMBAT SYSTEM INTEGRATION	28,804	28,804
218	0205632N	MK-48 ADCAP	114,492	114,492
219	0205633N	AVIATION IMPROVEMENTS	132,486	132,486
220	0205675N	OPERATIONAL NUCLEAR POWER SYSTEMS	113,760	113,760
221	0206313M	MARINE CORPS COMMUNICATIONS SYSTEMS	89,897	92,697
		Compact Solid State Antenna (CSSA)—USMC UPL		[2,800]
222	0206335M	COMMON AVIATION COMMAND AND CONTROL SYSTEM (CAC2S)	9,324	9,324
223	0206623M	MARINE CORPS GROUND COMBAT/SUPPORTING ARMS SYSTEMS	108,235	108,235
224	0206624M	MARINE CORPS COMBAT SERVICES SUPPORT	13,185	13,185
225	0206625M	USMC INTELLIGENCE/ELECTRONIC WARFARE SYSTEMS (MIP)	37,695	37,695
226	0206629M	AMPHIBIOUS ASSAULT VEHICLE	7,551	7,551
227	0207161N	TACTICAL AIM MISSILES	23,881	23,881
228	0207163N	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	32,564	32,564
229	0208043N	PLANNING AND DECISION AID SYSTEM (PDAS)	3,101	3,101
234	0303138N	AFLOAT NETWORKS	30,890	44,873
		Navy Tactical Grid Development for JADC2		[8,983]
		Program increase		[5,000]
235	0303140N	INFORMATION SYSTEMS SECURITY PROGRAM	33,311	33,311
236	0305192N	MILITARY INTELLIGENCE PROGRAM (MIP) ACTIVITIES	7,514	7,514
237	0305204N	TACTICAL UNMANNED AERIAL VEHICLES	9,837	9,837
238	0305205N	UAS INTEGRATION AND INTEROPERABILITY	9,797	9,797
239	0305208M	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	38,800	38,800
240	0305220N	MQ-4C TRITON	13,029	13,029
241	0305231N	MQ-8 UAV	26,543	26,543
242	0305232M	RQ-11 UAV	533	533
243	0305234N	SMALL (LEVEL 0) TACTICAL UAS (STUASL0)	1,772	1,772
245	0305241N	MULTI-INTELLIGENCE SENSOR DEVELOPMENT	59,252	59,252
246	0305242M	UNMANNED AERIAL SYSTEMS (UAS) PAYLOADS (MIP)	9,274	9,274
247	0305251N	CYBERSPACE OPERATIONS FORCES AND FORCE SUPPORT	36,378	36,378
248	0305421N	RQ-4 MODERNIZATION	134,323	134,323
249	0307577N	INTELLIGENCE MISSION DATA (IMD)	907	907
250	0308601N	MODELING AND SIMULATION SUPPORT	9,772	9,772
251	0702207N	DEPOT MAINTENANCE (NON-IF)	36,880	41,880
		CPF—Defense Industrial Skills and Technology Training		[5,000]
252	0708730N	MARITIME TECHNOLOGY (MARITECH)	3,329	3,329
253A	9999999999	CLASSIFIED PROGRAMS	1,872,586	1,872,586
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT.	5,313,319	5,295,302
		SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS		
254	0608013N	RISK MANAGEMENT INFORMATION—SOFTWARE PILOT PROGRAM	13,703	13,703
255	0608113N	NAVY NEXT GENERATION ENTERPRISE NETWORK (NGEN)—SOFTWARE PILOT PROGRAM	955,151	955,151

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256	0608231N	MARITIME TACTICAL COMMAND AND CONTROL (MTC2)— SOFTWARE PILOT PROGRAM.	14,855	14,855
		SUBTOTAL SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS.	983,709	983,709
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY.	22,639,362	23,180,993
		RESEARCH, DEVELOPMENT, TEST & EVAL, AF BASIC RESEARCH		
001	0601102F	DEFENSE RESEARCH SCIENCES	328,303	357,823
		Program increase		[19,520]
		Space Force University Partnerships		[10,000]
002	0601103F	UNIVERSITY RESEARCH INITIATIVES	162,403	175,714
		CPF—Neural-enabled Prosthetics		[1,500]
		Program increase		[11,811]
		SUBTOTAL BASIC RESEARCH	490,706	533,537
		APPLIED RESEARCH		
004	0602020F	FUTURE AF CAPABILITIES APPLIED RESEARCH	79,901	79,901
005	0602102F	MATERIALS	113,460	160,960
		CPF—Affordable Multifunctional Aerospace Composites		[10,000]
		Digital Maintenance Advisor		[7,500]
		Maturation of carbon/carbon thermal protection systems		[5,000]
		Program increase		[25,000]
006	0602201F	AEROSPACE VEHICLE TECHNOLOGIES	163,032	175,532
		Nano-UAS for the Military Warfighter		[2,500]
		Novel advanced agile air platform technologies		[10,000]
007	0602202F	HUMAN EFFECTIVENESS APPLIED RESEARCH	136,273	136,273
008	0602203F	AEROSPACE PROPULSION	174,683	131,683
		Program decrease		[−43,000]
009	0602204F	AEROSPACE SENSORS	193,514	211,214
		Chip-locking microelectronics security		[8,700]
		Cyber Assurance and Assessment of Electronic Hardware Systems		[9,000]
011	0602298F	SCIENCE AND TECHNOLOGY MANAGEMENT— MAJOR HEADQUARTERS ACTIVITIES.	8,891	8,891
012	0602602F	CONVENTIONAL MUNITIONS	151,757	161,757
		Advanced Propulsion Technology for Hypersonic Systems		[10,000]
013	0602605F	DIRECTED ENERGY TECHNOLOGY	121,869	124,369
		CPF—Directed Energy Research and Education for Workforce Development.		[2,500]
014	0602788F	DOMINANT INFORMATION SCIENCES AND METHODS	169,110	171,110
		CPF—Assessment of a National Laboratory for Transformational Computing.		[2,000]
		SUBTOTAL APPLIED RESEARCH	1,312,490	1,361,690
		ADVANCED TECHNOLOGY DEVELOPMENT		
017	0603032F	FUTURE AF INTEGRATED TECHNOLOGY DEMOS	131,643	131,643
018	0603112F	ADVANCED MATERIALS FOR WEAPON SYSTEMS	31,905	61,905
		Composites Research		[15,000]
		Metals affordability research		[15,000]
019	0603199F	SUSTAINMENT SCIENCE AND TECHNOLOGY (S&T)	21,057	21,057
020	0603203F	ADVANCED AEROSPACE SENSORS	44,730	54,030
		Authorization Software for Autonomous Sensors		[9,300]
021	0603211F	AEROSPACE TECHNOLOGY DEV/DEMO	70,486	85,486
		Enhanced Capability Hypersonic Airbreathing Testbed		[15,000]
022	0603216F	AEROSPACE PROPULSION AND POWER TECHNOLOGY	75,273	169,773
		CPF—Development of Advanced Propulsion Technologies for Hypersonic Systems.		[5,000]
		Ground Testing of Reusable High Mach Turbine Engines		[20,000]
		Next Generation UAS Propulsion Development		[30,000]
		Reusable High Mach Turbine engine		[29,500]
		Turbine engine technology		[10,000]
023	0603270F	ELECTRONIC COMBAT TECHNOLOGY	46,591	46,591
026	0603456F	HUMAN EFFECTIVENESS ADVANCED TECHNOLOGY DEVEL- OPMENT.	24,589	24,589
027	0603601F	CONVENTIONAL WEAPONS TECHNOLOGY	157,423	157,423
028	0603605F	ADVANCED WEAPONS TECHNOLOGY	28,258	33,258
		LIDAR CUAS Automated Target Recognition		[5,000]
029	0603680F	MANUFACTURING TECHNOLOGY PROGRAM	45,259	175,259
		Aerospace and defense supply ecosystem		[6,000]
		CPF—Additive Manufacturing and Ultra-High Performance Con- crete.		[5,000]
		Program increase		[95,000]
		Smart Manufacturing Digital Thread Initiative		[10,000]
		Universal robotic controller		[6,000]
		Virtual, Augmented, and Mixed Reality Readiness		[8,000]
030	0603788F	BATTLESPACE KNOWLEDGE DEVELOPMENT AND DEM- ONSTRATION.	56,772	56,772

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(In Thousands of Dollars)

Line	Program Element	Item	FY 2022 Request	House Authorized
SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT.			733,986	1,017,786
ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES				
031	0603260F	INTELLIGENCE ADVANCED DEVELOPMENT	5,795	5,795
032	0603742F	COMBAT IDENTIFICATION TECHNOLOGY	21,939	21,939
033	0603790F	NATO RESEARCH AND DEVELOPMENT	4,114	4,114
034	0603851F	INTERCONTINENTAL BALLISTIC MISSILE—DEM/VAL	49,621	49,621
036	0604001F	NC3 ADVANCED CONCEPTS	6,900	6,900
037	0604002F	AIR FORCE WEATHER SERVICES RESEARCH	986	986
038	0604003F	ADVANCED BATTLE MANAGEMENT SYSTEM (ABMS)	203,849	178,849
		Program decrease		[-25,000]
039	0604004F	ADVANCED ENGINE DEVELOPMENT	123,712	380,712
		Project 643608—AETP		[257,000]
040	0604006F	ARCHITECTURE INITIATIVES	82,438	43,438
		Program decrease		[-39,000]
041	0604015F	LONG RANGE STRIKE—BOMBER	2,872,624	2,872,624
042	0604032F	DIRECTED ENERGY PROTOTYPING	10,820	10,820
043	0604033F	HYPERSONICS PROTOTYPING	438,378	438,378
044	0604201F	PNT RESILIENCY, MODS, AND IMPROVEMENTS	39,742	39,742
045	0604257F	ADVANCED TECHNOLOGY AND SENSORS	23,745	23,745
046	0604288F	SURVIVABLE AIRBORNE OPERATIONS CENTER	133,253	133,253
047	0604317F	TECHNOLOGY TRANSFER	15,768	15,768
048	0604327F	HARD AND DEEPLY BURIED TARGET DEFEAT SYSTEM (HDBTDS) PROGRAM	15,886	15,886
049	0604414F	CYBER RESILIENCY OF WEAPON SYSTEMS-ACS	71,229	71,229
050	0604776F	DEPLOYMENT & DISTRIBUTION ENTERPRISE R&D	40,103	40,103
051	0604858F	TECH TRANSITION PROGRAM	343,545	423,545
		NORTHCOM/NORAD—Proliferated Low Earth Orbit Arctic Communications (P-LEO)		[80,000]
052	0605230F	GROUND BASED STRATEGIC DETERRENT	2,553,541	2,553,541
054	0207110F	NEXT GENERATION AIR DOMINANCE	1,524,667	1,474,667
		High-Risk Technology Integration Plan		[-50,000]
055	0207455F	THREE DIMENSIONAL LONG-RANGE RADAR (3DELRR)		50,000
		Build Command and Control Framework		[50,000]
056	0207522F	AIRBASE AIR DEFENSE SYSTEMS (ABADS)	10,905	10,905
057	0208030F	WAR RESERVE MATERIEL—AMMUNITION	3,943	3,943
059	0305236F	COMMON DATA LINK EXECUTIVE AGENT (CDL EA)	43,881	43,881
061	0305601F	MISSION PARTNER ENVIRONMENTS	16,420	16,420
062	0306250F	CYBER OPERATIONS TECHNOLOGY SUPPORT	242,499	242,499
063	0306415F	ENABLED CYBER ACTIVITIES	16,578	16,578
066	0901410F	CONTRACTING INFORMATION TECHNOLOGY SYSTEM	20,343	20,343
SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES.			8,937,224	9,210,224
SYSTEM DEVELOPMENT & DEMONSTRATION				
078	0604200F	FUTURE ADVANCED WEAPON ANALYSIS & PROGRAMS	23,499	23,499
079	0604201F	PNT RESILIENCY, MODS, AND IMPROVEMENTS	167,520	167,520
080	0604222F	NUCLEAR WEAPONS SUPPORT	30,050	30,050
081	0604270F	ELECTRONIC WARFARE DEVELOPMENT	2,110	7,110
		Program increase—Ultra-Wideband Receiver		[5,000]
082	0604281F	TACTICAL DATA NETWORKS ENTERPRISE	169,836	169,836
083	0604287F	PHYSICAL SECURITY EQUIPMENT	8,469	8,469
085	0604602F	ARMAMENT/ORDNANCE DEVELOPMENT	9,047	9,047
086	0604604F	SUBMUNITIONS	2,954	2,954
087	0604617F	AGILE COMBAT SUPPORT	16,603	16,603
089	0604706F	LIFE SUPPORT SYSTEMS	25,437	25,437
090	0604735F	COMBAT TRAINING RANGES	23,980	23,980
092	0604932F	LONG RANGE STANDOFF WEAPON	609,042	609,042
093	0604933F	ICBM FUZE MODERNIZATION	129,709	129,709
095	0605056F	OPEN ARCHITECTURE MANAGEMENT	37,109	37,109
096	0605221F	KC-46	1	1
097	0605223F	ADVANCED PILOT TRAINING	188,898	169,998
		MS-C Delay		[-18,900]
098	0605229F	HH-60W	66,355	30,506
		Early to need—capability upgrades and modernization		[-35,849]
101	0207171F	F-15 EPAWSS	112,012	112,012
102	0207328F	STAND IN ATTACK WEAPON	166,570	161,551
		Program decrease		[-5,000]
		SIAW Aeq Strategy Change		[-19]
103	0207701F	FULL COMBAT MISSION TRAINING	7,064	16,564
		Airborne Augmented Reality Technology		[9,500]
105	0401221F	KC-46A TANKER SQUADRONS	73,458	62,458
		RVS testing early to need		[-11,000]
107	0401319F	VC-25B	680,665	584,665
		Early to need		[-96,000]
108	0701212F	AUTOMATED TEST SYSTEMS	15,445	15,445

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109	0804772F	TRAINING DEVELOPMENTS	4,482	4,482
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION.	2,570,315	2,418,047
		MANAGEMENT SUPPORT		
124	0604256F	THREAT SIMULATOR DEVELOPMENT	41,909	63,946
		Commercial Physics-Based Simulation and Modeling Technology ..		[5,000]
		Program increase		[17,037]
125	0604759F	MAJOR T&E INVESTMENT	130,766	133,766
		Gulf Test Range and Training Enhancements		[3,000]
126	0605101F	RAND PROJECT AIR FORCE	36,017	36,017
128	0605712F	INITIAL OPERATIONAL TEST & EVALUATION	12,582	12,582
129	0605807F	TEST AND EVALUATION SUPPORT	811,032	803,032
		Program decrease		[-8,000]
131	0605827F	ACQ WORKFORCE- GLOBAL VIG & COMBAT SYS	243,796	243,796
132	0605828F	ACQ WORKFORCE- GLOBAL REACH	435,930	435,930
133	0605829F	ACQ WORKFORCE- CYBER, NETWORK, & BUS SYS	435,274	435,274
135	0605831F	ACQ WORKFORCE- CAPABILITY INTEGRATION	243,806	243,806
136	0605832F	ACQ WORKFORCE- ADVANCED PRGM TECHNOLOGY	103,041	103,041
137	0605833F	ACQ WORKFORCE- NUCLEAR SYSTEMS	226,055	226,055
138	0605898F	MANAGEMENT HQ—R&D	4,079	4,079
139	0605976F	FACILITIES RESTORATION AND MODERNIZATION—TEST AND EVALUATION SUPPORT.	70,788	70,788
140	0605978F	FACILITIES SUSTAINMENT—TEST AND EVALUATION SUPPORT.	30,057	30,057
141	0606017F	REQUIREMENTS ANALYSIS AND MATURATION	85,799	75,799
		Program decrease		[-10,000]
142	0606398F	MANAGEMENT HQ—T&E	6,163	6,163
143	0303166F	SUPPORT TO INFORMATION OPERATIONS (IO) CAPABILITIES.	537	537
144	0303255F	COMMAND, CONTROL, COMMUNICATION, AND COMPUTERS (C4)—STRATCOM.	25,340	45,340
		Establishment of Rapid Engineering Architecture Engineering Hub—collaborative research network.		[10,000]
		Establishment of Rapid Engineering Architecture Engineering Hub—prototype development.		[10,000]
145	0308602F	ENTEPRISE INFORMATION SERVICES (EIS)	28,720	28,720
146	0702806F	ACQUISITION AND MANAGEMENT SUPPORT	37,211	37,211
147	0804731F	GENERAL SKILL TRAINING	1,506	1,506
148	0804772F	TRAINING DEVELOPMENTS	2,957	2,957
150	1001004F	INTERNATIONAL ACTIVITIES	2,420	2,420
156	1206864F	SPACE TEST PROGRAM (STP)	3	3
		SUBTOTAL MANAGEMENT SUPPORT	3,015,788	3,042,825
		OPERATIONAL SYSTEMS DEVELOPMENT		
157	0604233F	SPECIALIZED UNDERGRADUATE FLIGHT TRAINING	5,509	5,509
158	0604445F	WIDE AREA SURVEILLANCE	2,760	2,760
160	0604840F	F-35 C2D2	985,404	886,904
		TR-3/B4 cost growth		[-98,500]
161	0605018F	AF INTEGRATED PERSONNEL AND PAY SYSTEM (AF-IPPS) ..	22,010	22,010
162	0605024F	ANTI-TAMPER TECHNOLOGY EXECUTIVE AGENCY	51,492	51,492
163	0605117F	FOREIGN MATERIEL ACQUISITION AND EXPLOITATION	71,391	71,391
164	0605278F	HC/MC-130 RECAP RDT&E	46,796	46,796
165	0606018F	NC3 INTEGRATION	26,532	26,532
167	0101113F	B-52 SQUADRONS	715,811	568,811
		CERP contract delay early to need		[-147,000]
168	0101122F	AIR-LAUNCHED CRUISE MISSILE (ALCM)	453	453
169	0101126F	B-1B SQUADRONS	29,127	29,127
170	0101127F	B-2 SQUADRONS	144,047	144,047
171	0101213F	MINUTEMAN SQUADRONS	113,622	113,622
172	0101316F	WORLDWIDE JOINT STRATEGIC COMMUNICATIONS	15,202	15,202
174	0101328F	ICBM REENTRY VEHICLES	96,313	96,313
176	0102110F	UH-1N REPLACEMENT PROGRAM	16,132	16,132
177	0102326F	REGION/SECTOR OPERATION CONTROL CENTER MODERNIZATION PROGRAM.	771	771
178	0102412F	NORTH WARNING SYSTEM (NWS)	99	25,199
		NORTHCOM/NORAD—Over the Horizon Radar		[25,100]
179	0102417F	OVER-THE-HORIZON BACKSCATTER RADAR	42,300	42,300
180	0202834F	VEHICLES AND SUPPORT EQUIPMENT—GENERAL	5,889	5,889
181	0205219F	MQ-9 UAV	85,135	84,121
		Early to need—program protection technology insertion		[-1,014]
182	0205671F	JOINT COUNTER RCIED ELECTRONIC WARFARE	3,111	3,111
183	0207040F	MULTI-PLATFORM ELECTRONIC WARFARE EQUIPMENT	36,607	36,607
184	0207131F	A-10 SQUADRONS	39,224	39,224
185	0207133F	F-16 SQUADRONS	224,573	224,573
186	0207134F	F-15E SQUADRONS	239,616	239,616
187	0207136F	MANNED DESTRUCTIVE SUPPRESSION	15,855	15,855
188	0207138F	F-22A SQUADRONS	647,296	647,296

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189	0207142F	F-35 SQUADRONS	69,365	64,475
		TR-3/B4 delay		[-4,890]
190	0207146F	F-15EX	118,126	118,126
191	0207161F	TACTICAL AIM MISSILES	32,974	32,974
192	0207163F	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	51,288	51,288
193	0207227F	COMBAT RESCUE—PARARESCUE	852	852
194	0207247F	AF TENCAP	23,685	23,685
195	0207249F	PRECISION ATTACK SYSTEMS PROCUREMENT	12,083	12,083
196	0207253F	COMPASS CALL	91,266	91,266
197	0207268F	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	103,715	103,715
198	0207325F	JOINT AIR-TO-SURFACE STANDOFF MISSILE (JASSM)	117,325	117,325
199	0207327F	SMALL DIAMETER BOMB (SDB)	27,109	27,109
200	0207410F	AIR & SPACE OPERATIONS CENTER (AOC)	3	3
201	0207412F	CONTROL AND REPORTING CENTER (CRC)	9,875	9,875
202	0207417F	AIRBORNE WARNING AND CONTROL SYSTEM (AWACS)	171,014	171,014
203	0207418F	AFSPECWAR—TACP	4,598	4,598
205	0207431F	COMBAT AIR INTELLIGENCE SYSTEM ACTIVITIES	21,863	21,863
206	0207438F	THEATER BATTLE MANAGEMENT (TBM) C4I	7,905	7,905
207	0207439F	ELECTRONIC WARFARE INTEGRATED REPROGRAMMING (EWIR)	15,000	15,000
208	0207444F	TACTICAL AIR CONTROL PARTY-MOD	13,081	13,081
209	0207452F	DCAPES	4,305	4,305
210	0207521F	AIR FORCE CALIBRATION PROGRAMS	1,984	1,984
211	0207522F	AIRBASE AIR DEFENSE SYSTEMS (ABADS)	7,392	7,392
212	0207573F	NATIONAL TECHNICAL NUCLEAR FORENSICS	1,971	1,971
213	0207590F	SEEK EAGLE	30,539	30,539
214	0207601F	USAF MODELING AND SIMULATION	17,110	17,110
215	0207605F	WARGAMING AND SIMULATION CENTERS	7,535	7,535
216	0207610F	BATTLEFIELD ABN COMM NODE (BACN)	32,008	32,008
217	0207697F	DISTRIBUTED TRAINING AND EXERCISES	4,007	4,007
218	0208006F	MISSION PLANNING SYSTEMS	92,557	92,557
219	0208007F	TACTICAL DECEPTION	489	489
220	0208064F	OPERATIONAL HQ—CYBER	2,115	2,115
221	0208087F	DISTRIBUTED CYBER WARFARE OPERATIONS	72,487	72,487
222	0208088F	AF DEFENSIVE CYBERSPACE OPERATIONS	18,449	18,449
223	0208097F	JOINT CYBER COMMAND AND CONTROL (JCC2)	79,079	79,079
224	0208099F	UNIFIED PLATFORM (UP)	101,893	101,893
228	0208288F	INTEL DATA APPLICATIONS	493	493
229	0301025F	GEOBASE	2,782	2,782
231	0301113F	CYBER SECURITY INTELLIGENCE SUPPORT	5,224	5,224
238	0301401F	AIR FORCE SPACE AND CYBER NON-TRADITIONAL ISR FOR BATTLESPACE AWARENESS	2,463	2,463
239	0302015F	E-4B NATIONAL AIRBORNE OPERATIONS CENTER (NAOC)	26,331	26,331
240	0303131F	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN)	20,700	20,700
242	0303140F	INFORMATION SYSTEMS SECURITY PROGRAM	8,032	8,032
243	0303142F	GLOBAL FORCE MANAGEMENT—DATA INITIATIVE	452	452
244	0303248F	ALL DOMAIN COMMON PLATFORM	64,000	64,000
246	0304260F	AIRBORNE SIGINT ENTERPRISE	97,546	93,546
		Excess carryover—Special projects		[-4,000]
247	0304310F	COMMERCIAL ECONOMIC ANALYSIS	3,770	8,770
		CPF—Mobilizing Civilian Expertise for National Security Education on Geo-Economics, and Innovation in the Era of Great Power Competition		[5,000]
251	0305020F	CCMD INTELLIGENCE INFORMATION TECHNOLOGY	1,663	1,663
252	0305022F	ISR MODERNIZATION & AUTOMATION DVMT (IMAD)	18,888	15,888
		Excess to need		[-3,000]
253	0305099F	GLOBAL AIR TRAFFIC MANAGEMENT (GATM)	4,672	4,672
254	0305103F	CYBER SECURITY INITIATIVE	290	290
255	0305111F	WEATHER SERVICE	26,228	36,228
		Commercial Weather Data Pilot		[10,000]
256	0305114F	AIR TRAFFIC CONTROL, APPROACH, AND LANDING SYSTEM (ATCAL)	8,749	8,749
257	0305116F	AERIAL TARGETS	1,528	1,528
260	0305128F	SECURITY AND INVESTIGATIVE ACTIVITIES	223	223
262	0305146F	DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES	8,733	8,733
264	0305179F	INTEGRATED BROADCAST SERVICE (IBS)	21,335	21,335
265	0305202F	DRAGON U-2	17,146	36,146
		ASARS processor and antenna development—AF UPL		[19,000]
267	0305206F	AIRBORNE RECONNAISSANCE SYSTEMS	71,791	167,091
		ASARS processor and antenna development—AF UPL		[67,000]
		Program increase—Sensor Open Systems Architecture (SOSA) High Altitude Project		[10,000]
		Wide Area Motion Imagery sensor improvements		[18,300]
268	0305207F	MANNED RECONNAISSANCE SYSTEMS	14,799	14,799
269	0305208F	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	24,568	24,568
270	0305220F	RQ-4 UAV	83,124	83,124
271	0305221F	NETWORK-CENTRIC COLLABORATIVE TARGETING	17,224	17,224

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272	0305238F	NATO AGS	19,473	19,473
273	0305240F	SUPPORT TO DCGS ENTERPRISE	40,421	40,421
274	0305600F	INTERNATIONAL INTELLIGENCE TECHNOLOGY AND ARCHITECTURES.	14,473	14,473
275	0305881F	RAPID CYBER ACQUISITION	4,326	4,326
276	0305984F	PERSONNEL RECOVERY COMMAND & CTRL (PRC2)	2,567	2,567
277	0307577F	INTELLIGENCE MISSION DATA (IMD)	6,169	6,169
278	0401115F	C-130 AIRLIFT SQUADRON	9,752	9,752
279	0401119F	C-5 AIRLIFT SQUADRONS (IF)	17,507	17,507
280	0401130F	C-17 AIRCRAFT (IF)	16,360	16,360
281	0401132F	C-130J PROGRAM	14,112	14,112
282	0401134F	LARGE AIRCRAFT IR COUNTERMEASURES (LAIRC)	5,540	5,540
283	0401218F	KC-135S	3,564	3,564
285	0401318F	CV-22	17,189	17,189
286	0408011F	SPECIAL TACTICS / COMBAT CONTROL	6,640	6,640
288	0708055F	MAINTENANCE, REPAIR & OVERHAUL SYSTEM	26,921	26,921
289	0708610F	LOGISTICS INFORMATION TECHNOLOGY (LOGIT)	7,071	7,071
291	0804743F	OTHER FLIGHT TRAINING	1,999	1,999
293	0901202F	JOINT PERSONNEL RECOVERY AGENCY	1,841	1,841
294	0901218F	CIVILIAN COMPENSATION PROGRAM	3,560	3,560
295	0901220F	PERSONNEL ADMINISTRATION	3,368	3,368
296	0901226F	AIR FORCE STUDIES AND ANALYSIS AGENCY	1,248	1,248
297	0901538F	FINANCIAL MANAGEMENT INFORMATION SYSTEMS DEVELOPMENT.	4,852	4,852
301	1202140F	SERVICE SUPPORT TO SPACECOM ACTIVITIES	6,737	6,737
316A	999999999	CLASSIFIED PROGRAMS	15,868,973	15,708,973
		Program decrease		[-160,000]
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT.	21,705,541	21,441,537
		SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS		
317	0608158F	STRATEGIC MISSION PLANNING AND EXECUTION SYSTEM—SOFTWARE PILOT PROGRAM.	96,100	96,100
318	0608410F	AIR & SPACE OPERATIONS CENTER (AOC)—SOFTWARE PILOT PROGRAM.	186,915	166,915
		Program decrease		[-20,000]
319	0608920F	DEFENSE ENTERPRISE ACCOUNTING AND MANAGEMENT SYSTEM (DEAMS)—SOFTWARE PILOT PRO.	135,263	135,263
		SUBTOTAL SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS.	418,278	398,278
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, AF.	39,184,328	39,423,924
		RDTE, SPACE FORCE APPLIED RESEARCH		
001	1206601SF	SPACE TECHNOLOGY	175,796	240,796
		Hybrid Space Architecture		[20,000]
		Space Power and Collection Technology		[35,000]
		University Consortium Space Technology Development		[10,000]
		SUBTOTAL APPLIED RESEARCH	175,796	240,796
		ADVANCED TECHNOLOGY DEVELOPMENT		
002	1206616SF	SPACE ADVANCED TECHNOLOGY DEVELOPMENT/DEMO	76,653	137,653
		Accelerate Cislunar Flight Experiment UPL		[61,000]
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT.	76,653	137,653
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
003	1203164SF	NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT) (SPACE).	434,194	434,194
004	1203710SF	EO/IR WEATHER SYSTEMS	162,274	162,274
005	1203905SF	SPACE SYSTEM SUPPORT	37,000	0
		Surface Warfare Analysis Center, insufficient justification – partial transfer to SSDP.		[-37,000]
006	1206422SF	WEATHER SYSTEM FOLLOW-ON	61,521	71,521
		Program Increase		[10,000]
007	1206425SF	SPACE SITUATION AWARENESS SYSTEMS	123,262	123,262
008	1206427SF	SPACE SYSTEMS PROTOTYPE TRANSITIONS (SSPT)	101,851	129,851
		Expand Blackjack Radio Frequency Payloads UPL		[28,000]
009	1206438SF	SPACE CONTROL TECHNOLOGY	32,931	32,931
010	1206730SF	SPACE SECURITY AND DEFENSE PROGRAM	56,546	81,546
		Program increase		[15,000]
		Transfer from Surface Warfare Analysis Center		[10,000]
011	1206760SF	PROTECTED TACTICAL ENTERPRISE SERVICE (PTES)	100,320	100,320
012	1206761SF	PROTECTED TACTICAL SERVICE (PTS)	243,285	243,285

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013	1206855SF	EVOLVED STRATEGIC SATCOM (ESS)	160,056	160,056
014	1206857SF	SPACE RAPID CAPABILITIES OFFICE	66,193	69,093
		High Power Density Structural Heat Spreaders		[2,900]
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES.	1,579,433	1,608,333
		SYSTEM DEVELOPMENT & DEMONSTRATION		
015	1203269SF	GPS III FOLLOW-ON (GPS III-F)	264,265	264,265
016	1203940SF	SPACE SITUATION AWARENESS OPERATIONS	56,279	56,279
017	1206421SF	COUNTERSPACE SYSTEMS	38,063	38,063
018	1206422SF	WEATHER SYSTEM FOLLOW-ON	1,438	1,438
019	1206425SF	SPACE SITUATION AWARENESS SYSTEMS	127,026	136,026
		Space domain rapid innovation pathfinders UPL		[9,000]
020	1206431SF	ADVANCED EHF MILSATCOM (SPACE)	28,218	28,218
021	1206432SF	POLAR MILSATCOM (SPACE)	127,870	127,870
022	1206442SF	NEXT GENERATION OPIR	2,451,256	2,451,256
023	1206445SF	COMMERCIAL SATCOM (COMSATCOM) INTEGRATION	23,400	23,400
024	1206853SF	NATIONAL SECURITY SPACE LAUNCH PROGRAM (SPACE)—EMD.	221,510	280,710
		Liquid Oxygen Explosive Tests UPL		[9,200]
		Maintain competition for Ph3 - DoD unique requirements		[50,000]
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION.	3,339,325	3,407,525
		MANAGEMENT SUPPORT		
025	1206116SF	SPACE TEST AND TRAINING RANGE DEVELOPMENT	19,319	19,319
026	1206392SF	ACQ WORKFORCE—SPACE & MISSILE SYSTEMS	214,051	214,051
027	1206398SF	SPACE & MISSILE SYSTEMS CENTER—MHA	12,119	12,119
028	1206759SF	MAJOR T&E INVESTMENT—SPACE	71,503	81,503
		Increase SCN Antenna Resources		[10,000]
029	1206860SF	ROCKET SYSTEMS LAUNCH PROGRAM (SPACE)	17,769	21,769
		CPF—Small Rocket Program		[4,000]
030	1206862SF	TACTICALLY RESPONSIVE LAUNCH		50,000
		Continue FY 2021 efforts		[50,000]
031	1206864SF	SPACE TEST PROGRAM (STP)	20,881	20,881
		SUBTOTAL MANAGEMENT SUPPORT	355,642	419,642
		OPERATIONAL SYSTEM DEVELOPMENT		
033	1201017SF	GLOBAL SENSOR INTEGRATED ON NETWORK (GSIN)	4,731	4,731
034	1203001SF	FAMILY OF ADVANCED BLOS TERMINALS (FAB-T)	156,788	156,788
035	1203040SF	DCO-SPACE	2,150	2,150
036	1203109SF	NARROWBAND SATELLITE COMMUNICATIONS	112,012	112,012
037	1203110SF	SATELLITE CONTROL NETWORK (SPACE)	36,810	36,810
038	1203165SF	NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE AND CONTROL SEGMENTS).	1,966	1,966
039	1203173SF	SPACE AND MISSILE TEST AND EVALUATION CENTER	1,699	5,699
		Improve operations of payload adapter UPL		[4,000]
040	1203174SF	SPACE INNOVATION, INTEGRATION AND RAPID TECHNOLOGY DEVELOPMENT.	18,054	33,354
		NSTTR Digital Core Services UPL		[15,300]
041	1203182SF	SPACELIFT RANGE SYSTEM (SPACE)	11,115	33,115
		High-Fidelity Open-Air Scene Target Generator		[10,000]
		CPF—Tactically Responsive Launch/Deployable Spaceport		[7,000]
		Program Increase		[5,000]
042	1203265SF	GPS III SPACE SEGMENT	7,207	7,207
043	1203330SF	SPACE SUPERIORITY ISR	18,109	18,109
044	1203620SF	NATIONAL SPACE DEFENSE CENTER	1,280	1,280
045	1203873SF	BALLISTIC MISSILE DEFENSE RADARS	12,292	12,292
046	1203906SF	NCMC—TW/AA SYSTEM	9,858	9,858
047	1203913SF	NUDET DETECTION SYSTEM (SPACE)	45,887	45,887
048	1203940SF	SPACE SITUATION AWARENESS OPERATIONS	64,763	64,763
049	1206423SF	GLOBAL POSITIONING SYSTEM III—OPERATIONAL CONTROL SEGMENT.	413,766	413,766
053	1206770SF	ENTERPRISE GROUND SERVICES	191,713	191,713
053A	9999999999	CLASSIFIED PROGRAMS	4,474,809	4,474,809
		SUBTOTAL OPERATIONAL SYSTEM DEVELOPMENT	5,585,009	5,626,309
		SOFTWARE & DIGITAL TECHNOLOGY PILOT PROGRAMS		
054	1203614SF	JSPOC MISSION SYSTEM	154,529	154,529
		SUBTOTAL SOFTWARE & DIGITAL TECHNOLOGY PILOT PROGRAMS.	154,529	154,529
		TOTAL RDTE, SPACE FORCE	11,266,387	11,594,787
		RESEARCH, DEVELOPMENT, TEST & EVAL, DW BASIC RESEARCH		
001	0601000BR	DTRA BASIC RESEARCH	11,828	12,705

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Line	Program Element	Item	FY 2022 Request	House Authorized
		Program increase		[877]
002	0601101E	DEFENSE RESEARCH SCIENCES	395,781	454,281
		Adversary Influence Operations (IO) – Detection, Modeling, Mitigation..		[10,000]
		Artificial Intelligence (AI) – Trustworthy, Human Integrated, Robust.		[10,000]
		Biotechnology for Challenging Environments		[7,000]
		CPF—Novel Analytical and Empirical Approaches to the Prediction and Monitoring of Disease Transmission.		[1,500]
		ERI 2.0		[20,000]
		High Assurance Software Systems – Resilient, Adaptable, Trustworthy.		[10,000]
003	0601108D8Z	HIGH ENERGY LASER RESEARCH INITIATIVES	15,390	15,390
004	0601110D8Z	BASIC RESEARCH INITIATIVES	39,828	114,361
		Consortium to Study Irregular Warfare		[8,000]
		CPF—Florida Memorial University Department of Natural Sciences STEM Equipment.		[400]
		CPF—SOUTHCOM Enhanced Domain Awareness (EDA) Initiative.		[1,300]
		Interagency AI Standards		[3,300]
		Minerva research initiative restoration		[13,000]
		MURI R&D Partnerships with allies—program enhancement		[20,000]
		Program increase		[4,533]
		Providing Research and End-user Products to Accelerate Readiness and Environmental Security (PREPARES).		[24,000]
005	0601117E	BASIC OPERATIONAL MEDICAL RESEARCH SCIENCE	76,018	81,018
		Assessing Immune Memory		[5,000]
006	0601120D8Z	NATIONAL DEFENSE EDUCATION PROGRAM	112,195	132,195
		Civics education		[2,000]
		CPF—Florida Memorial Avionics Smart Scholars		[1,000]
		SMART scholarships for AI related education		[13,000]
		SMART scholarships program increase		[4,000]
007	0601228D8Z	HISTORICALLY BLACK COLLEGES AND UNIVERSITIES/MINORITY INSTITUTIONS.	31,136	73,247
		CPF—Augmenting Quantum Sensing Research, Education and Training in DoD CoE at DSU.		[1,111]
		CPF—HBCU Training for the Future of Aerospace		[1,000]
		Diversity in SMART Scholarships		[20,000]
		Program increase		[20,000]
008	0601384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	34,708	39,708
		Chemically Resistant, High-Performance Military Cordage, Rope, and Webbing.		[5,000]
		SUBTOTAL BASIC RESEARCH	716,884	922,905
		APPLIED RESEARCH		
009	0602000D8Z	JOINT MUNITIONS TECHNOLOGY	19,591	19,591
010	0602115E	BIOMEDICAL TECHNOLOGY	108,698	118,698
		Bridging the Gap After Spinal Cord Injury		[5,000]
		Non-Invasive Neurotechnology Rehabilitation Take Home Trials ..		[5,000]
012	0602230D8Z	DEFENSE TECHNOLOGY INNOVATION	22,918	32,918
		Artificial Intelligence (AI) – Trustworthy, Human Integrated, Robust.		[10,000]
013	0602234D8Z	LINCOLN LABORATORY RESEARCH PROGRAM	55,692	55,692
014	0602251D8Z	APPLIED RESEARCH FOR THE ADVANCEMENT OF S&T PRIORITIES.	65,015	265,015
		AI Research and Development		[200,000]
015	0602303E	INFORMATION & COMMUNICATIONS TECHNOLOGY	430,363	755,363
		High Assurance Software Systems – Resilient, Adaptable, Trustworthy.		[15,000]
		Program increase—artificial intelligence		[250,000]
		Underexplored Approaches to Utility-Scale Quantum Computing ..		[60,000]
016	0602383E	BIOLOGICAL WARFARE DEFENSE	31,421	31,421
017	0602384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	206,956	213,456
		Biodetection System for Joint Force Infrastructure Protection		[6,500]
018	0602668D8Z	CYBER SECURITY RESEARCH	15,380	35,380
		AI-enabled cyber defense acceleration study		[10,000]
		Program increase		[10,000]
019	0602702E	TACTICAL TECHNOLOGY	202,515	249,515
		Adapting Cross-domain Kill-Webs (ACK)		[2,000]
		Adversary Influence Operations (IO) – Detection, Modeling, Mitigation..		[15,000]
		MADFIREs		[30,000]
020	0602715E	MATERIALS AND BIOLOGICAL TECHNOLOGY	317,024	398,624
		Adaptive Immunomodulation-Based Therapeutics (ElectRx)		[4,600]
		Agile Chemical Manufacturing Technologies (ACMT)		[20,000]
		Bioengineered Electronics and Electromagnetic Devices (Bio-INC)		[6,000]
		Bioremediation of Battlefields		[7,000]
		Maritime Materials Technologies (M2T)		[5,000]

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		Materiel Protection through Biologies		[5,000]
		Neuroprotection from Brain Injury		[9,000]
		Regenerative Engineering for Complex Tissue Regeneration & Limb Reconstruction.		[5,000]
		Scalable and Affordable Mapping of U.S. Critical Mineral Resources.		[20,000]
021	0602716E	ELECTRONICS TECHNOLOGY	357,384	393,384
		ERI 2.0		[36,000]
022	0602718BR	COUNTER WEAPONS OF MASS DESTRUCTION APPLIED RESEARCH.	197,011	197,011
023	0602751D8Z	SOFTWARE ENGINEERING INSTITUTE (SEI) APPLIED RESEARCH.	9,601	9,601
024	0602890D8Z	HIGH ENERGY LASER RESEARCH	45,997	115,997
		Directed Energy Innovation—Improved beam control		[50,000]
		Joint Directed Energy Transition Office		[20,000]
025	1160401BB	SOF TECHNOLOGY DEVELOPMENT	44,829	54,829
		Brain Health Research and Treatment, Cognitive Performance		[5,000]
		POTFF—Brain Health Research		[5,000]
		SUBTOTAL APPLIED RESEARCH	2,130,395	2,946,495
		ADVANCED TECHNOLOGY DEVELOPMENT		
026	0603000D8Z	JOINT MUNITIONS ADVANCED TECHNOLOGY	23,213	23,213
027	0603121D8Z	SO/LIC ADVANCED DEVELOPMENT	4,665	4,665
028	0603122D8Z	COMBATING TERRORISM TECHNOLOGY SUPPORT	69,376	69,376
029	0603133D8Z	FOREIGN COMPARATIVE TESTING	25,432	25,432
031	0603160BR	COUNTER WEAPONS OF MASS DESTRUCTION ADVANCED TECHNOLOGY DEVELOPMENT.	399,362	404,362
		Reduced order models		[5,000]
032	0603176C	ADVANCED CONCEPTS AND PERFORMANCE ASSESSMENT ...	15,800	29,700
		BATMAA BMDS Advanced Technology		[8,700]
		Improvements to MDS Cybersecurity UPL		[5,200]
033	0603180C	ADVANCED RESEARCH	21,466	21,466
034	0603183D8Z	JOINT HYPERSONIC TECHNOLOGY DEVELOPMENT &TRANSITION.	51,340	51,340
035	0603225D8Z	JOINT DOD-DOE MUNITIONS TECHNOLOGY DEVELOPMENT	19,063	19,063
036	0603286E	ADVANCED AEROSPACE SYSTEMS	174,043	273,043
		Glide Breaker		[20,000]
		HAWC		[27,000]
		Hypersonic Air-Breathing Weapon Concept (HAWC)		[10,000]
		OpFires		[27,000]
		Tactical Boost Glide (TBG)		[15,000]
037	0603287E	SPACE PROGRAMS AND TECHNOLOGY	101,524	186,524
		Blackjack critical risk reduction		[25,000]
		Blackjack schedule assurance		[30,000]
		Robotic Servicing of Geosynchronous Satellites (RSGS)		[30,000]
038	0603288D8Z	ANALYTIC ASSESSMENTS	24,012	34,012
		Analytic Assessments		[10,000]
039	0603289D8Z	ADVANCED INNOVATIVE ANALYSIS AND CONCEPTS	51,513	56,513
		Innovative operational concepts		[5,000]
042	0603338D8Z	DEFENSE MODERNIZATION AND PROTOTYPING	115,443	138,443
		Defense Critical Supply Chain Documentation and Monitoring		[3,000]
		WLIF AI-enabled applications		[20,000]
043	0603342D8Z	DEFENSE INNOVATION UNIT (DIU)	31,873	31,873
044	0603375D8Z	TECHNOLOGY INNOVATION	54,433	54,433
045	0603384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—ADVANCED DEVELOPMENT.	197,824	197,824
046	0603527D8Z	RETRACT LARCH	99,175	99,175
047	0603618D8Z	JOINT ELECTRONIC ADVANCED TECHNOLOGY	18,221	38,221
		Accelerating Joint Electronic Advanced Technologies		[20,000]
048	0603648D8Z	JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS	102,669	102,669
049	0603662D8Z	NETWORKED COMMUNICATIONS CAPABILITIES	2,984	9,984
		Cross-domain EMS communications capability		[7,000]
050	0603680D8Z	DEFENSE-WIDE MANUFACTURING SCIENCE AND TECHNOLOGY PROGRAM.	134,022	476,322
		Additive manufacturing training		[5,000]
		Biotechnology innovation—Enabling Modular and Scalable Bio-industrial & Reusable Assets.		[200,000]
		CPF—Cold Spray and Rapid Deposition Lab		[1,300]
		HPC-enabled advanced manufacturing		[15,000]
		Hypersonics material innovation—Silicon carbide matrix materials		[100,000]
		Non-destructive evaluation of carbon-carbon composites		[3,000]
		Program increase		[15,000]
		Virtual reality-enabled smart installation experimentation		[3,000]
051	0603680S	MANUFACTURING TECHNOLOGY PROGRAM	37,543	68,543
		Demonstration of automotive aftermarket capabilities		[6,000]
		Modeling and Simulation Innovation Competition		[10,000]
		Program increase		[5,000]
		Steel Performance Initiative		[10,000]

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052	0603699D8Z	EMERGING CAPABILITIES TECHNOLOGY DEVELOPMENT		202,400
		AI Fund		[200,000]
		NORTHCOM/NORAD—Polar Over the Horizon Radar (POTHR)		[2,400]
053	0603712S	GENERIC LOGISTICS R&D TECHNOLOGY DEMONSTRATIONS	12,418	12,418
054	0603716D8Z	STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM	51,863	81,863
		AFFF replacement		[15,000]
		PFAS environmental remediation and disposal		[15,000]
055	0603720S	MICROELECTRONICS TECHNOLOGY DEVELOPMENT AND SUPPORT.	160,821	160,821
056	0603727D8Z	JOINT WARFIGHTING PROGRAM	2,169	2,169
057	0603739E	ADVANCED ELECTRONICS TECHNOLOGIES	116,716	140,716
		ERI 2.0		[24,000]
058	0603760E	COMMAND, CONTROL AND COMMUNICATIONS SYSTEMS	251,794	345,394
		Classified increase		[21,000]
		Deep water active sonar		[15,000]
		Network UP		[5,000]
		Program increase—artificial intelligence		[50,000]
		SHARE alignment with OTNK research		[1,100]
		SHARE ICN performance enhancements for operational use		[1,500]
059	0603766E	NETWORK-CENTRIC WARFARE TECHNOLOGY	584,771	679,246
		Air Combat Evolution (ACE)		[8,200]
		Assault Breaker II		[50,000]
		Classified increase		[20,400]
		Ocean of Things (OoT)		[875]
		Ocean of Things phase 3 demonstration		[10,000]
		Timely Information for Maritime Engagements (TIMEly)		[5,000]
060	0603767E	SENSOR TECHNOLOGY	294,792	367,392
		Classified increase		[27,800]
		SECTRE Munitions Digital Twin for in Theater/Flight Target Additions and Performance Improvements.		[4,400]
		Systems of Systems-Enhanced Small Units (SESU)		[4,400]
		Thermal Imaging Technology Experiment-Recon (TITE-R)		[36,000]
061	0603769D8Z	DISTRIBUTED LEARNING ADVANCED TECHNOLOGY DEVELOPMENT.	6,398	9,198
		Systems of Systems-Enhanced Small Units (SESU)		[2,800]
062	0603781D8Z	SOFTWARE ENGINEERING INSTITUTE	14,677	14,977
		CODE enhancements for SESU		[300]
065	0603924D8Z	HIGH ENERGY LASER ADVANCED TECHNOLOGY PROGRAM	107,397	129,397
		Short pulse laser research		[10,000]
		Thermal management scaling		[12,000]
066	0603941D8Z	TEST & EVALUATION SCIENCE & TECHNOLOGY	267,161	267,161
067	0603950D8Z	NATIONAL SECURITY INNOVATION NETWORK	21,270	40,000
		Program increase		[18,730]
068	0604055D8Z	OPERATIONAL ENERGY CAPABILITY IMPROVEMENT	74,300	74,300
070	0303310D8Z	CWMD SYSTEMS		5,000
		Data storage capabilities for special operations forces		[5,000]
071	0303367D8Z	SPECTRUM ACCESS RESEARCH AND DEVELOPMENT		100,000
		Spectrum Management Analysis		[50,000]
		Spectrum Management Architecture		[20,000]
		Spectrum Management Modules for Fielded Systems		[30,000]
074	1160402BB	SOF ADVANCED TECHNOLOGY DEVELOPMENT	93,415	98,415
		SOF Platform Agnostic Data Storage Capability		[5,000]
075	1206310SDA	SPACE SCIENCE AND TECHNOLOGY RESEARCH AND DEVELOPMENT.	172,638	172,638
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT.	4,007,596	5,319,701
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
076	0603161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E ADC&P.	28,687	28,687
077	0603600D8Z	WALKOFF	108,652	108,652
078	0603821D8Z	ACQUISITION ENTERPRISE DATA & INFORMATION SERVICES.		130,000
		CDO for ADA		[5,000]
		CDO: Enterprise data sets		[125,000]
079	0603851D8Z	ENVIRONMENTAL SECURITY TECHNICAL CERTIFICATION PROGRAM.	71,429	96,429
		AFFF innovation prize		[5,000]
		AFFF replacement		[5,000]
		Environmental remediation and disposal		[10,000]
		Military Energy Resilience Catalyst		[5,000]
080	0603881C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT.	277,949	277,949
		Program increase		[64,567]
		Unjustified request, lacking acquisition strategy—LHD		[-64,567]
081	0603882C	BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT.	745,144	795,144

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		Ensure BMD Interceptors do not fall below 40		[50,000]
082	0603884BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—DEM/ VAL.	129,445	129,445
083	0603884C	BALLISTIC MISSILE DEFENSE SENSORS	224,750	227,762
		Improvements to MDS Cybersecurity UPL		[3,012]
084	0603890C	BMD ENABLING PROGRAMS	595,301	687,297
		Cruise Missile Defense for HLD (NORTHCOM/NORAD—Elevated Radar).		[27,000]
		Improvements to MDS Cybersecurity UPL		[44,830]
		Pacing the Threat		[20,166]
085	0603891C	SPECIAL PROGRAMS—MDA	413,374	413,374
086	0603892C	AEGIS BMD	732,512	780,912
		Navy SPY Radar Digital Upgrade		[48,400]
087	0603896C	BALLISTIC MISSILE DEFENSE COMMAND AND CONTROL, BATTLE MANAGEMENT AND COMMUNICATI.	603,448	609,928
		Improvements to MDS Cybersecurity UPL		[2,000]
		JADC2 Interface		[4,480]
088	0603898C	BALLISTIC MISSILE DEFENSE JOINT WARFIGHTER SUP- PORT.	50,594	50,594
089	0603904C	MISSILE DEFENSE INTEGRATION & OPERATIONS CENTER (MDIOC).	52,403	52,403
090	0603906C	REGARDING TRENCH	11,952	11,952
091	0603907C	SEA BASED X-BAND RADAR (SBX)	147,241	147,241
092	0603913C	ISRAELI COOPERATIVE PROGRAMS	300,000	300,000
093	0603914C	BALLISTIC MISSILE DEFENSE TEST	362,906	362,906
094	0603915C	BALLISTIC MISSILE DEFENSE TARGETS	553,334	578,334
		Advanced Target Front End Configuration 3 Tech Maturation		[5,000]
		Architecture RTS Development		[10,000]
		MDS Architecture IAC Prototype		[10,000]
096	0603923D8Z	COALITION WARFARE	5,103	5,103
097	0604011D8Z	NEXT GENERATION INFORMATION COMMUNICATIONS TECHNOLOGY (5G).	374,665	374,665
098	0604016D8Z	DEPARTMENT OF DEFENSE CORROSION PROGRAM	3,259	3,259
099	0604102C	GUAM DEFENSE DEVELOPMENT	78,300	272,750
		Guam Defense System		[194,450]
100	0604115C	TECHNOLOGY MATURATION INITIATIVES		34,000
		Continue Diode Pumped Alkali Laser Demonstrator Development		[25,000]
		Short Pulse Laser Directed Energy Demonstration		[9,000]
103	0604181C	HYPERSOニック DEFENSE	247,931	309,931
		Program increase		[62,000]
104	0604250D8Z	ADVANCED INNOVATIVE TECHNOLOGIES	716,456	816,456
		Mission-Based Acquisition		[100,000]
		Program decrease		[-8,000]
		Program increase		[8,000]
105	0604294D8Z	TRUSTED & ASSURED MICROELECTRONICS	509,195	548,995
		Advanced Analog & Mixed Signal Microelectronics Design and Manufacturing.		[6,800]
		Radiation-Hardened Application Specific Integrated Circuits		[18,000]
		Trusted and Assured GaN and GaAs RFIC Technology		[15,000]
106	0604331D8Z	RAPID PROTOTYPING PROGRAM	103,575	182,575
		ADA network resiliency/cloud		[79,000]
107	0604341D8Z	DEFENSE INNOVATION UNIT (DIU) PROTOTYPING	11,213	26,213
		National Security Innovation Capital program increase		[15,000]
108	0604400D8Z	DEPARTMENT OF DEFENSE (DOD) UNMANNED SYSTEM COMMON DEVELOPMENT.	2,778	2,778
109	0604551BR	CATAPULT	7,166	7,166
110	0604555D8Z	OPERATIONAL ENERGY CAPABILITY IMPROVEMENT—NON S&T.	23,200	23,200
111	0604672C	HOMELAND DEFENSE RADAR—HAWAII (HDR-H)		75,000
		Restore program		[75,000]
113	0604682D8Z	WARGAMING AND SUPPORT FOR STRATEGIC ANALYSIS (SSA).	3,519	3,519
114	0604826J	JOINT C5 CAPABILITY DEVELOPMENT, INTEGRATION AND INTEROPERABILITY ASSESSMENTS.	17,439	17,439
115	0604873C	LONG RANGE DISCRIMINATION RADAR (LRDR)	133,335	133,335
116	0604874C	IMPROVED HOMELAND DEFENSE INTERCEPTORS	926,125	926,125
117	0604876C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEG- MENT TEST.	32,697	32,697
118	0604878C	AEGIS BMD TEST	117,055	117,055
119	0604879C	BALLISTIC MISSILE DEFENSE SENSOR TEST	77,428	77,428
120	0604880C	LAND-BASED SM-3 (LBSM3)	43,158	43,158
121	0604887C	BALLISTIC MISSILE DEFENSE MIDCOURSE SEGMENT TEST	61,424	61,424
122	0202057C	SAFETY PROGRAM MANAGEMENT	2,323	2,323
123	0300206R	ENTERPRISE INFORMATION TECHNOLOGY SYSTEMS	2,568	2,568
125	0305103C	CYBER SECURITY INITIATIVE	1,142	1,142
126	1206410SDA	SPACE TECHNOLOGY DEVELOPMENT AND PROTOTYPING ... Laser Communication Terminal Technologies	636,179	642,179
				[6,000]
127	1206893C	SPACE TRACKING & SURVEILLANCE SYSTEM	15,176	15,176

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128	1206895C	BALLISTIC MISSILE DEFENSE SYSTEM SPACE PROGRAMS ..	292,811	292,811
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES.	9,854,341	10,839,479
		SYSTEM DEVELOPMENT & DEMONSTRATION		
129	0604161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E SDD.	5,682	5,682
131	0604384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—EMD Joint Vaccine Acquisition Program	299,848	370,328 [70,480]
132	0604771D8Z	JOINT TACTICAL INFORMATION DISTRIBUTION SYSTEM (JTIDS).	9,345	9,345
133	0605000BR	COUNTER WEAPONS OF MASS DESTRUCTION SYSTEMS DEVELOPMENT.	14,063	14,063
134	0605013BL	INFORMATION TECHNOLOGY DEVELOPMENT	4,265	4,265
135	0605021SE	HOMELAND PERSONNEL SECURITY INITIATIVE	7,205	7,205
136	0605022D8Z	DEFENSE EXPORTABILITY PROGRAM	5,447	5,447
137	0605027D8Z	OUS(D) IT DEVELOPMENT INITIATIVES	16,892	34,892
		ADVANA for ADA		[18,000]
138	0605070S	DOD ENTERPRISE SYSTEMS DEVELOPMENT AND DEMONSTRATION.	679	679
140	0605080S	DEFENSE AGENCY INITIATIVES (DAI)—FINANCIAL SYSTEM	32,254	32,254
142	0605141BR	MISSION ASSURANCE RISK MANAGEMENT SYSTEM (MARMS).	5,500	5,500
143	0605210D8Z	DEFENSE-WIDE ELECTRONIC PROCUREMENT CAPABILITIES.	7,148	7,148
144	0605294D8Z	TRUSTED & ASSURED MICROELECTRONICS	113,895	113,895
146	0605772D8Z	NUCLEAR COMMAND, CONTROL, & COMMUNICATIONS	3,991	3,991
149	0305304D8Z	DOD ENTERPRISE ENERGY INFORMATION MANAGEMENT (EEM).	2,227	2,227
150	0305310D8Z	CWMD SYSTEMS: SYSTEM DEVELOPMENT AND DEMONSTRATION.	20,246	20,246
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION.	548,687	637,167
		MANAGEMENT SUPPORT		
151	0603829J	JOINT CAPABILITY EXPERIMENTATION	8,444	8,444
152	0604774D8Z	DEFENSE READINESS REPORTING SYSTEM (DRRS)	7,508	7,508
153	0604875D8Z	JOINT SYSTEMS ARCHITECTURE DEVELOPMENT	7,859	7,859
154	0604940D8Z	CENTRAL TEST AND EVALUATION INVESTMENT DEVELOPMENT (CTEIP). Support Funding for Cyber Resiliency	550,140	551,040 [900]
155	0604942D8Z	ASSESSMENTS AND EVALUATIONS	17,980	17,980
156	0605001E	MISSION SUPPORT	73,145	73,145
157	0605100D8Z	JOINT MISSION ENVIRONMENT TEST CAPABILITY (JMETC)	71,410	71,410
159	0605126J	JOINT INTEGRATED AIR AND MISSILE DEFENSE ORGANIZATION (JIAMDO).	52,671	52,671
161	0605142D8Z	SYSTEMS ENGINEERING	40,030	40,030
162	0605151D8Z	STUDIES AND ANALYSIS SUPPORT—OSD	4,612	4,612
163	0605161D8Z	NUCLEAR MATTERS-PHYSICAL SECURITY	14,429	14,429
164	0605170D8Z	SUPPORT TO NETWORKS AND INFORMATION INTEGRATION	4,759	4,759
165	0605200D8Z	GENERAL SUPPORT TO USD (INTELLIGENCE)	1,952	1,952
166	0605384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	110,503	110,503
172	0605790D8Z	SMALL BUSINESS INNOVATION RESEARCH (SBIR)/ SMALL BUSINESS TECHNOLOGY TRANSFER. Transition education for DEPSCoR and underserved communities	3,639	8,639 [5,000]
173	0605797D8Z	MAINTAINING TECHNOLOGY ADVANTAGE	25,889	63,889
		Regional Secure Computing Enclave Pilot		[38,000]
174	0605798D8Z	DEFENSE TECHNOLOGY ANALYSIS	39,774	257,774
		ISR & information operations		[10,000]
		PNT Modernization—Signals of Opportunity		[140,000]
		Spectrum Innovation—Low SWaP-C directional sources		[68,000]
175	0605801KA	DEFENSE TECHNICAL INFORMATION CENTER (DTIC)	61,453	61,453
176	0605803SE	R&D IN SUPPORT OF DOD ENLISTMENT, TESTING AND EVALUATION.	18,762	18,762
177	0605804D8Z	DEVELOPMENT TEST AND EVALUATION	27,366	27,366
178	0605898E	MANAGEMENT HQ—R&D	12,740	12,740
179	0605998KA	MANAGEMENT HQ—DEFENSE TECHNICAL INFORMATION CENTER (DTIC).	3,549	3,549
180	0606100D8Z	BUDGET AND PROGRAM ASSESSMENTS	15,438	15,438
181	0606225D8Z	ODNA TECHNOLOGY AND RESOURCE ANALYSIS	2,897	2,897
182	0606589D8W	DEFENSE DIGITAL SERVICE (DDS) DEVELOPMENT SUPPORT.	918	918
183	0606771D8Z	CYBER RESILIENCY AND CYBERSECURITY POLICY	31,638	31,638
184	0203345D8Z	DEFENSE OPERATIONS SECURITY INITIATIVE (DOSI)	2,925	2,925
185	0204571J	JOINT STAFF ANALYTICAL SUPPORT	977	977
186	0208045K	C4I INTEROPERABILITY	55,361	60,361
		Joint Warfighting Network Architecture		[5,000]
189	0303140SE	INFORMATION SYSTEMS SECURITY PROGRAM	853	853

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2022 Request	House Authorized
191	0303260D8Z	DEFENSE MILITARY DECEPTION PROGRAM OFFICE (DMDPO).	969	969
192	0305172K	COMBINED ADVANCED APPLICATIONS	15,696	15,696
194	0305208K	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	3,073	3,073
197	0804768J	COCOM EXERCISE ENGAGEMENT AND TRAINING TRANSFORMATION (CE2T2)—NON-MHA. AFRICOM—Joint Exercise Program	29,530	67,530
		CENTCOM—CE2T2 EAGER LION Exercises		[18,000]
198	0808709SE	DEFENSE EQUAL OPPORTUNITY MANAGEMENT INSTITUTE (DEOMI).	689	689
199	0901598C	MANAGEMENT HQ—MDA	24,102	24,102
200	0903235K	JOINT SERVICE PROVIDER (JSP)	2,645	2,645
201A	9999999999	CLASSIFIED PROGRAMS	37,520	37,520
		SUBTOTAL MANAGEMENT SUPPORT	1,383,845	1,688,745
OPERATIONAL SYSTEMS DEVELOPMENT				
202	0604130V	ENTERPRISE SECURITY SYSTEM (ESS)	5,355	5,355
203	0604532K	JOINT ARTIFICIAL INTELLIGENCE	10,033	267,833
		AI-enabled logistics and sustainment		[100,000]
		Commercial AI for Business Applications		[100,000]
		JAIC for ADA		[57,800]
206	0607210D8Z	INDUSTRIAL BASE ANALYSIS AND SUSTAINMENT SUPPORT 3D Heterogeneous Integration and Advanced Packaging for Microelectronics. Accelerated Training in Defense Manufacturing (ATDM) Pilot Advanced Shipbuilding Workforce Development	58,189	162,189
		Carbon/carbon industrial base enhancement		[15,000]
		Directed Energy Supply Chain Assurance		[2,000]
		Machine and Advanced Manufacturing—LACMI		[20,000]
		Program increase		[20,000]
		Radar Resiliency		[5,000]
207	0607310D8Z	CWMD SYSTEMS: OPERATIONAL SYSTEMS DEVELOPMENT ..	18,721	18,721
208	0607327T	GLOBAL THEATER SECURITY COOPERATION MANAGEMENT INFORMATION SYSTEMS (G-TSCMIS).	7,398	7,398
209	0607384BP	CHEMICAL AND BIOLOGICAL DEFENSE (OPERATIONAL SYSTEMS DEVELOPMENT).	58,261	58,261
215	0302019K	DEFENSE INFO INFRASTRUCTURE ENGINEERING AND INTEGRATION.	16,233	16,233
216	0303126K	LONG-HAUL COMMUNICATIONS—DCS	10,275	10,275
217	0303131K	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN).	4,892	4,892
218	0303136G	KEY MANAGEMENT INFRASTRUCTURE (KMI)	83,751	83,751
219	0303140D8Z	INFORMATION SYSTEMS SECURITY PROGRAM	49,191	49,191
220	0303140G	INFORMATION SYSTEMS SECURITY PROGRAM	423,745	600,845
		Hardening DOD Networks		[12,100]
		ISSP for GENCYBER		[15,000]
		JFHQ DODIN Staffing and Tools		[150,000]
221	0303140K	INFORMATION SYSTEMS SECURITY PROGRAM	5,707	5,707
222	0303150K	GLOBAL COMMAND AND CONTROL SYSTEM	4,150	4,150
223	0303153K	DEFENSE SPECTRUM ORGANIZATION	19,302	19,302
224	0303228K	JOINT REGIONAL SECURITY STACKS (JRSS)	9,342	9,342
226	0303430V	FEDERAL INVESTIGATIVE SERVICES INFORMATION TECHNOLOGY.	15,326	15,326
232	0305128V	SECURITY AND INVESTIGATIVE ACTIVITIES	8,800	8,800
235	0305146V	DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES	3,820	3,820
237	0305186D8Z	POLICY R&D PROGRAMS	4,843	4,843
238	0305199D8Z	NET CENTRICITY	13,471	13,471
240	0305208BB	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	5,994	5,994
247	0305387D8Z	HOMELAND DEFENSE TECHNOLOGY TRANSFER PROGRAM	1,273	1,273
255	0708012K	LOGISTICS SUPPORT ACTIVITIES	1,690	1,690
256	0708012S	PACIFIC DISASTER CENTERS	1,799	1,799
257	0708047S	DEFENSE PROPERTY ACCOUNTABILITY SYSTEM	6,390	6,390
259	1105219BB	MQ-9 UAV	19,065	19,065
261	1160403BB	AVIATION SYSTEMS	173,537	173,537
262	1160405BB	INTELLIGENCE SYSTEMS DEVELOPMENT	32,766	32,766
263	1160408BB	OPERATIONAL ENHANCEMENTS	145,830	213,830
		AI in Small Unit Maneuver (AISUM)		[50,000]
		High-energy laser technologies		[5,000]
		Mobile Compact High Energy Laser (MCHL)		[13,000]
264	1160431BB	WARRIOR SYSTEMS	78,592	82,803
		SOCOM—Maritime Scalable Effects Acceleration		[4,211]
265	1160432BB	SPECIAL PROGRAMS	6,486	6,486
266	1160434BB	UNMANNED ISR	18,006	18,006
267	1160480BB	SOF TACTICAL VEHICLES	7,703	7,703
268	1160483BB	MARITIME SYSTEMS	58,430	58,430
270	1160490BB	OPERATIONAL ENHANCEMENTS INTELLIGENCE	10,990	10,990
271A	9999999999	CLASSIFIED PROGRAMS	5,208,029	5,208,029
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	6,607,385	7,218,496

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION (In Thousands of Dollars)				
Line	Program Element	Item	FY 2022 Request	House Authorized
SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS				
272	0604532K	JOINT ARTIFICIAL INTELLIGENCE	186,639	186,639
273	0608197V	NATIONAL BACKGROUND INVESTIGATION SERVICES— SOFTWARE PILOT PROGRAM.	123,570	123,570
274	0608648D8Z	ACQUISITION VISIBILITY—SOFTWARE PILOT PROGRAM	18,307	18,307
275	0303150K	GLOBAL COMMAND AND CONTROL SYSTEM	32,774	32,774
276	0308588D8Z	ALGORITHMIC WARFARE CROSS FUNCTIONAL TEAMS— SOFTWARE PILOT PROGRAM. MAVEN for ADA	247,452	283,452 [36,000]
SUBTOTAL SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS.			608,742	644,742
TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, DW.			25,857,875	30,217,730
OPERATIONAL TEST & EVAL, DEFENSE MANAGEMENT SUPPORT				
001	0605118OTE	OPERATIONAL TEST AND EVALUATION	105,394	105,394
002	0605131OTE	LIVE FIRE TEST AND EVALUATION	68,549	75,049
		Thinking Red		[2,500]
		University-based cyber and software centers of excellence for Operational Test & Evaluation.		[4,000]
003	0605814OTE	OPERATIONAL TEST ACTIVITIES AND ANALYSES	42,648	42,648
SUBTOTAL MANAGEMENT SUPPORT			216,591	223,091
TOTAL OPERATIONAL TEST & EVAL, DEFENSE			216,591	223,091
TOTAL RDT&E			111,964,188	118,073,500

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 2022 Request	House Authorized
OPERATING FORCES				
010		MANEUVER UNITS	3,563,856	3,317,341
		OFS Drawdown		[-191,515]
		Unjustified growth		[-55,000]
020		MODULAR SUPPORT BRIGADES	142,082	142,082
030		ECHELONS ABOVE BRIGADE	758,174	748,174
		Unjustified growth		[-10,000]
040		THEATER LEVEL ASSETS	2,753,783	1,614,442
		OFS Drawdown		[-998,027]
		Program decrease		[-5,000]
		Unjustified growth		[-136,314]
050		LAND FORCES OPERATIONS SUPPORT	1,110,156	1,110,156
060		AVIATION ASSETS	1,795,522	1,775,522
		Unjustified growth		[-20,000]
070		FORCE READINESS OPERATIONS SUPPORT	7,442,976	5,476,104
		Advanced Bomb Suit		[12,940]
		Arctic Cold Weather Gloves		[13,867]
		Arctic OCIE for Fort Drum, Fort Carson, and Alaska bases		[65,050]
		CENTCOM—Heavy Lift Logistics		[40,300]
		Extended Cold Weather Clothing System (ECWCS)		[8,999]
		Female/Small Stature Body Armor		[81,750]
		Garrison Installation Facilities-Related Control Systems (FRCS)		[13,070]
		Industrial Base Special Installation Control Systems		[14,820]
		Multi-Domain Operations—Live		[1,500]
		OFS Drawdown		[-2,144,168]
		Unjustified growth		[-75,000]
080		LAND FORCES SYSTEMS READINESS	580,921	614,921

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2022 Request	House Authorized
	CENTCOM—COMSAT air time transponder leases		[34,000]
	Sustainment and maintenance of quality of life infrastructure		[20,000]
	Unjustified growth		[-20,000]
090	LAND FORCES DEPOT MAINTENANCE	1,257,959	1,346,976
	Tactical Combat Vehicle Repair Cycle Float (RCF)		[89,017]
100	MEDICAL READINESS	1,102,964	1,102,964
110	BASE OPERATIONS SUPPORT	8,878,603	8,916,732
	Program decrease		[-14,000]
	Subsistence		[52,129]
120	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	4,051,869	4,503,249
	Program increase		[451,380]
130	MANAGEMENT AND OPERATIONAL HEADQUARTERS ...	289,891	291,041
	Autonomic Security Operations Center		[1,150]
140	ADDITIONAL ACTIVITIES	526,517	556,517
	Security Operations Center as a service		[30,000]
160	RESET	397,196	392,196
	Unjustified growth		[-5,000]
170	US AFRICA COMMAND	384,791	468,291
	AFRICOM—COMSATCOM leases		[16,500]
	AFRICOM Unmanned Contract ISR		[67,000]
180	US EUROPEAN COMMAND	293,932	335,910
	EUCOM—Information Operations maintain FY21 level		[26,765]
	EUCOM—MPE BICES rapid intel capabilities		[4,500]
	EUCOM—MPE NATO C2 NATO Response Force		[9,708]
	EUCOM—MPE OSINT		[1,005]
190	US SOUTHERN COMMAND	196,726	204,526
	SOUTHCOM—Enhanced Domain Awareness		[3,400]
	SOUTHCOM—HUMINT in the Cyber Domain		[4,400]
200	US FORCES KOREA	67,052	67,052
210	CYBERSPACE ACTIVITIES—CYBERSPACE OPERATIONS	621,836	654,756
	Critical Infrastructure Risk Management Cyber Resiliency Mitigations (GOCO)		[13,630]
	MRCT / Cyber I&W / Ops Cell		[4,660]
	Security Operations Center as a Service		[14,630]
220	CYBERSPACE ACTIVITIES—CYBERSECURITY	629,437	841,327
	C-SCRM Supplier Vetting and Equipment Inspection		[1,200]
	Cyber—Supply Chain Risk Mgmt (C-SCRM) Program		[2,750]
	Cybersecurity Control Systems Assessments		[89,889]
	Cybersecurity Support Services Task Order (CSSTO)		[1,320]
	Data and Applications Support Task Order (DASTO)		[12,886]
	Defensive Cyber Sensors		[2,900]
	Harden CSS VSAT Network		[10,066]
	Information Technology Infrastructure Support (ITIS)		[15,469]
	Weapon System Software Readiness		[75,410]
	SUBTOTAL OPERATING FORCES	36,846,243	34,480,279
	MOBILIZATION		
230	STRATEGIC MOBILITY	353,967	385,454
	APS-4 South Humanitarian Assistance-Disaster Relief Site		[31,487]
240	ARMY PREPOSITIONED STOCKS	381,192	451,908
	Second destination transportation		[70,716]
250	INDUSTRIAL PREPAREDNESS	3,810	3,810
	SUBTOTAL MOBILIZATION	738,969	841,172
	TRAINING AND RECRUITING		
260	OFFICER ACQUISITION	163,568	163,568
270	RECRUIT TRAINING	75,140	75,140
280	ONE STATION UNIT TRAINING	81,274	81,274
290	SENIOR RESERVE OFFICERS TRAINING CORPS	520,973	520,973
300	SPECIALIZED SKILL TRAINING	998,869	998,869
310	FLIGHT TRAINING	1,309,556	1,309,556
320	PROFESSIONAL DEVELOPMENT EDUCATION	218,651	218,651
330	TRAINING SUPPORT	616,380	634,480
	ATRRS Modernization		[18,100]
340	RECRUITING AND ADVERTISING	683,569	684,963
	Enterprise Technology Integration, Governance, and Engineering Requirements (ETIGER)		[1,394]
350	EXAMINING	169,442	169,442

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2022 Request	House Authorized
360	OFF-DUTY AND VOLUNTARY EDUCATION	214,923	231,078
	Tuition assistance		[16,155]
370	CIVILIAN EDUCATION AND TRAINING	220,589	220,589
380	JUNIOR RESERVE OFFICER TRAINING CORPS	187,569	187,569
	SUBTOTAL TRAINING AND RECRUITING	5,460,503	5,496,152
ADMIN & SRVWIDE ACTIVITIES			
400	SERVICEWIDE TRANSPORTATION	684,562	672,562
	Unjustified growth		[-12,000]
410	CENTRAL SUPPLY ACTIVITIES	808,895	808,895
420	LOGISTIC SUPPORT ACTIVITIES	767,053	796,153
	Preserve Logistics Data Analysis Capability While Transitioning to an Organic Civilian Workforce		[29,100]
430	AMMUNITION MANAGEMENT	469,038	469,038
440	ADMINISTRATION	488,535	468,535
	Unjustified growth		[-20,000]
450	SERVICEWIDE COMMUNICATIONS	1,952,742	2,013,762
	CHRA IT Cloud		[5,300]
	ERP Convergence		[49,420]
	Mission Partner Environment		[6,300]
460	MANPOWER MANAGEMENT	323,273	328,643
	Integrated Personnel Electronic Records Management Sys- tems		[5,370]
470	OTHER PERSONNEL SUPPORT	663,602	694,992
	Enterprise Technology Integration, Governance, and Engi- neering Requirements (ETIGER)		[1,390]
	Personnel Security Investigations		[30,000]
480	OTHER SERVICE SUPPORT	2,004,981	2,031,364
	DFAS bill to the Army		[49,983]
	Unjustified growth		[-23,600]
490	ARMY CLAIMS ACTIVITIES	180,178	180,178
500	REAL ESTATE MANAGEMENT	269,009	269,009
510	FINANCIAL MANAGEMENT AND AUDIT READINESS	437,940	437,940
520	INTERNATIONAL MILITARY HEADQUARTERS	482,571	482,571
530	MISC. SUPPORT OF OTHER NATIONS	29,670	29,670
575	CLASSIFIED PROGRAMS	2,008,633	2,041,233
	SOUTHCOM UPL		[32,600]
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES ...	11,570,682	11,724,545
TOTAL OPERATION & MAINTENANCE,			
ARMY			
		54,616,397	52,542,148
OPERATION & MAINTENANCE, ARMY RES			
OPERATING FORCES			
010	MODULAR SUPPORT BRIGADES	10,465	10,465
020	ECHELONS ABOVE BRIGADE	554,992	554,992
030	THEATER LEVEL ASSETS	120,892	120,892
040	LAND FORCES OPERATIONS SUPPORT	597,718	597,718
050	AVIATION ASSETS	111,095	111,095
060	FORCE READINESS OPERATIONS SUPPORT	385,506	385,506
070	LAND FORCES SYSTEMS READINESS	98,021	98,021
080	LAND FORCES DEPOT MAINTENANCE	34,368	34,368
090	BASE OPERATIONS SUPPORT	584,513	584,513
100	FACILITIES SUSTAINMENT, RESTORATION & MOD- ERNIZATION	342,433	342,433
110	MANAGEMENT AND OPERATIONAL HEADQUARTERS ...	22,472	22,472
120	CYBERSPACE ACTIVITIES—CYBERSPACE OPERATIONS	2,764	2,764
130	CYBERSPACE ACTIVITIES—CYBERSECURITY	7,476	7,476
	SUBTOTAL OPERATING FORCES	2,872,715	2,872,715
ADMIN & SRVWD ACTIVITIES			
140	SERVICEWIDE TRANSPORTATION	15,400	15,400
150	ADMINISTRATION	19,611	19,611
160	SERVICEWIDE COMMUNICATIONS	37,458	37,458
170	MANPOWER MANAGEMENT	7,162	7,162
180	RECRUITING AND ADVERTISING	48,289	48,289
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	127,920	127,920
TOTAL OPERATION & MAINTENANCE,			
ARMY RES			
		3,000,635	3,000,635

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SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2022 Request	House Authorized
OPERATION & MAINTENANCE, ARNG			
OPERATING FORCES			
010	MANEUVER UNITS	799,854	799,854
020	MODULAR SUPPORT BRIGADES	211,561	211,561
030	ECHELONS ABOVE BRIGADE	835,709	835,709
040	THEATER LEVEL ASSETS	101,179	101,179
050	LAND FORCES OPERATIONS SUPPORT	34,436	34,436
060	AVIATION ASSETS	1,110,416	1,110,416
070	FORCE READINESS OPERATIONS SUPPORT	704,827	734,927
	ARNG Weapons of Mass Destruction / Civil Support Teams (WMD-CST) Equipment Sustainment		[5,100]
	Program increase		[25,000]
080	LAND FORCES SYSTEMS READINESS	47,886	47,886
090	LAND FORCES DEPOT MAINTENANCE	244,439	244,439
100	BASE OPERATIONS SUPPORT	1,097,960	1,097,960
110	FACILITIES SUSTAINMENT, RESTORATION & MOD- ERNIZATION	956,988	956,988
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS ...	1,047,870	1,047,870
130	CYBERSPACE ACTIVITIES—CYBERSPACE OPERATIONS Joint Information Exchange Environment	8,071	14,371 [6,300]
140	CYBERSPACE ACTIVITIES—CYBERSECURITY	7,828	7,828
	SUBTOTAL OPERATING FORCES	7,209,024	7,245,424
ADMIN & SRVWD ACTIVITIES			
150	SERVICEWIDE TRANSPORTATION	8,017	8,017
160	ADMINISTRATION	76,993	83,293
	ARNG Joint Information Exchange Environment		[6,300]
170	SERVICEWIDE COMMUNICATIONS	101,113	101,113
180	MANPOWER MANAGEMENT	8,920	8,920
190	OTHER PERSONNEL SUPPORT	240,292	240,292
200	REAL ESTATE MANAGEMENT	2,850	2,850
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	438,185	444,485
	TOTAL OPERATION & MAINTENANCE, ARNG	7,647,209	7,689,909
AFGHANISTAN SECURITY FORCES FUND			
AFGHAN NATIONAL ARMY			
010	SUSTAINMENT	1,053,668	0
	OFS Drawdown		[-1,053,668]
020	INFRASTRUCTURE	1,818	0
	OFS Drawdown		[-1,818]
030	EQUIPMENT AND TRANSPORTATION	22,911	0
	OFS Drawdown		[-22,911]
040	TRAINING AND OPERATIONS	31,837	0
	OFS Drawdown		[-31,837]
	SUBTOTAL AFGHAN NATIONAL ARMY	1,110,234	0
AFGHAN NATIONAL POLICE			
050	SUSTAINMENT	440,628	0
	OFS Drawdown		[-440,628]
070	EQUIPMENT AND TRANSPORTATION	38,551	0
	OFS Drawdown		[-38,551]
080	TRAINING AND OPERATIONS	38,152	0
	OFS Drawdown		[-38,152]
	SUBTOTAL AFGHAN NATIONAL POLICE	517,331	0
AFGHAN AIR FORCE			
090	SUSTAINMENT	562,056	0
	OFS Drawdown		[-562,056]
110	EQUIPMENT AND TRANSPORTATION	26,600	0
	OFS Drawdown		[-26,600]
120	TRAINING AND OPERATIONS	169,684	0
	OFS Drawdown		[-169,684]
	SUBTOTAL AFGHAN AIR FORCE	758,340	0
AFGHAN SPECIAL SECURITY FORCES			
130	SUSTAINMENT	685,176	0
	OFS Drawdown		[-685,176]

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2022 Request	House Authorized
150	EQUIPMENT AND TRANSPORTATION	78,962	0
	OFS Drawdown		[-78,962]
160	TRAINING AND OPERATIONS	177,767	0
	OFS Drawdown		[-177,767]
	SUBTOTAL AFGHAN SPECIAL SECURITY FORCES	941,905	0
	UNDISTRIBUTED		
170	UNDISTRIBUTED		325,000
	Contract close-out and other close-out operations		[350,000]
	Program decrease		[-25,000]
	SUBTOTAL UNDISTRIBUTED		325,000
	TOTAL AFGHANISTAN SECURITY FORCES FUND	3,327,810	325,000
	COUNTER ISIS TRAIN AND EQUIP FUND (CTEF)		
	COUNTER ISIS TRAIN AND EQUIP FUND (CTEF)		
010	IRAQ	345,000	345,000
020	SYRIA	177,000	177,000
	SUBTOTAL COUNTER ISIS TRAIN AND EQUIP FUND (CTEF)	522,000	522,000
	TOTAL COUNTER ISIS TRAIN AND EQUIP FUND (CTEF)	522,000	522,000
	OPERATION & MAINTENANCE, NAVY OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	6,264,654	6,545,054
	Flying Hour Program (1A1A—Fleet Operations)		[280,400]
020	FLEET AIR TRAINING	2,465,007	2,465,007
030	AVIATION TECHNICAL DATA & ENGINEERING SERVICES	55,140	55,140
040	AIR OPERATIONS AND SAFETY SUPPORT	197,904	197,904
050	AIR SYSTEMS SUPPORT	1,005,932	1,005,932
060	AIRCRAFT DEPOT MAINTENANCE	1,675,356	1,897,556
	Aircraft Depot Maintenance Events (Multiple Type/Model/ Series)		[222,200]
070	AIRCRAFT DEPOT OPERATIONS SUPPORT	65,518	65,518
080	AVIATION LOGISTICS	1,460,546	1,440,546
	Historical underexecution		[-20,000]
090	MISSION AND OTHER SHIP OPERATIONS	5,858,028	5,929,028
	Resilient PNT		[29,000]
	Submarine Tender Overhaul		[42,000]
100	SHIP OPERATIONS SUPPORT & TRAINING	1,154,696	1,163,679
	Navy Tactical Grid Development for JADC2		[8,983]
110	SHIP DEPOT MAINTENANCE	10,300,078	10,476,778
	A-120 Availabilities		[39,800]
	restore CG-56, CG-57, and CG-61		[136,900]
120	SHIP DEPOT OPERATIONS SUPPORT	2,188,454	2,188,454
130	COMBAT COMMUNICATIONS AND ELECTRONIC WARFARE	1,551,846	1,551,846
140	SPACE SYSTEMS AND SURVEILLANCE	327,251	327,251
150	WARFARE TACTICS	798,082	798,082
160	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	447,486	447,486
170	COMBAT SUPPORT FORCES	2,250,756	2,297,856
	CENTCOM—Maintain Cyclone PCs and MK VI patrol boats		[47,100]
180	EQUIPMENT MAINTENANCE AND DEPOT OPERATIONS SUPPORT	192,968	192,968
190	COMBATANT COMMANDERS CORE OPERATIONS	61,614	61,614
200	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	198,596	504,436
	INDOPACOM—Critical Manpower Positions		[4,620]
	INDOPACOM—Enhanced ISR Augmentation		[41,000]
	INDOPACOM—Future fusion centers		[3,300]
	INDOPACOM—Movement Coordination Center		[500]
	INDOPACOM—Pacific Multi-Domain Training and Experimentation Capability (PMTEC)		[114,410]
	INDOPACOM—Wargaming analytical tools		[88,000]

SEC. 4301. OPERATION AND MAINTENANCE			
(In Thousands of Dollars)			
Line	Item	FY 2022 Request	House Authorized
	INDOPACOM Mission Partner Environment		[54,010]
210	MILITARY INFORMATION SUPPORT OPERATIONS	8,984	36,984
	INDOPACOM Military Information Support Operations (MISO)		[28,000]
220	CYBERSPACE ACTIVITIES	565,926	565,926
230	FLEET BALLISTIC MISSILE	1,476,247	1,471,247
	Historical underexecution		[-5,000]
240	WEAPONS MAINTENANCE	1,538,743	1,513,743
	Historical underexecution		[-25,000]
250	OTHER WEAPON SYSTEMS SUPPORT	592,357	587,357
	Historical underexecution		[-5,000]
260	ENTERPRISE INFORMATION	734,970	714,970
	Program decrease		[-20,000]
270	SUSTAINMENT, RESTORATION AND MODERNIZATION	2,961,937	3,411,937
	Program increase		[450,000]
280	BASE OPERATING SUPPORT	4,826,314	4,816,314
	Program decrease		[-10,000]
	SUBTOTAL OPERATING FORCES	51,225,390	52,730,613
	MOBILIZATION		
290	SHIP PREPOSITIONING AND SURGE	457,015	380,531
	Historical underexecution		[-76,484]
300	READY RESERVE FORCE	645,522	645,522
310	SHIP ACTIVATIONS/INACTIVATIONS	353,530	348,530
	Historical underexecution		[-5,000]
320	EXPEDITIONARY HEALTH SERVICES SYSTEMS	149,384	149,384
330	COAST GUARD SUPPORT	20,639	20,639
	SUBTOTAL MOBILIZATION	1,626,090	1,544,606
	TRAINING AND RECRUITING		
340	OFFICER ACQUISITION	172,913	172,913
350	RECRUIT TRAINING	13,813	13,813
360	RESERVE OFFICERS TRAINING CORPS	167,152	167,152
370	SPECIALIZED SKILL TRAINING	1,053,104	1,053,104
380	PROFESSIONAL DEVELOPMENT EDUCATION	311,209	315,509
	Sea Cadets		[4,300]
390	TRAINING SUPPORT	306,302	306,302
400	RECRUITING AND ADVERTISING	205,219	205,219
410	OFF-DUTY AND VOLUNTARY EDUCATION	79,053	79,053
420	CIVILIAN EDUCATION AND TRAINING	109,754	109,754
430	JUNIOR ROTC	57,323	57,323
	SUBTOTAL TRAINING AND RECRUITING	2,475,842	2,480,142
	ADMIN & SRVWD ACTIVITIES		
440	ADMINISTRATION	1,268,961	1,221,353
	Program decrease		[-75,000]
	Restoration of cuts to Naval Audit Service		[27,392]
450	CIVILIAN MANPOWER AND PERSONNEL MANAGE- MENT	212,952	212,952
460	MILITARY MANPOWER AND PERSONNEL MANAGE- MENT	562,546	562,546
470	MEDICAL ACTIVITIES	285,436	285,436
480	SERVICEWIDE TRANSPORTATION	217,782	217,782
500	PLANNING, ENGINEERING, AND PROGRAM SUPPORT ..	479,480	479,480
510	ACQUISITION, LOGISTICS, AND OVERSIGHT	741,045	741,045
520	INVESTIGATIVE AND SECURITY SERVICES	738,187	726,187
	Historical underexecution		[-5,000]
	Program decrease		[-7,000]
665	CLASSIFIED PROGRAMS	607,517	607,517
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	5,113,906	5,054,298
	TOTAL OPERATION & MAINTENANCE, NAVY	60,441,228	61,809,659
	OPERATION & MAINTENANCE, MARINE CORPS OPERATING FORCES		
010	OPERATIONAL FORCES	1,587,456	1,632,756
	Plate Carrier Generation III		[45,300]
020	FIELD LOGISTICS	1,532,630	1,532,630
030	DEPOT MAINTENANCE	215,949	215,949

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SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2022 Request	House Authorized
040	MARITIME PREPOSITIONING	107,969	107,969
050	CYBERSPACE ACTIVITIES	233,486	233,486
060	SUSTAINMENT, RESTORATION & MODERNIZATION	1,221,117	1,221,117
070	BASE OPERATING SUPPORT	2,563,278	2,563,278
	SUBTOTAL OPERATING FORCES	7,461,885	7,507,185
	TRAINING AND RECRUITING		
080	RECRUIT TRAINING	24,729	24,729
090	OFFICER ACQUISITION	1,208	1,208
100	SPECIALIZED SKILL TRAINING	110,752	110,752
110	PROFESSIONAL DEVELOPMENT EDUCATION	61,539	61,539
120	TRAINING SUPPORT	490,975	490,975
130	RECRUITING AND ADVERTISING	223,643	223,643
140	OFF-DUTY AND VOLUNTARY EDUCATION	49,369	49,369
150	JUNIOR ROTC	26,065	26,065
	SUBTOTAL TRAINING AND RECRUITING	988,280	988,280
	ADMIN & SRVWD ACTIVITIES		
160	SERVICEWIDE TRANSPORTATION	100,475	100,475
170	ADMINISTRATION	410,729	410,729
215	CLASSIFIED PROGRAMS	63,422	63,422
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	574,626	574,626
	TOTAL OPERATION & MAINTENANCE, MA- RINE CORPS	9,024,791	9,070,091
	OPERATION & MAINTENANCE, NAVY RES OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	628,522	628,522
020	INTERMEDIATE MAINTENANCE	9,593	9,593
030	AIRCRAFT DEPOT MAINTENANCE	135,280	135,280
040	AIRCRAFT DEPOT OPERATIONS SUPPORT	497	497
050	AVIATION LOGISTICS	29,435	29,435
070	COMBAT COMMUNICATIONS	18,469	18,469
080	COMBAT SUPPORT FORCES	136,710	136,710
090	CYBERSPACE ACTIVITIES	440	440
100	ENTERPRISE INFORMATION	26,628	26,628
110	SUSTAINMENT, RESTORATION AND MODERNIZATION	42,311	42,311
120	BASE OPERATING SUPPORT	103,606	103,606
	SUBTOTAL OPERATING FORCES	1,131,491	1,131,491
	ADMIN & SRVWD ACTIVITIES		
130	ADMINISTRATION	1,943	1,943
140	MILITARY MANPOWER AND PERSONNEL MANAGE- MENT	12,191	12,191
150	ACQUISITION AND PROGRAM MANAGEMENT	3,073	3,073
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	17,207	17,207
	TOTAL OPERATION & MAINTENANCE, NAVY RES	1,148,698	1,148,698
	OPERATION & MAINTENANCE, MC RESERVE OPERATING FORCES		
010	OPERATING FORCES	102,271	148,171
	Reserve Component Individual Combat Equipment		[45,900]
020	DEPOT MAINTENANCE	16,811	16,811
030	SUSTAINMENT, RESTORATION AND MODERNIZATION	42,702	42,702
040	BASE OPERATING SUPPORT	109,210	109,210
	SUBTOTAL OPERATING FORCES	270,994	316,894
	ADMIN & SRVWD ACTIVITIES		
050	ADMINISTRATION	14,056	14,056
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	14,056	14,056
	TOTAL OPERATION & MAINTENANCE, MC RESERVE	285,050	330,950
	OPERATION & MAINTENANCE, AIR FORCE OPERATING FORCES		
010	PRIMARY COMBAT FORCES	706,860	564,412

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2022 Request	House Authorized
	Historical underexecution		[-75,000]
	OFS Drawdown		[-67,448]
020	COMBAT ENHANCEMENT FORCES	2,382,448	2,121,529
	CENTCOM—MQ-9 Combat Lines		[53,000]
	OFS Drawdown		[-313,919]
030	AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS)	1,555,320	1,356,542
	Contract Adversary Air		[5,000]
	Historical underexecution		[-200,000]
	OFS Drawdown		[-3,778]
040	DEPOT PURCHASE EQUIPMENT MAINTENANCE	3,661,762	3,641,762
	Historical underexecution		[-10,000]
	Program decrease		[-10,000]
050	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	3,867,114	4,317,114
	Program increase		[450,000]
060	CYBERSPACE SUSTAINMENT	179,568	179,568
070	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT	8,457,653	8,635,153
	F-35 WSS Air Force UPL		[185,000]
	Program decrease		[-7,500]
080	FLYING HOUR PROGRAM	5,646,730	5,094,372
	Cyber Training		[23,300]
	CYBERCOM—Acquisition Personnel		[4,800]
	CYBERCOM—HUMINT		[500]
	OFS Drawdown		[-560,958]
	Program decrease		[-20,000]
090	BASE SUPPORT	9,846,037	9,869,037
	Program decrease		[-15,000]
	Sustainment and maintenance of quality of life infrastructure		[20,000]
	U.S. Air Force Academy IT Modernization		[18,000]
100	GLOBAL C3I AND EARLY WARNING	979,705	987,390
	EUCOM—MPE Air Component Battle Network		[9,200]
	OFS Drawdown		[-1,515]
110	OTHER COMBAT OPS SPT PROGRAMS	1,418,515	1,406,592
	OFS Drawdown		[-11,923]
120	CYBERSPACE ACTIVITIES	864,761	864,761
150	SPACE CONTROL SYSTEMS	13,223	13,223
160	US NORTHCOM/NORAD	196,774	196,774
170	US STRATCOM	475,015	475,015
180	US CYBERCOM	389,663	389,663
190	US CENTCOM	372,354	396,354
	CENTCOM Military Information Support Operations (MISO)		[24,000]
200	US SOCOM	28,733	28,733
220	CENTCOM CYBERSPACE SUSTAINMENT	1,289	1,289
230	USSPACECOM	272,601	339,601
	Bridging Space Protection Gaps—Commercial SSA		[10,000]
	Program increase		[57,000]
235	CLASSIFIED PROGRAMS	1,454,383	1,454,383
	SUBTOTAL OPERATING FORCES	42,770,508	42,333,267
MOBILIZATION			
240	AIRLIFT OPERATIONS	2,422,784	2,422,784
250	MOBILIZATION PREPAREDNESS	667,851	667,851
	SUBTOTAL MOBILIZATION	3,090,635	3,090,635
TRAINING AND RECRUITING			
260	OFFICER ACQUISITION	156,193	156,193
270	RECRUIT TRAINING	26,072	26,072
280	RESERVE OFFICERS TRAINING CORPS (ROTC)	127,693	127,693
290	SPECIALIZED SKILL TRAINING	491,286	482,056
	OFS Drawdown		[-9,230]
300	FLIGHT TRAINING	718,742	718,742
310	PROFESSIONAL DEVELOPMENT EDUCATION	302,092	302,092
320	TRAINING SUPPORT	162,165	162,165
330	RECRUITING AND ADVERTISING	171,339	171,339
340	EXAMINING	8,178	8,178
350	OFF-DUTY AND VOLUNTARY EDUCATION	236,760	236,760
360	CIVILIAN EDUCATION AND TRAINING	306,602	306,602

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SEC. 4301. OPERATION AND MAINTENANCE			
(In Thousands of Dollars)			
Line	Item	FY 2022 Request	House Authorized
370	JUNIOR ROTC	65,940	65,940
	SUBTOTAL TRAINING AND RECRUITING	2,773,062	2,763,832
	ADMIN & SRVWD ACTIVITIES		
380	LOGISTICS OPERATIONS	1,062,709	1,062,709
390	TECHNICAL SUPPORT ACTIVITIES	169,957	169,957
400	ADMINISTRATION	1,005,827	987,327
	Program decrease		[-18,500]
410	SERVICEWIDE COMMUNICATIONS	31,054	31,054
420	OTHER SERVICEWIDE ACTIVITIES	1,470,757	1,459,757
	Program decrease		[-11,000]
430	CIVIL AIR PATROL	29,128	47,300
	Civil Air Patrol		[18,172]
450	INTERNATIONAL SUPPORT	81,118	81,118
455	CLASSIFIED PROGRAMS	1,391,720	1,391,720
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	5,242,270	5,230,942
	TOTAL OPERATION & MAINTENANCE, AIR FORCE	53,876,475	53,418,676
	OPERATION & MAINTENANCE, SPACE FORCE OPERATING FORCES		
010	GLOBAL C3I & EARLY WARNING	495,615	495,615
020	SPACE LAUNCH OPERATIONS	185,700	185,700
030	SPACE OPERATIONS	611,269	611,269
040	EDUCATION & TRAINING	22,887	22,887
060	DEPOT MAINTENANCE	280,165	332,565
	Space Force Weapons System Sustainment		[52,400]
070	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	213,347	279,647
	Cheyenne Mountain Improvements UPL		[66,300]
080	CONTRACTOR LOGISTICS AND SYSTEM SUPPORT	1,158,707	1,350,707
	Space Force Weapons System Sustainment		[192,000]
090	SPACE OPERATIONS -BOS	143,520	143,520
095	CLASSIFIED PROGRAMS	172,755	172,755
	SUBTOTAL OPERATING FORCES	3,283,965	3,594,665
	ADMINISTRATION AND SERVICE WIDE ACTIVITIES		
100	ADMINISTRATION	156,747	156,747
	SUBTOTAL ADMINISTRATION AND SERVICE WIDE ACTIVITIES	156,747	156,747
	TOTAL OPERATION & MAINTENANCE, SPACE FORCE	3,440,712	3,751,412
	OPERATION & MAINTENANCE, AF RESERVE OPERATING FORCES		
010	PRIMARY COMBAT FORCES	1,665,015	1,544,978
	Historical underexecution		[-100,000]
	Program decrease		[-20,037]
020	MISSION SUPPORT OPERATIONS	179,486	169,486
	Historical underexecution		[-10,000]
030	DEPOT PURCHASE EQUIPMENT MAINTENANCE	530,540	510,540
	Program decrease		[-20,000]
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	114,987	114,987
050	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT	254,831	244,831
	Program decrease		[-10,000]
060	BASE SUPPORT	470,801	470,801
070	CYBERSPACE ACTIVITIES	1,372	1,372
	SUBTOTAL OPERATING FORCES	3,217,032	3,056,995
	ADMINISTRATION AND SERVICEWIDE ACTIVITIES		
080	ADMINISTRATION	91,289	91,289
090	RECRUITING AND ADVERTISING	23,181	23,181
100	MILITARY MANPOWER AND PERS MGMT (ARPC)	13,966	13,966
110	OTHER PERS SUPPORT (DISABILITY COMP)	6,196	6,196

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2022 Request	House Authorized
120	AUDIOVISUAL	442	442
	SUBTOTAL ADMINISTRATION AND SERVICEWIDE ACTIVITIES	135,074	135,074
	TOTAL OPERATION & MAINTENANCE, AF RESERVE	3,352,106	3,192,069
	OPERATION & MAINTENANCE, ANG OPERATING FORCES		
010	AIRCRAFT OPERATIONS	2,281,432	2,281,432
020	MISSION SUPPORT OPERATIONS	582,848	588,748
	ANG HRF/CERFP Sustainment w/in WMD		[5,900]
030	DEPOT PURCHASE EQUIPMENT MAINTENANCE	1,241,318	1,221,318
	Program decrease		[-20,000]
040	FACILITIES SUSTAINMENT, RESTORATION & MOD- ERNIZATION	353,193	353,193
050	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUP- PORT	1,077,654	1,067,654
	Program decrease		[-10,000]
060	BASE SUPPORT	908,198	908,198
070	CYBERSPACE SUSTAINMENT	23,895	23,895
080	CYBERSPACE ACTIVITIES	17,263	17,263
	SUBTOTAL OPERATING FORCES	6,485,801	6,461,701
	ADMINISTRATION AND SERVICE-WIDE ACTIVI- TIES		
090	ADMINISTRATION	46,455	46,455
100	RECRUITING AND ADVERTISING	41,764	41,764
	SUBTOTAL ADMINISTRATION AND SERVICE- WIDE ACTIVITIES	88,219	88,219
	TOTAL OPERATION & MAINTENANCE, ANG	6,574,020	6,549,920
	OPERATION AND MAINTENANCE, DEFENSE- WIDE OPERATING FORCES		
010	JOINT CHIEFS OF STAFF	407,240	407,240
020	JOINT CHIEFS OF STAFF—CE2T2	554,634	589,734
	INDOPACOM—Joint Exercise Program		[35,100]
030	JOINT CHIEFS OF STAFF—CYBER	8,098	8,098
050	SPECIAL OPERATIONS COMMAND COMBAT DEVELOP- MENT ACTIVITIES	2,044,479	2,047,789
	SOCOM—Armored Ground Mobility Systems (AGMS) Ac- celeration		[3,310]
060	SPECIAL OPERATIONS COMMAND CYBERSPACE AC- TIVITIES	45,851	45,851
070	SPECIAL OPERATIONS COMMAND INTELLIGENCE	1,614,757	1,614,757
080	SPECIAL OPERATIONS COMMAND MAINTENANCE	1,081,869	1,090,210
	Advanced Engine Performance and Restoration Program (Nucleated Foam)		[2,000]
	SOCOM—Modernized Forward Look Sonar		[900]
	SOCOM—Personal Signature Management Acceleration		[5,441]
090	SPECIAL OPERATIONS COMMAND MANAGEMENT/ OPERATIONAL HEADQUARTERS	180,042	170,042
	Program decrease		[-10,000]
100	SPECIAL OPERATIONS COMMAND OPERATIONAL SUP- PORT	1,202,060	1,205,060
	JMWC		[3,000]
110	SPECIAL OPERATIONS COMMAND THEATER FORCES ..	3,175,789	3,185,789
	Program increase		[10,000]
	SUBTOTAL OPERATING FORCES	10,314,819	10,364,570
	TRAINING AND RECRUITING		
130	DEFENSE ACQUISITION UNIVERSITY	171,607	171,607
140	JOINT CHIEFS OF STAFF	92,905	92,905
150	PROFESSIONAL DEVELOPMENT EDUCATION	31,669	31,669
	SUBTOTAL TRAINING AND RECRUITING	296,181	296,181
	ADMIN & SRVWIDE ACTIVITIES		
170	CIVIL MILITARY PROGRAMS	137,311	228,311

SEC. 4301. OPERATION AND MAINTENANCE			
(In Thousands of Dollars)			
Line	Item	FY 2022 Request	House Authorized
	National Guard Youth Challenge		[50,000]
	STARBASE		[41,000]
190	DEFENSE CONTRACT AUDIT AGENCY	618,526	618,526
200	DEFENSE CONTRACT AUDIT AGENCY—CYBER	3,984	3,984
220	DEFENSE CONTRACT MANAGEMENT AGENCY	1,438,296	1,438,296
230	DEFENSE CONTRACT MANAGEMENT AGENCY—CYBER	11,999	11,999
240	DEFENSE COUNTERINTELLIGENCE AND SECURITY AGENCY	941,488	941,488
260	DEFENSE COUNTERINTELLIGENCE AND SECURITY AGENCY—CYBER	9,859	9,859
270	DEFENSE HUMAN RESOURCES ACTIVITY	816,168	886,168
	Defense Suicide Prevention Office		[5,000]
	DHRA/DSPO—support FY 2021 congressional increases ...		[5,000]
	DHRA/SAPRO—FY 2021 baseline restoral		[60,000]
280	DEFENSE HUMAN RESOURCES ACTIVITY—CYBER	17,655	17,655
290	DEFENSE INFORMATION SYSTEMS AGENCY	1,913,734	1,935,469
	Cloud Migration and Technology (Milecloud 2.0)		[11,000]
	CYBERCOM—HUMINT		[2,700]
	Program decrease		[-2,000]
	Program increase—cloud migration and technology		[10,000]
	Secure Congressional communications		[35]
310	DEFENSE INFORMATION SYSTEMS AGENCY—CYBER ..	530,278	580,278
	Hardening DODIN		[50,000]
350	DEFENSE LEGAL SERVICES AGENCY	229,498	229,498
360	DEFENSE LOGISTICS AGENCY	402,864	407,664
	Procurement Technical Assistance Program		[4,800]
370	DEFENSE MEDIA ACTIVITY	222,655	224,655
	Public Web Program		[2,000]
380	DEFENSE PERSONNEL ACCOUNTING AGENCY	130,174	155,174
	DPAA (POW/MIA)—support FY 2021 congressional in-		creases
			[25,000]
390	DEFENSE SECURITY COOPERATION AGENCY	2,067,446	2,033,046
	Baltic Security Initiative		[175,000]
	Offset for Baltic Security Initiative		[-175,000]
	Program increase		[215,600]
	Transfer to Ukraine Security Assistance		[-250,000]
420	DEFENSE TECHNOLOGY SECURITY ADMINISTRATION	39,305	39,305
440	DEFENSE THREAT REDUCTION AGENCY	885,749	885,749
460	DEFENSE THREAT REDUCTION AGENCY—CYBER	36,736	36,736
470	DEPARTMENT OF DEFENSE EDUCATION ACTIVITY	3,138,345	3,208,345
	Impact Aid		[50,000]
	Impact Aid—Students with Disabilities		[20,000]
490	MISSILE DEFENSE AGENCY	502,450	502,450
530	OFFICE OF THE LOCAL DEFENSE COMMUNITY CO-		OPERATION—OSD
	Defense Community Infrastructure Program	89,686	107,686
	Oversight Personnel		[15,000]
			[3,000]
540	OFFICE OF THE SECRETARY OF DEFENSE	1,766,614	1,802,414
	Assistant Secretary of Defense for Energy, Installation and		Environment oversight personnel
			[10,000]
	Basic Needs Allowance		[50,000]
	CAPE Civilian Technical Staff Increase		[3,000]
	CAPE cost data and software initiative increase		[3,500]
	Commission on Afghanistan		[5,000]
	Defense Resource Budgeting & Allocation Commission		[4,000]
	DIU Civilian Technical Staff Increase		[3,000]
	DOT&E Civilian Technical Staff Increase		[3,000]
	Military working dog pilot program		[10,000]
	Program decrease		[-55,700]
550	OFFICE OF THE SECRETARY OF DEFENSE—CYBER	32,851	32,851
560	SPACE DEVELOPMENT AGENCY	53,851	53,851
570	WASHINGTON HEADQUARTERS SERVICES	369,698	340,698
	Program decrease		[-29,000]
575	CLASSIFIED PROGRAMS	17,900,146	17,900,146
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES ...	34,307,366	34,632,301
	UNDISTRIBUTED		
580	UNDISTRIBUTED		1,322,055
	Afghanistan withdrawal contingency costs		[250,000]
	Depot Capital Investment		[900,000]

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SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2022 Request	House Authorized
	FSRM increase for Defense-wide activities		[172,055]
	SUBTOTAL UNDISTRIBUTED		1,322,055
	TOTAL OPERATION AND MAINTENANCE, DEFENSE-WIDE	44,918,366	46,615,107
	UKRAINE SECURITY ASSISTANCE		
010	UKRAINE SECURITY ASSISTANCE INITIATIVE		300,000
	Program increase		[50,000]
	Transfer from Defense Security Cooperation Agency		[250,000]
	SUBTOTAL UKRAINE SECURITY ASSIST- ANCE		300,000
	TOTAL UKRAINE SECURITY ASSISTANCE ...		300,000
	US COURT OF APPEALS FOR ARMED FORCES, DEF ADMINISTRATION AND ASSOCIATED ACTIVI- TIES		
010	US COURT OF APPEALS FOR THE ARMED FORCES, DEFENSE	15,589	15,589
	SUBTOTAL ADMINISTRATION AND ASSOCI- ATED ACTIVITIES	15,589	15,589
	TOTAL US COURT OF APPEALS FOR ARMED FORCES, DEF	15,589	15,589
	DOD ACQUISITION WORKFORCE DEVELOP- MENT FUND		
	ACQUISITION WORKFORCE DEVELOPMENT		
010	ACQ WORKFORCE DEV FD	54,679	54,679
	SUBTOTAL ACQUISITION WORKFORCE DE- VELOPMENT	54,679	54,679
	TOTAL DOD ACQUISITION WORKFORCE DEVELOPMENT FUND	54,679	54,679
	OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID		
	HUMANITARIAN ASSISTANCE		
010	OVERSEAS HUMANITARIAN, DISASTER AND CIVIC AID	110,051	650,051
	Afghan SIV costs		[500,000]
	Program Increase		[40,000]
	SUBTOTAL HUMANITARIAN ASSISTANCE	110,051	650,051
	TOTAL OVERSEAS HUMANITARIAN, DIS- ASTER, AND CIVIC AID	110,051	650,051
	COOPERATIVE THREAT REDUCTION ACCOUNT		
010	COOPERATIVE THREAT REDUCTION	239,849	344,849
	Program increase		[105,000]
	SUBTOTAL COOPERATIVE THREAT REDUC- TION	239,849	344,849
	TOTAL COOPERATIVE THREAT REDUC- TION ACCOUNT	239,849	344,849
	ENVIRONMENTAL RESTORATION		
	DEPARTMENT OF THE ARMY		
050	ENVIRONMENTAL RESTORATION, ARMY	200,806	300,806
	Program increase for PFAS		[100,000]
	SUBTOTAL DEPARTMENT OF THE ARMY	200,806	300,806
	DEPARTMENT OF THE NAVY		
060	ENVIRONMENTAL RESTORATION, NAVY	298,250	472,250
	Program increase for PFAS		[174,000]
	SUBTOTAL DEPARTMENT OF THE NAVY	298,250	472,250
	DEPARTMENT OF THE AIR FORCE		
070	ENVIRONMENTAL RESTORATION, AIR FORCE	301,768	476,768

1300

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2022 Request	House Authorized
	Program increase for PFAS		[175,000]
	SUBTOTAL DEPARTMENT OF THE AIR FORCE	301,768	476,768
	DEFENSE-WIDE		
080	ENVIRONMENTAL RESTORATION, DEFENSE	8,783	58,783
	Military Munitions Response Program		[50,000]
	SUBTOTAL DEFENSE-WIDE	8,783	58,783
	DEFENSE-WIDE		
090	ENVIRONMENTAL RESTORATION FORMERLY USED SITES	218,580	392,580
	Program increase		[74,000]
	Program increase for PFAS		[100,000]
	SUBTOTAL DEFENSE-WIDE	218,580	392,580
	TOTAL ENVIRONMENTAL RESTORATION	1,028,187	1,701,187
	TOTAL OPERATION & MAINTENANCE	253,623,852	253,032,629

1 **TITLE XLIV—MILITARY**
2 **PERSONNEL**

3 **SEC. 4401. MILITARY PERSONNEL.**

SEC. 4401. MILITARY PERSONNEL (In Thousands of Dollars)			
	Item	FY 2022 Request	House Authorized
	MERHCF	9,337,175	9,337,175
	MILPERS	157,947,920	157,521,920
	ARNG Chemical Biological Radiological Nuclear (CBRN) Response Forces Readiness		9,200
	Historical underexecution		[-500,000]
	Military Personnel, Navy—Manpower costs for CG-56, CG-57, and CG-61		64,800

4 **TITLE XLV—OTHER**
5 **AUTHORIZATIONS**

6 **SEC. 4501. OTHER AUTHORIZATIONS.**

SEC. 4501. OTHER AUTHORIZATIONS (In Thousands of Dollars)			
	Item	FY 2022 Request	House Authorized
	WORKING CAPITAL FUND, ARMY		
	ARMY ARSENALS INITIATIVE	26,935	26,935
	ARMY SUPPLY MANAGEMENT	357,776	357,776
	TOTAL WORKING CAPITAL FUND, ARMY	384,711	384,711
	WORKING CAPITAL FUND, NAVY		
	SUPPLY MANAGEMENT—NAVY	150,000	150,000
	TOTAL WORKING CAPITAL FUND, NAVY	150,000	150,000
	WORKING CAPITAL FUND, AIR FORCE		

SEC. 4501. OTHER AUTHORIZATIONS (In Thousands of Dollars)		
Item	FY 2022 Request	House Authorized
SUPPLY MANAGEMENT	77,453	77,453
TOTAL WORKING CAPITAL FUND, AIR FORCE	77,453	77,453
WORKING CAPITAL FUND, DEFENSE-WIDE		
ENERGY MANAGEMENT—DEFENSE	40,000	40,000
SUPPLY CHAIN MANAGEMENT—DEFENSE	87,765	87,765
TOTAL WORKING CAPITAL FUND, DEFENSE-WIDE	127,765	127,765
WORKING CAPITAL FUND, DECA		
COMMISSARY OPERATIONS	1,162,071	1,162,071
TOTAL WORKING CAPITAL FUND, DECA	1,162,071	1,162,071
CHEM AGENTS & MUNITIONS DESTRUCTION		
CHEM DEMILITARIZATION—O&M	93,121	93,121
CHEM DEMILITARIZATION—RDTE	1,001,231	1,001,231
TOTAL CHEM AGENTS & MUNITIONS DESTRUCTION	1,094,352	1,094,352
DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF		
COUNTER-NARCOTICS SUPPORT	593,250	593,250
DRUG DEMAND REDUCTION PROGRAM	126,024	126,024
NATIONAL GUARD COUNTER-DRUG PROGRAM	96,970	96,970
NATIONAL GUARD COUNTER-DRUG SCHOOLS	5,664	5,664
TOTAL DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF	821,908	821,908
OFFICE OF THE INSPECTOR GENERAL		
OFFICE OF THE INSPECTOR GENERAL	434,700	434,700
OFFICE OF THE INSPECTOR GENERAL—CYBER	1,218	1,218
OFFICE OF THE INSPECTOR GENERAL—RDTE	2,365	2,365
OFFICE OF THE INSPECTOR GENERAL—PROCUREMENT	80	80
TOTAL OFFICE OF THE INSPECTOR GENERAL	438,363	438,363
DEFENSE HEALTH PROGRAM		
IN-HOUSE CARE	9,720,004	9,757,004
DHA—reverse DWR cuts to Defense Health Program		[37,000]
PRIVATE SECTOR CARE	18,092,679	18,092,679
CONSOLIDATED HEALTH SUPPORT	1,541,122	2,316,047
Anomalous Health Incidents		[114,925]
DHA—Global Emerging Infectious Surveillance System		[50,000]
DHP COVID-related shortfalls		[600,000]
Global Emerging Infectious Surveillance Program		[10,000]
INFORMATION MANAGEMENT	2,233,677	2,233,677
MANAGEMENT ACTIVITIES	335,138	335,138
EDUCATION AND TRAINING	333,234	708,734
DWR cut reversal to USUHS Basic Research Program		[15,500]
USUHS BLDG usage: ID and Vax Research, Pandemic Response and Collaboration and Supply Chain Independence		[360,000]
BASE OPERATIONS/COMMUNICATIONS	1,926,865	1,941,865
National Disaster Medical System Surge Partnerships		[15,000]
R&D RESEARCH	9,091	9,091
R&D EXPLORATORY DEVELOPMENT	75,463	75,463
R&D ADVANCED DEVELOPMENT	235,556	235,556
R&D DEMONSTRATION/VALIDATION	142,252	142,252
R&D ENGINEERING DEVELOPMENT	101,054	123,054

SEC. 4501. OTHER AUTHORIZATIONS (In Thousands of Dollars)		
Item	FY 2022 Request	House Authorized
Brainscope		[5,000]
Freeze-dried platelets		[10,000]
Program increase		[7,000]
R&D MANAGEMENT AND SUPPORT	49,645	49,645
R&D CAPABILITIES ENHANCEMENT	17,619	17,619
PROC INITIAL OUTFITTING	20,926	20,926
PROC REPLACEMENT & MODERNIZATION	250,366	250,366
PROC MILITARY HEALTH SYSTEM—DESKTOP TO DATACENTER	72,302	72,302
PROC DOD HEALTHCARE MANAGEMENT SYSTEM MODERNIZATION	435,414	435,414
TOTAL DEFENSE HEALTH PROGRAM	35,592,407	36,816,832
TOTAL OTHER AUTHORIZATIONS	39,849,030	41,073,455

1 **TITLE XLVI—MILITARY**
 2 **CONSTRUCTION**
 3 **SEC. 4601. MILITARY CONSTRUCTION.**

SEC. 4601. MILITARY CONSTRUCTION (In Thousands of Dollars)				
Account	State/Country and Installation	Project Title	FY 2022 Request	House Agreement
	Alabama			
Army	Anniston Army Depot	Welding Facility	0	25,000
Army	Fort Rucker	AIT Barracks Complex	0	66,000
Army	Redstone Arsenal	Propulsion Systems Lab	55,000	55,000
	Belgium			
Army	Shape Headquarters	Command and Control Facility	16,000	16,000
	California			
Army	Fort Irwin	Simulations Center	52,000	52,000
	Georgia			
Army	Fort Gordon	Cyber Instructional Fac (Admin/Cmd), Inc. 2	69,000	69,000
Army	Fort Stewart	Barracks	0	100,000
	Germany			
Army	East Camp	EDI: Barracks and Dining Facility	103,000	50,000
	Grafenwoehr			
Army	Smith Barracks	Indoor Small Arms Range	17,500	17,500
Army	Smith Barracks	Live Fire Exercise Shoothouse	16,000	16,000
	Hawaii			
Army	West Loch Nav Mag Annex	Ammunition Storage	51,000	51,000
	Kansas			
Army	Fort Leavenworth	Child Development Center	0	34,000
	Kentucky			
Army	Fort Knox	Child Development Center	0	27,000
	Louisiana			
Army	Fort Polk, Louisiana	Joint Operations Center	55,000	55,000
	Louisiana			
Army	Fort Polk	Barracks	0	56,000
	Maryland			
Army	Aberdeen Proving Ground	Moving Target Simulator (Combat Systems Simulation Laboratory)	0	29,000
Army	Fort Detrick	Medical Waste Incinerator	0	23,981
Army	Fort Detrick	Medical Incinerator	0	23,981
Army	Fort Detrick	USAMRMC Headquarters	0	94,000
Army	Fort Meade	Barracks	81,000	81,000
	Mississippi			
Army	Engineer Research and Development Center	Communications Center	0	17,000
Army	Engineer Research and Development Center	Rtd&e (Risk Lab)	0	32,000
	New Jersey			
Army	Picatinny Arsenal	Igloo Storage, Installation	0	1,800
	New Mexico			
Army	White Sands Missile Range	Missile Assembly Support Facility	0	14,200

SEC. 4601. MILITARY CONSTRUCTION (In Thousands of Dollars)				
Account	State/Country and Installation	Project Title	FY 2022 Request	House Agreement
Army	White Sands Missile Range	Missile Assembly Building	0	29,000
	New York			
Army	Fort Hamilton	Information Systems Facility	26,000	26,000
Army	Watervliet Arsenal	Access Control Point	20,000	20,000
	Pennsylvania			
Army	Letterkenny Army Depot	Fire Station	21,000	21,000
	South Carolina			
Army	Fort Jackson	Reception Barracks Complex, Ph2, Inc. 2	34,000	34,000
Army	Fort Jackson	Reception Barracks, Ph1	0	21,000
	Texas			
Army	Fort Hood	Barracks	0	61,000
Army	Fort Hood	Barracks	0	29,200
	Virginia			
Army	Joint Base Langley-Eustis	AIT Barracks Complex, Ph4	0	16,000
	Worldwide Classified			
Army	Classified Location	Forward Operating Site	31,000	31,000
	Worldwide Unspecified			
Army	Unspecified Worldwide Locations	Host Nation Support	27,000	27,000
Army	Unspecified Worldwide Locations	Minor Construction	35,543	35,543
Army	Unspecified Worldwide Locations	Planning and Design	124,649	134,649
Military Construction, Army Total			834,692	1,491,854
	Arizona			
Navy	Marine Corps Air Station Yuma	Bachelor Enlisted Quarters	0	99,600
	California			
Navy	Air Ground Combat Center Twentynine Palms	Wastewater Treatment Facility	0	45,000
Navy	Camp Pendleton	I MEF Consolidated Information Center Inc.	19,869	19,869
Navy	Naval Air Station Lemoore	F-35C Hangar 6 Phase 2 (Mod 3/4) Inc.	75,070	50,000
Navy	Naval Information Warfare Center Pacific	Reconfigurable Cyber Laboratory	0	49,970
Navy	Naval Weapons Station Seal Beach	Missile Magazines Inc.	10,840	10,840
Navy	Naval Base San Diego	Pier 6 Replacement Inc.	50,000	50,000
Navy	San Nicholas Island	Directed Energy Weapons Test Facilities	19,907	19,907
	District of Columbia			
Navy	Naval Research Laboratory	Electromagnetic & Cyber Countermeasures Laboratory.	0	95,271
Navy	Naval Research Laboratory	Biomolecular Science & Synthetic Biology Laboratory.	0	58,940
	Florida			
Navy	Naval Air Station Jacksonville	Planning and Design for Lighterage and Small Craft.	0	7,000
Navy	Naval Surface Warfare Center Panama City Division	Unmanned Vehicle Littoral Combat Space	0	30,960
Navy	Naval Surface Warfare Center Panama City Division	Mine Warfare RDT&E Facility	0	52,860
Navy	Naval Undersea Warfare Center Newport Division	AUTEC Pier Facility 1902	0	37,980
Navy	Naval Undersea Warfare Center Newport Division	Array Calibration Facility	0	6,530
	Greece			
Navy	Naval Support Activity Souda Bay	EDI: Joint Mobility Processing Center	41,650	0
	Guam			
Navy	Andersen Air Force Base	Aviation Admin Building	50,890	50,890
Navy	Joint Region Marianas	4th Marines Regiment Facilities	109,507	80,000
Navy	Joint Region Marianas	Bachelor Enlisted Quarters II Inc.	43,200	43,200
Navy	Joint Region Marianas	Combat Logistics Battalion-4 Facility	92,710	92,710
Navy	Joint Region Marianas	Consolidated Armory	43,470	43,470
Navy	Joint Region Marianas	Infantry Battalion Company HQ	44,100	44,100
Navy	Joint Region Marianas	Joint Communication Upgrade Inc.	84,000	84,000

SEC. 4601. MILITARY CONSTRUCTION (In Thousands of Dollars)				
Account	State/Country and Installation	Project Title	FY 2022 Request	House Agreement
Navy	Joint Region Marianas	Marine Expeditionary Brigade Enablers	66,830	66,830
Navy	Joint Region Marianas	Principal End Item (PEI) Warehouse	47,110	47,110
Navy	Joint Region Marianas	X-Ray Wharf Berth 2	103,800	51,900
	Hawaii			
Navy	Marine Corps Base Kaneohe	Bachelor Enlisted Quarters, Ph 2	0	101,200
	Idaho			
Navy	Naval Surface Warfare Center Carderock Division	ARD Rangepcraft Birthing Facility	0	6,140
	Indiana			
Navy	Naval Surface Warfare Center Crane Divi- sion	Strategic Systems Engineering & Hardware Assur- ance Center.	0	27,350
Navy	Naval Surface Warfare Center Crane Divi- sion	Corporate Operations and Training Center	0	22,910
Navy	Naval Surface Warfare Center Crane Divi- sion	Anti-Ship Missile Defense Life Cycle Integration and Test Center.	0	36,660
	Japan			
Navy	Fleet Activities Yokosuka	Pier 5 (Berths 2 and 3) Inc.	15,292	15,292
Navy	Fleet Activities Yokosuka	Ship Handling & Combat Training Facilities	49,900	49,900
	Maine			
Navy	Portsmouth Naval Shipyards	Multi-Mission Drydock #1 Extension Inc.	250,000	250,000
	Maryland			
Navy	Naval Air Station Pa- tuxent River	Planning and Design for Aircraft Prototyping Fa- cility, Ph 3.	0	1,500
Navy	Naval Air Warfare Center Aircraft Divi- sion	Aircraft Prototyping Facility, Ph 3	0	40,920
Navy	Naval Air Warfare Center Aircraft Divi- sion	Rotary Wing T&E Hangar Replacement	0	80,270
Navy	Naval Surface Warfare Center Carderock Division	Ship Systems Design & Integration Facility	0	22,090
Navy	Naval Surface Warfare Center Indian Head	Planning and Design for Contained Burn Facility	0	1,500
Navy	Naval Surface Warfare Center Indian Head	Energetic Systems and Technology Laboratory	0	25,210
Navy	Naval Surface Warfare Center Indian Head	Complex, Ph 2.	0	14,980
Navy	Naval Surface Warfare Center Indian Head	Contained Burn Facility	0	14,980
Navy	Naval Surface Warfare Center Indian Head	Energetic Chemical Scale-up	0	29,130
Navy	Naval Surface Warfare Center Indian Head	Energetics Prototyping Facility	0	36,230
Navy	Naval Surface Warfare Center Indian Head	Energetic Systems and Technology Laboratory	0	26,480
	Nevada			
Navy	Naval Air Station Fallon	Training Range Land Acquisition—Ph 2	48,250	48,250
	North Carolina			
Navy	Camp Lejeune, North Carolina	II MEF Operations Center Replacement Inc.	42,200	42,200
Navy	Cherry Point Marine Corps Air Station	Aircraft Maintenance Hangar	207,897	60,000
Navy	Cherry Point Marine Corps Air Station	F-35 Flightline Utilities Modernization Ph 2	113,520	30,000
	Pennsylvania			
Navy	Naval Surface Warfare Center Philadelphia Division	Machinery Control Development Center	0	77,290
Navy	Naval Surface Warfare Center Philadelphia Division	Machinery Integration Lab, Ph 1	0	34,010
Navy	Naval Surface Warfare Center Philadelphia Division	Power & Energy Tech Systems Integration Lab	0	48,740
	Poland			
Navy	Redzikowo	AEGIS Ashore Barracks Planning and Design	0	3,000
	Rhode Island			
Navy	Naval Undersea War- fare Center Newport Division	Next Generation Secure Submarine Platform Facil- ity.	0	40,760

SEC. 4601. MILITARY CONSTRUCTION (In Thousands of Dollars)				
Account	State/Country and Installation	Project Title	FY 2022 Request	House Agreement
Navy	Naval Undersea Warfare Center Newport Division	Next Generation Torpedo Integration Lab	0	12,870
Navy	Naval Undersea Warfare Center Newport Division	Submarine Payloads Integration Facility	0	14,430
Navy	Naval Undersea Warfare Center Newport Division	Consolidation RDT&E Systems Facility	0	17,290
Navy	Texas Naval Air Station Kingsville	Planning and Design for Fire Rescue Safety Center.	0	2,500
Navy	Virginia Naval Station Norfolk	Submarine Pier 3 Inc.	88,923	88,923
Navy	Naval Surface Warfare Center Carderock Division	Navy Combatant Craft Laboratory	0	17,210
Navy	Naval Surface Warfare Center Dahlgren Division	Cyber Threat & Weapon Systems Engineering Complex.	0	60,560
Navy	Naval Surface Warfare Center Dahlgren Division	High Powered Electric Weapons Laboratory	0	38,110
Navy	Norfolk Naval Shipyard	Dry Dock Saltwater System for CVN-78	156,380	30,000
Navy	Marine Corps Base Quantico	Vehicle Inspection and Visitor Control Center	42,850	42,850
Navy	Marine Corps Base Quantico	Wargaming Center Inc.	30,500	30,500
Navy	Worldwide Unspecified Locations	Planning and Design	363,252	363,252
Navy	Worldwide Unspecified Locations	Shipyards Investment Optimization Program	0	225,000
Navy	Worldwide Unspecified Locations	Shipyards Investment Optimization Program—Planning and Design.	0	62,820
Navy	Worldwide Unspecified Locations	Unspecified Minor Construction	56,435	56,435
Military Construction, Navy Total			2,368,352	3,473,699
AF	Alaska Joint Base Elmendorf-Richardson	Extend Runway 16/34, Inc. 1	79,000	79,000
AF	Arizona Davis-Monthan Air Force Base	South Wilmot Gate	13,400	13,400
AF	Luke Air Force Base	F-35A ADAL AMU Facility Squadron #6	28,000	28,000
AF	Luke Air Force Base	F-35A Squadron Operations Facility #6	21,000	21,000
AF	Australia Royal Australian Air Force Base Darwin	Squadron Operations Facility	7,400	7,400
AF	Royal Australian Air Force Base Tindal	Aircraft Maintenance Support Facility	6,200	6,200
AF	Royal Australian Air Force Base Tindal	Squadron Operations Facility	8,200	8,200
AF	California Edwards Air Force Base	Flight Test Engineering Lab Complex	4,000	4,000
AF	Edwards Air Force Base	Upgrade Munitions Complex	0	28,000
AF	Edwards Air Force Base	Rocket Engineering, Analysis, and Collaboration HUB (REACH).	0	75,000
AF	Vandenberg Air Force Base	GBSD Re-Entry Vehicle Facility	48,000	48,000
AF	Vandenberg Air Force Base	GBSD Stage Processing Facility	19,000	19,000
AF	Colorado Schriever Air Force Base	ADAL Fitness Center	0	30,000
AF	United States Air Force Academy	Add High Bay Vehicle Maintenance	0	4,360
AF	District of Columbia Joint Base Anacostia Bolling	Joint Air Defense Operations Center Ph 2	24,000	24,000
AF	Florida Eglin Air Force Base	Weapons Technology Integration Center	0	100,000
AF	Eglin Air Force Base	HC-Blackfyre Facilities	0	91,000
AF	Eglin Air Force Base	JADC2 & Abms Test Facility	0	21,000

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2022 Request	House Agreement
AF	Eglin Air Force Base	F-35A Development/Operational Test 2-Bay Hangar.	0	39,000
AF	Eglin Air Force Base	Integrated Control Facility	0	73,000
AF	Eglin Air Force Base	F-35A Development Test 2-Bay MX Hangar	0	35,000
	Germany			
AF	Spangdahlem Air Base	F/A-22 LO/Composite Repair Facility	22,625	22,625
	Guam			
AF	Joint Region Marianas	Airfield Damage Repair Warehouse	30,000	30,000
AF	Joint Region Marianas	Hayman Munitions Storage Igloos, MSA2	9,824	9,824
AF	Joint Region Marianas	Munitions Storage Igloos IV	55,000	55,000
	Hawaii			
AF	Maui Experimental Site #3	Secure Integration Support Lab W/ Land Acquisition.	0	88,000
	Hungary			
AF	Keeskemet Air Base	ERI: Construct Airfield Upgrades	20,564	20,564
AF	Keeskemet Air Base	ERI: Construct Parallel Taxiway	38,650	38,650
	Japan			
AF	Kadena Air Base	Airfield Damage Repair Storage Facility	38,000	38,000
AF	Kadena Air Base	Helicopter Rescue OPS Maintenance Hangar	168,000	83,800
AF	Kadena Air Base	Replace Munitions Structures	26,100	26,100
AF	Misawa Air Base	Airfield Damage Repair Facility	25,000	25,000
AF	Yokota Air Base	C-130J Corrosion Control Hangar	67,000	67,000
AF	Yokota Air Base	Construct CATM Facility	25,000	25,000
	Louisiana			
AF	Barksdale Air Force Base	Weapons Generation Facility, Inc. 1	40,000	40,000
AF	Barksdale Air Force Base	New Entrance Road and Gate Complex	0	36,000
	Maryland			
AF	Joint Base Andrews	Fire Crash Rescue Station	26,000	26,000
AF	Joint Base Andrews	Military Working Dog Kennel	0	7,800
	Massachusetts			
AF	Hanscom Air Force Base	NC3 Acquisitions Management Facility	66,000	66,000
	Nebraska			
AF	Offutt Air Force Base	Replace Trestle F312	0	5,000
	New Mexico			
AF	Holloman Air Force Base	RAMS Indoor Target Flip Facility	0	26,000
AF	Holloman Air Force Base	Holloman High Speed Test Track Recapitalization	0	100,000
AF	Holloman Air Force Base	ADAL Fabrication Shop	0	10,600
AF	Kirtland Air Force Base	High Power Electromagnetic (HPEM) Laboratory	0	58,000
AF	Kirtland Air Force Base	Laser Effects & Simulation Laboratory	0	58,000
AF	Kirtland Air Force Base	ADAL Systems & Engineering Lab	0	22,000
	New Jersey			
AF	Joint Base McGuire-Dix-Lakehurst	SFS OPS Confinement Facility	0	4,500
	Ohio			
AF	Wright-Patterson Air Force Base	Child Development Center	0	24,000
AF	Wright-Patterson Air Force Base	Human Performance Wing Laboratory	0	40,000
AF	Wright-Patterson Air Force Base	Bionatronics Research Center Laboratory	0	100,000
	Oklahoma			
AF	Tinker Air Force Base	KC-46A 3-Bay Depot Maintenance Hangar	160,000	60,000
	South Carolina			
AF	Joint Base Charleston	Fire and Rescue Station	0	30,000
	South Dakota			
AF	Ellsworth Air Force Base	B-21 2-Bay LO Restoration Facility, Inc. 2	91,000	50,000
AF	Ellsworth Air Force Base	B-21 ADAL Flight Simulator	24,000	24,000
AF	Ellsworth Air Force Base	B-21 Field Training Detachment Facility	47,000	47,000
AF	Ellsworth Air Force Base	B-21 Formal Training Unit/AMU	70,000	70,000
AF	Ellsworth Air Force Base	B-21 Mission Operations Planning Facility	36,000	36,000
AF	Ellsworth Air Force Base	B-21 Washrack & Maintenance Hangar	65,000	65,000
	Spain			
AF	Moron Air Base	EDI-Hot Cargo Pad	8,542	8,542

SEC. 4601. MILITARY CONSTRUCTION (In Thousands of Dollars)				
Account	State/Country and Installation	Project Title	FY 2022 Request	House Agreement
	Tennessee			
AF	Arnold Air Force Base	Cooling Water Expansion, Rowland Creek 20009 ..	0	15,500
AF	Arnold Air Force Base	Add/Alter Test Cell Delivery Bay	0	14,600
AF	Arnold Air Force Base	Primary Pumping Station Upgrades	0	90,518
	Texas			
AF	Joint Base San Antonio	BMT Recruit Dormitory 7	141,000	40,000
AF	Joint Base San Antonio	BMT Recruit Dormitory 8, Inc. 3	31,000	31,000
AF	Joint Base San Antonio—Fort Sam Houston	Child Development Center	0	29,000
AF	Joint Base San Antonio—Fort Sam Houston	Directed Energy Research Center	0	113,000
AF	Joint Base San Antonio—Lackland Air Force Base	Child Development Center	0	22,000
AF	Sheppard Air Force Base	Child Development Center	20,000	20,000
	United Kingdom			
AF	Royal Air Force Fairford	EDI: Construct DABS-FEV Storage	94,000	94,000
AF	Royal Air Force Lakenheath	F-35A Child Development Center	0	24,000
AF	Royal Air Force Lakenheath	F-35A Munition Inspection Facility	31,000	31,000
AF	Royal Air Force Lakenheath	F-35A Weapons Load Training Facility	49,000	49,000
	Utah			
AF	Hill Air Force Base	GBSD Organic Software Sustain Ctr, Inc. 2	31,000	31,000
	Virginia			
AF	Joint Base Langley-Eustis	Fuel Systems Maintenance Dock	0	24,000
	Worldwide Unspecified			
AF	Various Worldwide Locations	EDI: Planning & Design	648	25,648
AF	Various Worldwide Locations	PDI: Planning & Design	27,200	52,200
AF	Various Worldwide Locations	Planning & Design	201,453	161,453
AF	Various Worldwide Locations	Planning & Design for Dormitories and Barracks ..	0	20,000
AF	Various Worldwide Locations	Intelligence, Surveillance, and Reconnaissance Infrastructure Planning and Design.	0	20,000
AF	Various Worldwide Locations	Unspecified Minor Military Construction	58,884	58,884
	Military Construction, Air Force Total		2,102,690	3,265,368
	Alabama			
Def-Wide	Fort Rucker	10 MW RICE Generator Plant and Microgrid Controls.	24,000	24,000
	Belgium			
Def-Wide	Chievres Air Force Base	Europe West District Superintendent's Office	15,000	15,000
	California			
Def-Wide	Camp Pendleton	Veterinary Treatment Facility Replacement	13,600	13,600
Def-Wide	Naval Amphibious Base Coronado	SOF ATC Operations Support Facility	21,700	21,700
Def-Wide	Naval Amphibious Base Coronado	SOF NSWG11 Operations Support Facility	12,000	12,000
Def-Wide	Marine Corps Air Station Miramar	Additional LFG Power Meter Station	4,054	4,054
Def-Wide	Naval Air Weapons Station China Lake	Solar Energy Storage System	9,120	9,120
Def-Wide	Naval Amphibious Base Coronado	SOF Training Command	0	20,500
	Colorado			
Def-Wide	Buckley Air Force Base	JCC Expansion	20,000	20,000
	District of Columbia			
Def-Wide	Joint Base Anacostia-Bolling	DIA HQ Cooling Towers and Cond Pumps	0	2,257
Def-Wide	Joint Base Anacostia-Bolling	PV Carports	0	29,004
	Florida			
Def-Wide	MacDill Air Force Base	Transmission and Switching Stations	22,000	22,000

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2022 Request	House Agreement
	Georgia			
Def-Wide	Fort Benning	4.8 MW Generation and Microgrid	17,593	17,593
Def-Wide	Fort Benning	SOF Battalion Headquarters Facility	62,000	62,000
Def-Wide	Fort Stewart	10 MW Generation Plant, With Microgrid Controls	22,000	22,000
Def-Wide	Kings Bay Naval Submarine Base	Electrical Transmission and Distribution	19,314	19,314
	Germany			
Def-Wide	Ramstein Air Base	Ramstein Middle School	93,000	93,000
	Guam			
Def-Wide	Naval Base Guam	Inner Apra Harbor Resiliency Upgrades Ph1	38,300	38,300
	Hawaii			
Def-Wide	Joint Base Pearl Harbor-Hickam	Veterinary Treatment Facility Replacement	29,800	29,800
	Idaho			
Def-Wide	Mountain Home Air Force Base	Water Treatment Plant and Pump Station	33,800	33,800
	Japan			
Def-Wide	Iwakuni	Fuel Pier	57,700	57,700
Def-Wide	Kadena Air Base	Operations Support Facility	24,000	24,000
Def-Wide	Kadena Air Base	Truck Unload Facilities	22,300	22,300
Def-Wide	Misawa Air Base	Additive Injection Pump and Storage Sys	6,000	6,000
Def-Wide	Naval Air Facility Atsugi	Smart Grid for Utility and Facility Controls	3,810	3,810
Def-Wide	Yokota Air Base	Hangar/AMU	108,253	53,000
	Kuwait			
Def-Wide	Camp Arifjan	Microgrid Controller, 1.25 MW Solar PV, and 1.5 MWH Battery.	15,000	15,000
	Maryland			
Def-Wide	Bethesda Naval Hospital	MEDCEN Addition / Alteration, Inc. 5	153,233	153,233
Def-Wide	Fort Meade	NSAW Mission OPS and Records Center Inc. 1	94,000	94,000
Def-Wide	Fort Meade	NSAW Recap Building 4, Inc. 1	104,100	104,100
Def-Wide	Fort Meade	SOF Operations Facility	100,000	100,000
	Michigan			
Def-Wide	Camp Grayling	650 KW Gas-Fired Micro-Turbine Generation System.	5,700	5,700
	Mississippi			
Def-Wide	Camp Shelby	10 MW Generation Plant an Feeder Level Microgrid System.	0	34,500
Def-Wide	Camp Shelby	Electrical Distribution Infrastructure Undergrounding Hardening Project.	0	11,155
	Missouri			
Def-Wide	Fort Leonard Wood	Hospital Replacement, Inc. 4	160,000	160,000
	New Mexico			
Def-Wide	Kirtland Air Force Base	Environmental Health Facility Replacement	8,600	8,600
	New York			
Def-Wide	Fort Drum	Wellfield Expansion Resiliency Project	0	27,000
	North Carolina			
Def-Wide	Fort Bragg	10 MW Microgrid Utilizing Existing and New Generators.	19,464	19,464
Def-Wide	Fort Bragg	Fort Bragg Emergency Water System	0	7,705
	North Dakota			
Def-Wide	Cavalier Air Force Station	Pears Emergency Power Plant Fuel Storage	0	24,150
	Ohio			
Def-Wide	Springfield-Beckley Municipal Airport	Base-Wide Microgrid With Natural Gas Generator, Photovoltaic, and Battery Storage.	4,700	4,700
	Puerto Rico			
Def-Wide	Fort Allen	Microgrid Control System, 690 KW PV, 275 KW Gen, 570 Kwh Bess.	0	12,190
Def-Wide	Punta Borinquen	Ramey Unit School Replacement	84,000	84,000
Def-Wide	Ramey Unit School	Microgrid Control System, 460 KW PV, 275 KW Generator, 660 Kwh Bess.	0	10,120
	Tennessee			
Def-Wide	Memphis International Airport	PV Arrays and Battery Storage	4,780	4,780
	Texas			
Def-Wide	Joint Base San Antonio	Ambulatory Care Center Ph 4	35,000	35,000
	United Kingdom			
Def-Wide	Menwith Hill Station	Rafmh Main Gate Rehabilitation	20,000	20,000
Def-Wide	Royal Air Force Lakenheath	Hospital Replacement-Temporary Facilities	19,283	19,283
	Virginia			
Def-Wide	Fort Belvoir	Veterinary Treatment Facility Replacement	29,800	29,800
Def-Wide	National Geospatial Intelligence Agency Springfield	North Campus East Electrical System Redundancy	0	5,299

SEC. 4601. MILITARY CONSTRUCTION (In Thousands of Dollars)				
Account	State/Country and Installation	Project Title	FY 2022 Request	House Agreement
Def-Wide	Pentagon	Consolidated Maintenance Complex (RRMC)	20,000	20,000
Def-Wide	Pentagon	Force Protection Perimeter Enhancements	8,608	8,608
Def-Wide	Pentagon	Public Works Support Facility	21,935	21,935
Def-Wide	Various Locations	Led Upgrade Package	365	365
Def-Wide	Various Locations	Recommissioning of Hvac Systems, Part B	2,600	2,600
	Washington			
Def-Wide	Oak Harbor	ACC / Dental Clinic (Oak Harbor)	59,000	59,000
	Worldwide Unspecified			
Def-Wide	Unspecified Worldwide Locations	DIA Planning and Design	11,000	11,000
Def-Wide	Unspecified Worldwide Locations	DODEA Planning and Design	13,317	13,317
Def-Wide	Unspecified Worldwide Locations	DODEA Unspecified Minor Construction	8,000	8,000
Def-Wide	Unspecified Worldwide Locations	ERCIP Design	40,150	40,150
Def-Wide	Unspecified Worldwide Locations	Exercise Related Minor Construction	5,615	5,615
Def-Wide	Unspecified Worldwide Locations	INDOPACOM—Planning and Design	0	68,200
Def-Wide	Unspecified Worldwide Locations	MDA Unspecified Minor Construction	4,435	4,435
Def-Wide	Unspecified Worldwide Locations	NSA Planning and Design	83,840	83,840
Def-Wide	Unspecified Worldwide Locations	NSA Unspecified Minor Construction	12,000	12,000
Def-Wide	Unspecified Worldwide Locations	Planning and Design	14,194	14,194
Def-Wide	Unspecified Worldwide Locations	SOCOM Unspecified Minor Construction	21,746	21,746
Def-Wide	Unspecified Worldwide Locations	TJS Planning and Design	2,000	2,000
Def-Wide	Unspecified Worldwide Locations	Unspecified Minor Construction	3,000	3,000
Def-Wide	Unspecified Worldwide Locations	WHS Planning and Design	5,275	5,275
Def-Wide	Various Worldwide Locations	DHA Planning and Design	35,099	35,099
Def-Wide	Various Worldwide Locations	DLA Planning and Design	20,862	20,862
Def-Wide	Various Worldwide Locations	DLA Unspecified Minor Construction	6,668	6,668
Def-Wide	Various Worldwide Locations	SOCOM Planning and Design	20,576	20,576
		Military Construction, Defense-Wide Total	1,957,289	2,154,116
	Worldwide Unspecified			
NATO	NATO Security Investment Program	NATO Security Investment Program	205,853	205,853
		NATO Security Investment Program Total	205,853	205,853
	Alaska			
Army NG	Joint Base Elmendorf-Richardson	Planning and Design for National Guard Readiness Center.	0	5,000
	California			
Army NG	Beale Air Force Base	940 ARW SQ OPS & AMU Complex	0	33,000
	Connecticut			
Army NG	Putnam	National Guard Readiness Center	17,500	17,500
	Georgia			
Army NG	Fort Benning	Post-Initial Mil. Training Unaccomp. Housing	13,200	13,200
	Guam			
Army NG	Barrigada	National Guard Readiness Center Addition	34,000	34,000
	Idaho			
Army NG	Jerome	National Guard Readiness Center	15,000	15,000
	Illinois			
Army NG	Bloomington	National Guard Vehicle Maintenance Shop	15,000	15,000
	Kansas			
Army NG	Topeka	National Guard/Reserve Center Building	16,732	16,732
	Louisiana			
Army NG	Camp Minden	Collective Training Unaccompanied Housing	0	13,800
Army NG	Lake Charles	National Guard Readiness Center	18,500	18,500
	Maine			
Army NG	Saco	National Guard Vehicle Maintenance Shop	21,200	21,200
	Michigan			
Army NG	Camp Grayling	National Guard Readiness Center	0	16,000
	Mississippi			

SEC. 4601. MILITARY CONSTRUCTION (In Thousands of Dollars)				
Account	State/Country and Installation	Project Title	FY 2022 Request	House Agreement
Army NG	Camp Shelby Montana	Maneuver Area Training Equipment Site	0	15,500
Army NG	Butte Nebraska	National Guard Readiness Center	16,000	16,000
Army NG	Camp Ashland North Dakota	Collective Training Unaccompanied Housing	0	11,000
Army NG	Diekinson South Carolina	National Guard Readiness Center	15,500	15,500
Army NG	Meentire Joint Na- tional Guard Base Virginia	Hazardous Cargo Pad	0	9,000
Army NG	Troutville	Combined Support Maintenance Shop Addition	6,900	6,900
Army NG	Troutville	National Guard Readiness Center Addition	6,100	6,100
Army NG	Virginia Army Na- tional Guard Sandston	Aircraft Maintenance Hangar	0	5,805
Army NG	Worldwide Unspecified Locations	Planning and Design	22,000	28,000
Army NG	Worldwide Unspecified Locations	Unspecified Minor Construction	39,471	39,471
Military Construction, Army National Guard Total			257,103	372,208
Army Res	Michigan Southfield	Area Maintenance Support Activity	12,000	12,000
Army Res	Ohio Wright-Patterson Air Force Base	AR Center Training Building/ UHS	19,000	19,000
Army Res	Wisconsin Fort McCoy	Transient Training BN HQ	12,200	12,200
Army Res	Fort McCoy	Transient Training Enlisted Barracks	0	29,200
Army Res	Fort McCoy	Transient Training Enlisted Barracks	0	29,200
Army Res	Fort McCoy	Transient Training Enlisted Barracks	0	24,000
Army Res	Worldwide Unspecified Locations	Planning and Design	7,167	7,167
Army Res	Worldwide Unspecified Locations	Unspecified Minor Construction	14,544	14,544
Military Construction, Army Reserve Total			64,911	147,311
N/MC Res	Michigan Battle Creek	Reserve Center & Vehicle Maintenance Facility	49,090	49,090
N/MC Res	Minnesota Minneapolis	Joint Reserve Intelligence Center	14,350	14,350
N/MC Res	Worldwide Unspecified Locations	MCNR Planning & Design	1,257	1,257
N/MC Res	Worldwide Unspecified Locations	MCNR Unspecified Minor Construction	2,359	1,359
N/MC Res	Worldwide Unspecified Locations	USMCR Planning and Design	4,748	4,748
Military Construction, Naval Reserve Total			71,804	70,804
Air NG	Delaware Newcastle Air National Guard Base	Replace Fuel Cell/Corrosion Control Hangar	0	17,500
Air NG	Idaho Boise Air National Guard Base	Medical Training Facility	0	6,500
Air NG	Illinois Abraham Capital Air- port	Civil Engineering Facility	0	10,200
Air NG	Massachusetts Barnes Air National Guard	Combined Engine/ASE/NDI Shop	12,200	12,200
Air NG	Michigan Alpena County Re- gional Airport	Aircraft Maintenance Hangar/Shops	23,000	23,000
Air NG	W. K. Kellog Regional Airport	Construct Main Base Entrance	10,000	10,000
Air NG	Mississippi Jackson International Airport	Fire Crash and Rescue Station	9,300	9,300
Air NG	New York Schenectady Municipal Airport	C-130 Flight Simulator Facility	10,800	10,800

SEC. 4601. MILITARY CONSTRUCTION (In Thousands of Dollars)				
Account	State/Country and Installation	Project Title	FY 2022 Request	House Agreement
	Ohio			
Air NG	Camp Perry	Red Horse Logistics Complex	7,800	7,800
	South Carolina			
Air NG	Moentire Joint National Guard Base	F-16 Mission Training Center	9,800	9,800
	South Dakota			
Air NG	Joe Foss Field	F-16 Mission Training Center	9,800	9,800
	Wisconsin			
Air NG	Truax Field	F-35 3-Bay Specialized Hangar	31,000	31,000
Air NG	Truax Field	Medical Readiness Facility	13,200	13,200
	Worldwide Unspecified			
Air NG	Unspecified Worldwide Locations	Unspecified Minor Construction	29,068	29,068
Air NG	Various Worldwide Locations	Planning and Design	18,402	34,402
	Wyoming			
Air NG	Cheyenne Municipal Airport	Combined Vehicle Maintenance & ASE Complex ...	13,400	13,400
Military Construction, Air National Guard Total			197,770	247,970
	Florida			
AF Res	Homestead Air Force Reserve Base	Corrosion Control Facility	14,000	14,000
AF Res	Patrick Air Force Base	Simulator C-130J	18,500	18,500
	Minnesota			
AF Res	Minneapolis-St Paul International Airport	Mission Support Group Facility	14,000	14,000
	New York			
AF Res	Niagara Falls Air Reserve Station	Main Gate	10,600	10,600
	Ohio			
AF Res	Youngstown Air Reserve Station	Assault Strip Widening	0	8,700
	Worldwide Unspecified			
AF Res	Unspecified Worldwide Locations	Planning & Design	5,830	5,830
AF Res	Unspecified Worldwide Locations	Unspecified Minor Military Construction	15,444	15,444
Military Construction, Air Force Reserve Total			78,374	87,074
	Italy			
FH Con Army	Vicenza	Family Housing New Construction	92,304	92,304
	Kwajalein Atoll			
FH Con Army	Kwajalein Atoll	Family Housing Replacement Construction	0	10,000
	Pennsylvania			
FH Con Army	Tobyhanna Army Depot	Family Housing Replacement Construction	0	7,500
	Puerto Rico			
FH Con Army	Fort Buchanan	Family Housing Replacement Construction	0	14,000
	Worldwide Unspecified			
FH Con Army	Unspecified Worldwide Locations	Family Housing P & D	7,545	22,545
Family Housing Construction, Army Total			99,849	146,349
	Worldwide Unspecified			
FH Ops Army	Unspecified Worldwide Locations	Furnishings	18,077	18,077
FH Ops Army	Unspecified Worldwide Locations	Housing Privatization Support	38,404	38,404
FH Ops Army	Unspecified Worldwide Locations	Leasing	128,110	128,110
FH Ops Army	Unspecified Worldwide Locations	Maintenance	111,181	111,181
FH Ops Army	Unspecified Worldwide Locations	Management	42,850	42,850
FH Ops Army	Unspecified Worldwide Locations	Miscellaneous	556	556
FH Ops Army	Unspecified Worldwide Locations	Services	8,277	8,277
FH Ops Army	Unspecified Worldwide Locations	Utilities	43,772	43,772
Family Housing Operation And Maintenance, Army Total			391,227	391,227
	Worldwide Unspecified			

SEC. 4601. MILITARY CONSTRUCTION (In Thousands of Dollars)				
Account	State/Country and Installation	Project Title	FY 2022 Request	House Agreement
FH Con Navy	Unspecified Worldwide Locations	Construction Improvements	71,884	71,884
FH Con Navy	Unspecified Worldwide Locations	Planning & Design	3,634	3,634
FH Con Navy	Unspecified Worldwide Locations	USMC DPRI/Guam Planning and Design	2,098	2,098
Family Housing Construction, Navy And Marine Corps Total			77,616	77,616
Worldwide Unspecified				
FH Ops Navy	Unspecified Worldwide Locations	Furnishings	16,537	16,537
FH Ops Navy	Unspecified Worldwide Locations	Housing Privatization Support	54,544	54,544
FH Ops Navy	Unspecified Worldwide Locations	Leasing	62,567	62,567
FH Ops Navy	Unspecified Worldwide Locations	Maintenance	95,417	95,417
FH Ops Navy	Unspecified Worldwide Locations	Management	54,083	54,083
FH Ops Navy	Unspecified Worldwide Locations	Miscellaneous	285	285
FH Ops Navy	Unspecified Worldwide Locations	Services	17,637	17,637
FH Ops Navy	Unspecified Worldwide Locations	Utilities	56,271	56,271
Family Housing Operation And Maintenance, Navy And Marine Corps Total.			357,341	357,341
Georgia				
FH Con AF	Robins Air Force Base	Robins 2 MHPI Restructure	6,000	6,000
Nebraska				
FH Con AF	Offutt Air Force Base	Offutt MHPI Restructure	50,000	50,000
Worldwide Unspecified				
FH Con AF	Unspecified Worldwide Locations	Construction Improvements	49,258	49,258
FH Con AF	Unspecified Worldwide Locations	Planning & Design	10,458	10,458
Family Housing Construction, Air Force Total			115,716	115,716
Worldwide Unspecified				
FH Ops AF	Unspecified Worldwide Locations	Furnishings	26,842	26,842
FH Ops AF	Unspecified Worldwide Locations	Housing Privatization	23,275	23,275
FH Ops AF	Unspecified Worldwide Locations	Leasing	9,520	9,520
FH Ops AF	Unspecified Worldwide Locations	Maintenance	141,754	141,754
FH Ops AF	Unspecified Worldwide Locations	Management	70,062	70,062
FH Ops AF	Unspecified Worldwide Locations	Miscellaneous	2,200	2,200
FH Ops AF	Unspecified Worldwide Locations	Services	8,124	8,124
FH Ops AF	Unspecified Worldwide Locations	Utilities	43,668	43,668
Family Housing Operation And Maintenance, Air Force Total			325,445	325,445
Worldwide Unspecified				
FH Ops DW	Unspecified Worldwide Locations	DIA Furnishings	656	656
FH Ops DW	Unspecified Worldwide Locations	DIA Leasing	31,430	31,430
FH Ops DW	Unspecified Worldwide Locations	DIA Utilities	4,166	4,166
FH Ops DW	Unspecified Worldwide Locations	Maintenance	49	49
FH Ops DW	Unspecified Worldwide Locations	NSA Furnishings	83	83
FH Ops DW	Unspecified Worldwide Locations	NSA Leasing	13,387	13,387
FH Ops DW	Unspecified Worldwide Locations	NSA Utilities	14	14

SEC. 4601. MILITARY CONSTRUCTION (In Thousands of Dollars)				
Account	State/Country and Installation	Project Title	FY 2022 Request	House Agreement
Family Housing Operation And Maintenance, Defense-Wide Total			49,785	49,785
FHIF	Worldwide Unspecified Unspecified Worldwide Locations	Administrative Expenses—FHIF	6,081	6,081
Unaccompanied Housing Improvement Fund Total			6,081	6,081
UHIF	Worldwide Unspecified Unspecified Worldwide Locations	Administrative Expenses—UHIF	494	494
Unaccompanied Housing Improvement Fund Total			494	494
BRAC	Worldwide Unspecified Base Realignment & Closure, Army	Base Realignment and Closure	65,301	115,301
Base Realignment and Closure—Army Total			65,301	115,301
BRAC	Worldwide Unspecified Unspecified Worldwide Locations	Base Realignment & Closure	111,155	161,155
Base Realignment and Closure—Navy Total			111,155	161,155
BRAC	Worldwide Unspecified Unspecified Worldwide Locations	DOD BRAC Activities—Air Force	104,216	154,216
Base Realignment and Closure—Air Force Total			104,216	154,216
BRAC	Worldwide Unspecified Unspecified Worldwide Locations	Int-4: DLA Activities	3,967	3,967
Base Realignment and Closure—Defense-wide Total			3,967	3,967
Total, Military Construction			9,847,031	13,420,950

1 **TITLE XLVII—DEPARTMENT OF**
 2 **ENERGY NATIONAL SECURITY**
 3 **PROGRAMS**

4 **SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY**
 5 **PROGRAMS.**

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS (In Thousands of Dollars)			
Program		FY 2022 Request	House Authorized
Discretionary Summary By Appropriation			
Energy And Water Development, And Related Agencies			
Appropriation Summary:			
Energy Programs			
Nuclear Energy		149,800	149,800
Atomic Energy Defense Activities			
National nuclear security administration:			
Weapons activities		15,484,295	15,944,295
Defense nuclear nonproliferation		1,934,000	1,994,500
Naval reactors		1,860,705	1,860,705
Federal salaries and expenses		464,000	464,000
Total, National Nuclear Security Administration		19,743,000	20,263,500

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS (In Thousands of Dollars)		
Program	FY 2022 Request	House Authorized
Environmental and other defense activities:		
Defense environmental cleanup	6,841,670	6,848,170
Other defense activities	1,170,000	920,000
Total, Environmental & other defense activities	8,011,670	7,768,170
Total, Atomic Energy Defense Activities	27,754,670	28,031,670
Total, Discretionary Funding	27,904,470	28,181,470
Nuclear Energy		
Idaho sitewide safeguards and security	149,800	149,800
Total, Nuclear Energy	149,800	149,800
Stockpile Management		
Stockpile Major Modernization		
B61-12 Life extension program	771,664	771,664
W88 Alteration Program	207,157	207,157
W80-4 Life extension program	1,080,400	1,080,400
W80-4 ALT SLCM	10,000	10,000
W87-1 Modification Program	691,031	691,031
W93 Program	72,000	72,000
Total, Stockpile Major Modernization	2,832,252	2,832,252
Stockpile services		
Production Operations	568,941	568,941
Stockpile Sustainment	1,180,483	1,128,483
No funds for B83 service life extension		[-52,000]
Weapons Dismantlement and Disposition	51,000	51,000
Subtotal, Stockpile Services	1,800,424	1,748,424
Total, Stockpile Management	4,632,676	4,580,676
Weapons Activities		
Production Modernization		
Primary Capability Modernization		
Plutonium Modernization		
Los Alamos Plutonium Modernization		
Los Alamos Plutonium Operations	660,419	660,419
21-D-512 Plutonium Pit Production Project, LANL	350,000	350,000
Subtotal, Los Alamos Plutonium Modernization	1,010,419	1,010,419
Savannah River Plutonium Modernization		
Savannah River Plutonium Operations	128,000	128,000
21-D-511 Savannah River Plutonium Processing Facility, SRS	475,000	475,000
Subtotal, Savannah River Plutonium Modernization	603,000	603,000
Enterprise Plutonium Support	107,098	107,098
Total, Plutonium Modernization	1,720,517	1,720,517
High Explosives and Energetics	68,785	68,785
Total, Primary Capability Modernization	1,789,302	1,789,302
Secondary Capability Modernization	488,097	488,097
Tritium and Domestic Uranium Enrichment	489,017	489,017
Non-Nuclear Capability Modernization	144,563	144,563
Total, Production Modernization	2,910,979	2,910,979
Stockpile Research, Technology, and Engineering		
Assessment Science	689,578	689,578
Engineering and Integrated Assessments	336,766	351,766
Program increase for plutonium aging assessments		[15,000]
Inertial Confinement Fusion	529,000	600,000
Program Increase		[71,000]
Advanced Simulation and Computing	747,012	747,012
Weapon Technology and Manufacturing Maturation	292,630	292,630
Academic Programs	85,645	85,645
Total, Stockpile Research, Technology, and Engineering	2,680,631	2,766,631
Infrastructure and Operations		
Operations of facilities	1,014,000	1,014,000
Safety and environmental operations	165,354	165,354
Maintenance and repair of facilities	670,000	1,020,000
Program increase		[350,000]
Recapitalization:		
Infrastructure and safety	508,664	508,664

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS (In Thousands of Dollars)		
Program	FY 2022 Request	House Authorized
Capability based investments	143,066	143,066
Total, Recapitalization	651,730	651,730
Construction:		
22-D-513 Power Sources Capability, SNL	13,827	13,827
21-D-510, HE Synthesis, Formulation, and Production Facility, PX	44,500	44,500
18-D-690, Lithium Processing Facility, Y-12	171,902	171,902
18-D-650, Tritium Finishing Facility, SRS	27,000	27,000
17-D-640, U1a Complex Enhancements Project, NNSS	135,000	135,000
15-D-302, TA-55 Reinvestment Project—Phase 3, LANL	27,000	27,000
06-D-141, Uranium Processing Facility, Y-12	524,000	600,000
Program increase		[76,000]
04-D-125, Chemistry and Metallurgy Research Replacement Project, LANL	138,123	138,123
22-D-514 Digital Infrastructure Capability Expansion	8,000	8,000
Total, Construction	1,089,352	1,165,352
Total, Infrastructure and operations	3,590,436	4,016,436
Secure transportation asset		
Operations and equipment	213,704	213,704
Program direction	123,060	123,060
Total, Secure transportation asset	336,764	336,764
Defense Nuclear Security		
Construction:	824,623	824,623
17-D-710 West end protected area reduction project, Y-12	23,000	23,000
Total, Defense nuclear security	847,623	847,623
Information technology and cybersecurity	406,530	406,530
Legacy contractor pensions	78,656	78,656
Total, Weapons Activities	15,484,295	15,944,295
Defense Nuclear Nonproliferation		
Defense Nuclear Nonproliferation Programs		
Global material security		
International nuclear security	79,939	79,939
Domestic radiological security	158,002	158,002
International radiological security	85,000	85,000
Nuclear smuggling detection and deterrence	175,000	175,000
Total, Global material security	497,941	497,941
Material management and minimization		
Conversion	100,660	100,660
Nuclear material removal	42,100	42,100
Material disposition	200,186	200,186
Total, Material management & minimization	342,946	342,946
Nonproliferation and arms control	184,795	184,795
National Technical Nuclear Forensics R&D	45,000	45,000
Defense nuclear nonproliferation R&D		
Proliferation Detection	269,407	299,407
Nuclear verification and detection, next-gen technologies		[30,000]
Nuclear Detonation Detection	271,000	271,000
Nonproliferation Stewardship Program	87,329	105,829
Program increase		[18,500]
Total, Defense nuclear nonproliferation R&D	627,736	676,236
Nonproliferation Construction:		
18-D-150 Surplus Plutonium Disposition Project, SRS	156,000	149,500
Program decrease		[-6,500]
Total, Nonproliferation construction	156,000	149,500
Total, Defense Nuclear Nonproliferation Programs	1,854,418	1,896,418
Legacy contractor pensions	38,800	38,800
Nuclear counterterrorism and incident response program	356,185	374,685

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS (In Thousands of Dollars)		
Program	FY 2022 Request	House Authorized
Program increase		[18,500]
Emergency Operations	14,597	14,597
Use of prior-year MOX balances	-330,000	-330,000
Total, Defense Nuclear Nonproliferation	1,934,000	1,994,500
Naval Reactors		
Naval reactors development	635,684	635,684
Columbia-Class reactor systems development	55,000	55,000
S8G Prototype refueling	126,000	126,000
Naval reactors operations and infrastructure	599,017	599,017
Construction:		
22-D-532 Security Upgrades KL	5,100	5,100
22-D-531 KL Chemistry & Radiological Health Building	41,620	41,620
14-D-901 Spent Fuel Handling Recapitalization Project, NRF	348,705	348,705
Use of prior year balances	-6,000	-6,000
Total, Construction	389,425	389,425
Program direction	55,579	55,579
Total, Naval Reactors	1,860,705	1,860,705
Federal Salaries And Expenses		
Program direction	464,000	464,000
Total, Office Of The Administrator	464,000	464,000
Defense Environmental Cleanup		
Closure sites:		
Closure sites administration	3,987	3,987
Richland:		
River corridor and other cleanup operations	196,000	196,000
Central plateau remediation	689,776	689,776
Richland community and regulatory support	5,121	5,121
Construction:		
18-D-404 Modification of Waste Encapsulation and Storage Facility	8,000	8,000
22-D-401 L-888, 400 Area Fire Station	15,200	15,200
22-D-402 L-897, 200 Area Water Treatment Facility	12,800	12,800
Total, Construction	36,000	36,000
Total, Hanford site	926,897	926,897
Office of River Protection:		
Waste Treatment Immobilization Plant Commissioning	50,000	50,000
Rad liquid tank waste stabilization and disposition	817,642	817,642
Tank farm activities		0
Construction:		
18-D-16 Waste treatment and immobilization plant—LBL/Direct feed LAW	586,000	586,000
01-D-16D High-Level Waste Facility	60,000	60,000
01-D-16E Pretreatment Facility	20,000	20,000
Total, Construction	666,000	666,000
ORP Low-level waste offsite disposal	7,000	7,000
Total, Office of River Protection	1,540,642	1,540,642
Idaho National Laboratory:		
Idaho cleanup and waste disposition	358,925	358,925
Idaho excess facilities R&D		
Idaho community and regulatory support	2,658	2,658
Construction:		
22-D-403 Idaho Spent Nuclear Fuel Staging Facility	3,000	3,000
22-D-404 Additional ICDF Landfill Disposal Cell and Evaporation Ponds Project	5,000	5,000
Total, Construction	8,000	8,000
Total, Idaho National Laboratory	369,583	369,583
NNSA sites and Nevada off-sites		
Lawrence Livermore National Laboratory	1,806	1,806

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS (In Thousands of Dollars)		
Program	FY 2022 Request	House Authorized
LLNL Excess Facilities D&D	35,000	35,000
Nuclear facility D & D		
Separations Process Research Unit	15,000	15,000
Nevada	60,737	60,737
Sandia National Laboratories	4,576	4,576
Los Alamos National Laboratory	275,119	275,119
Los Alamos Excess Facilities D&D	58,381	58,381
Total, NNSA sites and Nevada off-sites	450,619	450,619
Oak Ridge Reservation:		
OR Nuclear facility D & D	274,923	274,923
Total, OR Nuclear facility D & D	274,923	274,923
U233 Disposition Program	55,000	55,000
OR cleanup and disposition	73,725	73,725
Construction:		
17-D-401 On-site waste disposal facility	12,500	12,500
Total, Construction	12,500	12,500
Total, OR cleanup and waste disposition	141,225	141,225
OR community & regulatory support	5,096	5,096
OR technology development and deployment	3,000	3,000
Total, Oak Ridge Reservation	424,244	424,244
Savannah River Sites:		
Savannah River risk management operations		
Nuclear Material	312,760	312,760
Solid Waste Stabilization and Disposition	45,968	45,968
Soil and Water Remediation	55,439	55,439
Risk Reduction Deactivation and Surveillance	21,000	21,000
Infrastructure and Land Management	17,557	17,557
Construction:		
18-D-402 Emergency Operations Center Replacement, SR	8,999	8,999
Total, risk management operations	461,723	461,723
Savannah River Legacy Pensions	130,882	130,882
SR community and regulatory support	5,805	12,305
Program increase		[6,500]
Radioactive liquid tank waste stabilization and disposition	890,865	890,865
Construction:		
20-D-401 Saltstone Disposal Unit #10, 11, 12	19,500	19,500
19-D-701 SR Security sytem replacement	5,000	5,000
18-D-402 Saltstone Disposal Unit #8/9	68,000	68,000
Total, Construction	92,500	92,500
Total, Savannah River site	1,581,775	1,588,275
Waste Isolation Pilot Plant		
Waste Isolation Pilot Plant	350,424	350,424
Construction:		
15-D-411 Safety significant confinement ventilation system, WIPP	55,000	55,000
15-D-412 Exhaust Shaft, WIPP	25,000	25,000
Total, Construction	80,000	80,000
Total, Waste Isolation Pilot Plant	430,424	430,424
Program direction	293,106	293,106
Program support	62,979	62,979
Technology development	25,000	25,000
Safeguards and Security	316,744	316,744
Federal Contribution to the Uranium Enrichment D&D Fund	415,670	415,670
Total, Defense Environmental Cleanup	6,841,670	6,848,170
Other Defense Activities		
Environment, health, safety and security		
Environment, health, safety and security	130,809	130,809
Program direction	75,511	75,511
Total, Environment, Health, safety and security	206,320	206,320
Independent enterprise assessments		
Independent enterprise assessments	27,335	27,335
Program direction	56,049	56,049

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS (In Thousands of Dollars)		
Program	FY 2022 Request	House Authorized
Total, Independent enterprise assessments	83,384	83,384
Specialized security activities	283,500	283,500
Office of Legacy Management		
Legacy management	408,797	158,797
Rejection of proposed transfer of FUSRAP		[-250,000]
Program direction	19,933	19,933
Total, Office of Legacy Management	428,730	178,730
Defense related administrative support	163,710	163,710
Office of hearings and appeals	4,356	4,356
Subtotal, Other defense activities	1,170,000	920,000
Total, Other Defense Activities	1,170,000	920,000

1 **DIVISION E—NON-DEPARTMENT**
2 **OF DEFENSE MATTERS**
3 **TITLE L—BARRY GOLDWATER**
4 **SCHOLARSHIP AND EXCEL-**
5 **LENCE IN EDUCATION MOD-**
6 **ERNIZATION ACT**

7 **SEC. 5001. SHORT TITLE.**

8 This title may be cited as the “Barry Goldwater
9 Scholarship and Excellence in Education Modernization
10 Act of 2021”.

11 **SEC. 5002. CLARIFYING AMENDMENTS TO DEFINITIONS.**

12 Section 1403 of the Barry Goldwater Scholarship and
13 Excellence in Education Act (20 U.S.C. 4702) is amend-
14 ed—

15 (1) by striking paragraph (5) and inserting the
16 following:

17 “(5) The term ‘State’ means each of the 50
18 States, the District of Columbia, the Commonwealth

1 of Puerto Rico, Guam, the United States Virgin Is-
2 lands, American Samoa, the Commonwealth of the
3 Northern Mariana Islands, the Republic of the Mar-
4 shall Islands, the Federated States of Micronesia,
5 and the Republic of Palau.”; and

6 (2) in paragraph (6), by inserting “, a resident
7 of a State,” after “national of the United States”.

8 **SEC. 5003. BARRY GOLDWATER SCHOLARSHIP AND EXCEL-**
9 **LENCE IN EDUCATION AWARDS.**

10 (a) AWARD OF SCHOLARSHIPS, FELLOWSHIPS, AND
11 RESEARCH INTERNSHIPS.—Section 1405(a) of the Barry
12 Goldwater Scholarship and Excellence in Education Act
13 (20 U.S.C. 4704(a)) is amended—

14 (1) in the subsection heading, by striking
15 “AWARD OF SCHOLARSHIPS AND FELLOWSHIPS”
16 and inserting “AWARD OF SCHOLARSHIPS, FELLOW-
17 SHIPS, AND RESEARCH INTERNSHIPS”;

18 (2) in paragraph (1)—

19 (A) by striking “scholarships and fellow-
20 ships” and inserting “scholarships, fellowships,
21 and research internships”; and

22 (B) by striking “science and mathematics”
23 and inserting “the natural sciences, engineer-
24 ing, and mathematics”;

1 (3) in paragraph (2), by striking “mathematics
2 and the natural sciences” and inserting “the natural
3 sciences, engineering, and mathematics, which shall
4 be prioritized for students attending community col-
5 leges and minority-serving institutions specified in
6 section 371(a) of the Higher Education Act of 1965
7 (20 U.S.C. 1067q(a))”;

8 (4) in paragraph (3), by striking “mathematics
9 and the natural sciences” and inserting “the natural
10 sciences, engineering, and mathematics”;

11 (5) by redesignating paragraph (4) as para-
12 graph (5);

13 (6) in paragraph (5), as so redesignated, by
14 striking “scholarships and fellowships” and inserting
15 “scholarships, fellowships, and research intern-
16 ships”; and

17 (7) by inserting after paragraph (3) the fol-
18 lowing:

19 “(4) Research internships shall be awarded to
20 outstanding undergraduate students who intend to
21 pursue careers in the natural sciences, engineering,
22 and mathematics, which shall be prioritized for stu-
23 dents attending community colleges and minority-
24 serving institutions specified in section 371(a) of the

1 Higher Education Act of 1965 (20 U.S.C.
2 1067q(a)).”.

3 (b) BARRY GOLDWATER SCHOLARS AND RESEARCH
4 INTERNS.—Section 1405(b) of the Barry Goldwater
5 Scholarship and Excellence in Education Act (20 U.S.C.
6 4704(b)) is amended—

7 (1) in the subsection heading, by adding “AND
8 RESEARCH INTERNS” after “SCHOLARS”; and

9 (2) by adding at the end the following: “Recipi-
10 ents of research internships under this title shall be
11 known as ‘Barry Goldwater Interns’.”.

12 **SEC. 5004. STIPENDS.**

13 Section 1406 of the Barry Goldwater Scholarship and
14 Excellence in Education Act (20 U.S.C. 4705) is amended
15 by adding at the end the following: “Each person awarded
16 a research internship under this title shall receive a sti-
17 pend as may be prescribed by the Board, which shall not
18 exceed the maximum stipend amount awarded for a schol-
19 arship or fellowship.”.

20 **SEC. 5005. SCHOLARSHIP AND RESEARCH INTERNSHIP**
21 **CONDITIONS.**

22 Section 1407 of the Barry Goldwater Scholarship and
23 Excellence in Education Act (20 U.S.C. 4706) is amend-
24 ed—

1 (1) in the section heading, by inserting “**AND**
2 **RESEARCH INTERNSHIP**” after “**SCHOLARSHIP**”;

3 (2) in subsection (a), by striking the subsection
4 heading and inserting “**SCHOLARSHIP CONDITIONS**”;

5 (3) in subsection (b), by striking the subsection
6 heading and inserting “**REPORTS ON SCHOLAR-**
7 **SHIPS**”; and

8 (4) by adding at the end the following:

9 “(c) **RESEARCH INTERNSHIP CONDITIONS**.—A per-
10 son awarded a research internship under this title may
11 receive payments authorized under this title only during
12 such periods as the Foundation finds that the person is
13 maintaining satisfactory proficiency and is not engaging
14 in gainful employment other than employment approved
15 by the Foundation pursuant to regulations of the Board.

16 “(d) **REPORTS ON RESEARCH INTERNSHIPS**.—The
17 Foundation may require reports containing such informa-
18 tion in such form and to be filed at such times as the
19 Foundation determines to be necessary from any person
20 awarded a research internship under this title. Such re-
21 ports may be accompanied by a certificate from an appro-
22 priate official at the institution of higher education or in-
23 ternship employer, approved by the Foundation, stating
24 that such person is maintaining satisfactory progress in

1 the internship, and is not engaged in gainful employment,
2 except as otherwise provided in subsection (e).”.

3 **SEC. 5006. SUSTAINABLE INVESTMENTS OF FUNDS.**

4 Section 1408 of the Barry Goldwater Scholarship and
5 Excellence in Education Act (20 U.S.C. 4707) is amend-
6 ed—

7 (1) by redesignating subsections (c) and (d) as
8 subsections (d) and (e), respectively; and

9 (2) by inserting after subsection (b) the fol-
10 lowing:

11 “(c) INVESTMENT IN SECURITIES.—Notwithstanding
12 subsection (b), the Secretary of the Treasury may invest
13 up to 40 percent of any public or private funds received
14 by the Foundation after the date of enactment of the
15 Barry Goldwater Scholarship and Excellence in Education
16 Modernization Act of 2021 in securities other than public
17 debt securities of the United States, if—

18 “(1) the Secretary receives a determination
19 from the Board that such investments are necessary
20 to enable the Foundation to carry out the purposes
21 of this title; and

22 “(2) the securities in which such funds are in-
23 vested are traded in established United States mar-
24 kets.

1 “(d) CONSTRUCTION.—Nothing in this section shall
2 be construed to limit the authority of the Board to in-
3 crease the number of scholarships provided under section
4 4704, or to increase the amount of the stipend authorized
5 by section 4705, as the Board considers appropriate and
6 is otherwise consistent with the requirements of this
7 title.”.

8 **SEC. 5007. ADMINISTRATIVE PROVISIONS.**

9 Section 1411(a) of the Barry Goldwater Scholarship
10 and Excellence in Education Act (20 U.S.C. 4710(a)) is
11 amended—

12 (1) by striking paragraph (1) and inserting the
13 following:

14 “(1) appoint and fix the rates of basic pay of
15 not more than three employees (in addition to the
16 Executive Secretary appointed under section 4709)
17 to carry out the provisions of this title, without re-
18 gard to the provisions in chapter 33 of title 5,
19 United States Code, governing appointment in the
20 competitive service or the provisions of chapter 51
21 and subchapter III of chapter 53 of such title, ex-
22 cept that—

23 “(A) a rate of basic pay set under this
24 paragraph may not exceed the maximum rate
25 provided for employees in grade GS–15 of the

1 General Schedule under section 5332 of title 5,
2 United States Code; and

3 “(B) the employee shall be entitled to the
4 applicable locality-based comparability payment
5 under section 5304 of title 5, United States
6 Code, subject to the applicable limitation estab-
7 lished under subsection (g) of such section;”;

8 (2) in paragraph (2), by striking “grade GS–18
9 under section 5332 of such title” and inserting
10 “level IV of the Executive Schedule”;

11 (3) in paragraph (7), by striking “and” at the
12 end;

13 (4) by redesignating paragraph (8) as para-
14 graph (10); and

15 (5) by inserting after paragraph (7) the fol-
16 lowing:

17 “(8) expend not more than 5 percent of the
18 Foundation’s annual operating budget on programs
19 that, in addition to or in conjunction with the Foun-
20 dation’s scholarship financial awards, support the
21 development of Goldwater Scholars throughout their
22 professional careers;

23 “(9) expend not more than 5 percent of the
24 Foundation’s annual operating budget to pay the

1 costs associated with fundraising activities, including
2 public and private gatherings; and”.

3 **TITLE LI—FINANCIAL SERVICES**
4 **MATTERS**

5 **SEC. 5101. ENHANCED PROTECTION AGAINST DEBT COL-**
6 **LECTOR HARASSMENT OF**
7 **SERVICEMEMBERS.**

8 (a) COMMUNICATION IN CONNECTION WITH DEBT
9 COLLECTION.—Section 805 of the Fair Debt Collection
10 Practices Act (15 U.S.C. 1692c) is amended by adding
11 at the end the following:

12 “(e) COMMUNICATIONS CONCERNING SERVICEMEM-
13 BER DEBTS.—

14 “(1) DEFINITION.—In this subsection, the term
15 ‘covered member’ means—

16 “(A) a covered member or a dependent as
17 defined in section 987(i) of title 10, United
18 States Code; and

19 “(B)(i) an individual who was separated,
20 discharged, or released from duty described in
21 such section 987(i)(1), but only during the 365-
22 day period beginning on the date of separation,
23 discharge, or release; or

24 “(ii) a person, with respect to an individual
25 described in clause (i), described in subpara-

1 graph (A), (D), (E), or (I) of section 1072(2)
2 of title 10, United States Code.

3 “(2) PROHIBITIONS.—A debt collector may not,
4 in connection with the collection of any debt of a
5 covered member—

6 “(A) threaten to have the covered member
7 reduced in rank;

8 “(B) threaten to have the covered mem-
9 ber’s security clearance revoked; or

10 “(C) threaten to have the covered member
11 prosecuted under chapter 47 of title 10, United
12 States Code (the Uniform Code of Military Jus-
13 tice).”.

14 (b) UNFAIR PRACTICES.—Section 808 of the Fair
15 Debt Collection Practices Act (15 U.S.C. 1692f) is amend-
16 ed by adding at the end the following:

17 “(9) The representation to any covered member
18 (as defined under section 805(e)(1)) that failure to
19 cooperate with a debt collector will result in—

20 “(A) a reduction in rank of the covered
21 member;

22 “(B) a revocation of the covered member’s
23 security clearance; or

1 “(C) prosecution under chapter 47 of title
2 10, United States Code (the Uniform Code of
3 Military Justice).”.

4 **SEC. 5102. COMPTROLLER GENERAL STUDY ON ENHANCED**
5 **PROTECTION AGAINST DEBT COLLECTOR**
6 **HARASSMENT OF SERVICEMEMBERS.**

7 (a) STUDY.—The Comptroller General of the United
8 States shall conduct a study of the effects of the amend-
9 ments made by section 5101 on—

10 (1) the timely delivery of information to a cov-
11 ered member (as defined in section 805(e) of the
12 Fair Debt Collection Practices Act, as added by such
13 section);

14 (2) military readiness; and

15 (3) national security, including the extent to
16 which covered members with security clearances
17 would be affected by uncollected debt.

18 (b) REPORT.—Not later than one year after the date
19 of the enactment of this Act, the Comptroller General shall
20 submit to the Committee on Financial Services, the Com-
21 mittee on Armed Services, and Committee on Transpor-
22 tation and Infrastructure of the House of Representatives
23 a report on the study required under subsection (a).

1 **SEC. 5103. SUPPORT TO ENHANCE THE CAPACITY OF**
2 **INTERNATIONAL MONETARY FUND MEMBERS**
3 **TO EVALUATE THE LEGAL AND FINANCIAL**
4 **TERMS OF SOVEREIGN DEBT CONTRACTS.**

5 (a) IN GENERAL.—Title XVI of the International Fi-
6 nancial Institutions Act (22 U.S.C. 262p–262p–13) is
7 amended by adding at the end the following:

8 **“SEC. 1630. SUPPORT TO ENHANCE THE CAPACITY OF FUND**
9 **MEMBERS TO EVALUATE THE LEGAL AND FI-**
10 **NANCIAL TERMS OF SOVEREIGN DEBT CON-**
11 **TRACTS.**

12 “The Secretary of the Treasury shall instruct the
13 United States Executive Director at the International
14 Monetary Fund to use the voice and vote of the United
15 States to advocate that the Fund promote international
16 standards and best practices with respect to sovereign
17 debt contracts and provide technical assistance to Fund
18 members, and in particular to lower middle-income coun-
19 tries and countries eligible to receive assistance from the
20 International Development Association, seeking to en-
21 hance their capacity to evaluate the legal and financial
22 terms of sovereign debt contracts with multilateral, bilat-
23 eral, and private sector creditors.”.

24 (b) REPORT TO THE CONGRESS.—Within 1 year after
25 the date of the enactment of this Act, and annually there-
26 after for the next 4 years, the Secretary of the Treasury

1 shall report to the Committee on Financial Services of the
2 House of Representatives and the Committee on Foreign
3 Relations of the Senate on—

4 (1) the activities of the International Monetary
5 Fund in the then most recently completed fiscal year
6 to provide technical assistance described in section
7 1630 of the International Financial Institutions Act,
8 including the ability of the Fund to meet the de-
9 mand for the assistance; and

10 (2) the efficacy of efforts by the United States
11 to achieve the policy goal described in such section
12 and any further actions that should be taken, if nec-
13 essary, to implement that goal.

14 (c) SUNSET.—The amendment made by subsection
15 (a) shall have no force or effect after the 5-year period
16 that begins with the date of the enactment of this Act.

17 **SEC. 5104. ADVERSE INFORMATION IN CASES OF TRAF-**
18 **FICKING.**

19 (a) IN GENERAL.—The Fair Credit Reporting Act
20 (15 U.S.C. 1681 et seq.) is amended by inserting after
21 section 605B the following:

22 **“§ 605C. Adverse information in cases of trafficking**

23 “(a) IN GENERAL.—A consumer reporting agency
24 may not furnish a consumer report containing any adverse
25 item of information about a consumer that resulted from

1 a severe form of trafficking in persons or sex trafficking
2 if the consumer has provided trafficking documentation to
3 the consumer reporting agency.

4 “(b) RULEMAKING.—

5 “(1) IN GENERAL.—The Director shall, not
6 later than 180 days after the date of the enactment
7 of this section, issue a rule to implement subsection
8 (a).

9 “(2) CONTENTS.—The rule issued pursuant to
10 paragraph (1) shall establish a method by which
11 consumers shall submit trafficking documentation to
12 consumer reporting agencies.

13 “(c) DEFINITIONS.—

14 “(1) TRAFFICKING DOCUMENTATION.—The
15 term trafficking documentation means—

16 “(A) documentation of either—

17 “(i) a determination by a Federal or
18 State government entity that a consumer is
19 a victim of trafficking; or

20 “(ii) a determination by a court of
21 competent jurisdiction that a consumer is
22 a victim of trafficking; and

23 “(B) documentation that identifies items
24 of adverse information that should not be fur-
25 nished by a consumer reporting agency because

1 the items resulted from the severe form of traf-
2 ficking in persons or sex trafficking of which
3 such consumer is a victim.

4 “(2) VICTIM OF TRAFFICKING.—For the pur-
5 poses of this section, the term “victim of traf-
6 ficking” means a person who is a victim of a severe
7 form of trafficking in persons or sex trafficking, as
8 such terms are defined in section 103 of the Traf-
9 ficking Victims Protection Act of 2000.”.

10 (b) TABLE OF CONTENTS AMENDMENT.—The table
11 of contents of the Fair Credit Reporting Act is amended
12 by inserting after the item relating to section 605B the
13 following new item:

“605C. Adverse information in cases of trafficking.”.

14 (c) EFFECTIVE DATE.—The amendments made by
15 this section shall apply on the date that is 30 days after
16 the date on which the Director of the Bureau of Consumer
17 Financial Protection issues a rule pursuant to section
18 605C(b) of the Fair Credit Reporting Act.

19 **SEC. 5105. UNITED STATES POLICY REGARDING INTER-**
20 **NATIONAL FINANCIAL INSTITUTION ASSIST-**
21 **ANCE WITH RESPECT TO ADVANCED WIRE-**
22 **LESS TECHNOLOGIES.**

23 (a) IN GENERAL.—The Secretary of the Treasury (in
24 this section referred to as the “Secretary”) shall instruct
25 the United States Executive Director at each international

1 financial institution (as defined in section 1701(c)(2) of
2 the International Financial Institutions Act) that it is the
3 policy of the United States to—

4 (1) support assistance by the institution with
5 respect to advanced wireless technologies (such as
6 5th generation wireless technology for digital cellular
7 networks and related technologies) only if the tech-
8 nologies provide appropriate security for users;

9 (2) proactively encourage assistance with re-
10 spect to infrastructure or policy reforms that facili-
11 tate the use of secure advanced wireless tech-
12 nologies; and

13 (3) cooperate, to the maximum extent prac-
14 ticable, with member states of the institution, par-
15 ticularly with United States allies and partners, in
16 order to strengthen international support for such
17 technologies.

18 (b) WAIVER AUTHORITY.—The Secretary may waive
19 subsection (a) on a case-by-case basis, on reporting to the
20 Committee on Financial Services of the House of Rep-
21 resentatives and the Committee on Foreign Relations of
22 the Senate that the waiver—

23 (1) will allow the United States to effectively
24 promote the objectives of the policy described in sub-
25 section (a); or

1 (2) is in the national interest of the United
2 States, with an explanation of the reasons therefor.

3 (c) PROGRESS REPORT.—The Chairman of the Na-
4 tional Advisory Council on International Monetary and Fi-
5 nancial Policies shall include in the annual report required
6 by section 1701 of the International Financial Institutions
7 Act a description of progress made toward advancing the
8 policy described in subsection (a) of this section.

9 (d) SUNSET.—The preceding provisions of this sec-
10 tion shall have no force or effect after the earlier of—

11 (1) the date that is 7 years after the date of the
12 enactment of this Act; or

13 (2) the date that the Secretary reports to the
14 committees specified in subsection (b) that termi-
15 nating the effectiveness of the provisions is impor-
16 tant to the national interest of the United States,
17 with a detailed explanation of the reasons therefor.

1 **TITLE LII—RECOMMENDATIONS**
2 **OF THE NATIONAL SECURITY**
3 **COMMISSION ON ARTIFICIAL**
4 **INTELLIGENCE**

5 **SEC. 5201. MODIFICATION OF NATIONAL DEFENSE SCIENCE**
6 **AND TECHNOLOGY STRATEGY.**

7 Section 218(a) of the John S. McCain National De-
8 fense Authorization Act for Fiscal Year 2019 (Public Law
9 115–232; 132 Stat. 1679) is amended—

10 (1) in paragraph (1)—

11 (A) in the matter preceding subparagraph
12 (A), by striking “Not later than February 4,
13 2019, the Secretary of Defense shall develop a
14 strategy” and inserting “The Under Secretary
15 of Defense for Research and Engineering, pur-
16 suant to guidance provided by the Deputy Sec-
17 retary of Defense for purposes of this section
18 and in coordination with the entities specified in
19 paragraph (3), shall develop a strategy—”;

20 (B) in subparagraph (A), by striking
21 “and” at the end;

22 (C) in subparagraph (B), by striking the
23 period at the end and inserting “; and”; and

24 (D) by adding at the end the following:

1 “(C) to establish an integrated and endur-
2 ing approach to the identification,
3 prioritization, development, and fielding of
4 emerging capabilities and technologies, includ-
5 ing artificial intelligence-enabled applications.”;
6 (2) in paragraph (2)—

7 (A) in subparagraph (A), by striking “be
8 aligned with the National Defense Strategy
9 and” and inserting “inform the development of
10 each National Defense Strategy under section
11 113(g) of title 10, United States Code, and be
12 aligned with”;

13 (B) in subparagraph (B), in the matter
14 preceding clause (i), by inserting “invest-
15 ments,” after “goals,”;

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

18 (D) in subparagraph (D), by striking the
19 period at the end and inserting a semicolon;
20 and

21 (E) by adding at the end the following new
22 subparagraphs:

23 “(E) identify critical capabilities and tech-
24 nological applications required to address oper-

1 ational challenges outlined in the National De-
2 fense Strategy;

3 “(F) assess existing capabilities and tech-
4 nologies, including dual-use commercial tech-
5 nologies;

6 “(G) based on the determinations made
7 under subparagraphs (E) and (F), inform the
8 agenda of the Department’s research and devel-
9 opment organizations, including the Defense
10 Advanced Research Projects Agency, the de-
11 fense laboratories, university affiliated research
12 centers, and federally funded research and de-
13 velopment centers, by identifying potentially
14 disruptive and useful technologies and applica-
15 tions that warrant long-term, exploratory in-
16 vestment;

17 “(H) employ a portfolio management ap-
18 proach for pursuing such technologies and ap-
19 plications;

20 “(I) build a framework for the rapid inte-
21 gration of existing capabilities and technologies
22 to close near-term capability gaps;

23 “(J) provide informed consideration of
24 which technical areas the Department should be
25 working to advance, and which areas the De-

1 partment should work to incorporate commer-
2 cial technology; and

3 “(K) develop a consistent and transparent
4 approach to strategic defense technology prior-
5 ities to enable industry to invest deliberately in
6 emerging technologies to build and broaden the
7 capabilities of the industrial base.”.

8 (3) by striking paragraphs (3) and (4);

9 (4) by redesignating paragraphs (5) and (6) as
10 paragraphs (6) and (7), respectively;

11 (5) by inserting after paragraph (2) the fol-
12 lowing new paragraphs:

13 “(3) COORDINATION.—The Under Secretary of
14 Defense for Research and Engineering shall develop
15 the strategy under paragraph (1) in coordination
16 with relevant entities within the Office of the Sec-
17 retary of Defense, the military departments, the re-
18 search organizations of Defense Agencies and De-
19 partment of Defense Field Activities, the intelligence
20 community, defense and technology industry part-
21 ners, research and development partners, other Fed-
22 eral research agencies, and allies and partners of the
23 United States.

1 “(4) CONSIDERATIONS.—In developing the
2 strategy under paragraph (1), the Under Secretary
3 of Defense for Research and Engineering shall—

4 “(A) be informed by the operational chal-
5 lenges identified in the National Defense Strat-
6 egy and the technological threats and opportu-
7 nities identified through the global technology
8 review and assessment activities of the Depart-
9 ment of Defense, the intelligence community,
10 and other technology partners;

11 “(B) support the deliberate development of
12 capabilities based on military requirements and
13 the opportunistic development of capabilities
14 based on emerging technologies;

15 “(C) synchronize and integrate the per-
16 spectives of members of the covered Armed
17 Forces and technologists;

18 “(D) work to align the Department of De-
19 fense and the intelligence community to im-
20 prove interoperability and promote efficiencies;

21 “(E) balance investments based on near-
22 term and long-term time horizons and tech-
23 nology maturation, including—

24 “(i) mature and commercially avail-
25 able technologies and applications to ad-

1 dress near-term capability gaps and oper-
2 ational requirements;

3 “(ii) disruptive technologies to enable
4 transformative capabilities and operational
5 concepts over the longer-term; and

6 “(iii) foundational research and devel-
7 opment and technologies required for long-
8 term innovation;

9 “(F) provide strategic guidance to the re-
10 search, engineering, and acquisition commu-
11 nities of the Department of Defense and to the
12 defense and technology industries that support
13 the Department; and

14 “(G) consider the ethical and responsible
15 development and use of emerging technologies.

16 “(5) REPORTS AND UPDATES.—

17 “(A) INITIAL REPORT.—Not later than 60
18 days after the date on which the Under Sec-
19 retary of Defense for Research and Engineering
20 completes the development of the initial strat-
21 egy under paragraph (1), the Under Secretary
22 shall submit to the congressional defense com-
23 mittees a report that includes such strategy.

24 “(B) SUBSEQUENT REPORTS AND UP-
25 DATES.—Not later than the first Monday in

1 February of the year following each fiscal year
2 during which the National Defense Strategy is
3 submitted under section 113(g) of title 10,
4 United States Code, the Under Secretary of De-
5 fense for Research and Engineering shall sub-
6 mit to the congressional defense committees a
7 report that includes an updated version of the
8 strategy under paragraph (1). Each update to
9 such strategy shall be prepared for purposes of
10 such report based on emerging requirements,
11 technological developments in the United
12 States, and technical intelligence derived from
13 global technology reviews conducted by the Sec-
14 retary of Defense

15 “(C) FORM OF REPORTS.—The reports
16 submitted under subparagraphs (A) and (B)
17 shall be submitted in unclassified form, but may
18 include a classified annex.”;

19 (6) in paragraph (6), as so redesignated—

20 (A) by striking “14 days” and inserting
21 “90 days”; and

22 (B) by striking “the Secretary” and insert-
23 ing “the Under Secretary of Defense for Re-
24 search and Engineering”; and

1 (7) by adding at the end the following new
2 paragraph:

3 “(8) COVERED ARMED FORCE DEFINED.—In
4 this section, the term ‘covered Armed Force’ means
5 the Army, Navy, Air Force, Marine Corps, and
6 Space Force.”.

7 **SEC. 5202. DEPARTMENT OF DEFENSE PLAN TO COMPETE**
8 **IN THE GLOBAL INFORMATION ENVIRON-**
9 **MENT.**

10 (a) IN GENERAL.—Not later than 270 days after the
11 date of the enactment of this Act, the Secretary of Defense
12 shall submit to Congress a report containing the plan of
13 the Secretary for the Department of Defense to compete
14 and win in the global information environment. Such plan
15 shall address the global information environment as an
16 arena of competition that is vital to the national security
17 and defense of the United States.

18 (b) ISSUES TO BE ADDRESSED.—The report required
19 by subsection (a) shall address each of the following:

20 (1) How the Department will prioritize the
21 global information environment as an arena for
22 international competition, including a plan for how
23 it will support the larger whole-of-government ef-
24 forts.

1 (2) How adversarial foreign countries and non-
2 state actors are attempting to define and control the
3 global information environment to shape global opin-
4 ion and achieve strategic advantage.

5 (3) The critical role of artificial intelligence-en-
6 abled malign information in the efforts of adver-
7 sarial foreign countries and non-state actors to
8 shape global opinion and achieve strategic advan-
9 tage.

10 (4) Actions to defend, counter, and compete
11 against malign information operations as a national
12 security threat while proactively influencing and de-
13 terring adversaries in the global information environ-
14 ment, including a prioritization of such actions.

15 (5) If the Secretary determines necessary, crit-
16 ical weapon systems and infrastructure designations
17 to update sector-specific plans to reflect emerging
18 technologies.

19 (6) An evaluation of the sufficiency of Depart-
20 ment of Defense organizational structures and re-
21 sources to counter and compete against threats and
22 challenges in the global information environment.

23 **SEC. 5203. RESOURCING PLAN FOR DIGITAL ECOSYSTEM.**

24 (a) **PLAN REQUIRED.**—Not later than one year after
25 the date of the enactment of this Act, the Secretary of

1 Defense shall develop a plan detailing the requisite invest-
2 ments required to develop and implement Department of
3 Defense strategy and guidance documents for a modern,
4 robust digital ecosystem.

5 (b) DOCUMENTS FOR IMPLEMENTATION.—The plan
6 required under subsection (a) shall include a description
7 of the aggregated and consolidated financial and personnel
8 requirements necessary to implement each of the following
9 Department of Defense documents:

10 (1) The Department of Defense Digital Mod-
11 ernization Strategy.

12 (2) The Department of Defense Data Strategy.

13 (3) The Department of Defense Cloud Strategy.

14 (4) The Department of Defense Software Mod-
15 ernization Strategy.

16 (5) The Department-wide software science and
17 technology strategy required under section 255 of
18 the National Defense Authorization Act for Fiscal
19 Year 2020.

20 (6) The Department of Defense Artificial Intel-
21 ligence Data Initiative.

22 (7) The Joint All-Domain Command and Con-
23 trol Strategy.

24 (8) Such other documents as the Secretary de-
25 termines appropriate.

1 (c) CONTENTS OF PLAN.—The plan required under
2 subsection (a) shall include each of the following:

3 (1) A description of the resources, personnel,
4 processes, reforms, and other requisite components
5 to enable development, testing, fielding, and contin-
6 uous update of artificial intelligence-powered appli-
7 cations at speed and scale from headquarters to the
8 tactical edge.

9 (2) An evolving reference design and guidance
10 for needed technical investments in the proposed
11 digital ecosystem that addresses issues, including
12 common interfaces, authentication, applications,
13 platforms, software, hardware, and data infrastruc-
14 ture.

15 (3) A governance structure, together with asso-
16 ciated policies and guidance, to drive the implemen-
17 tation of the plan throughout the Department of De-
18 fense on a federated basis.

19 (d) SUBMISSION TO CONGRESS.—Not later than
20 seven days after the completion of the plan required under
21 subsection (a), the Secretary of Defense shall submit the
22 plan to the congressional defense committees.

23 **SEC. 5204. DIGITAL TALENT RECRUITING OFFICER.**

24 (a) DIGITAL TALENT RECRUITING FOR THE DE-
25 PARTMENT OF DEFENSE.—

1 (1) IN GENERAL.—Not later than 270 days
2 after the date of the enactment of this Act, the Sec-
3 retary of Defense shall designate a chief digital re-
4 cruiting officer within the office of the Under Sec-
5 retary of Defense for Personnel and Readiness to
6 carry out the responsibilities set forth in paragraph
7 (2).

8 (2) RESPONSIBILITIES.—The chief digital re-
9 cruiting officer shall be responsible for—

10 (A) identifying Department of Defense
11 needs for, and skills gaps in, specific types of
12 civilian digital talent;

13 (B) recruiting individuals with the skill
14 that meet the needs and skills gaps identified in
15 paragraph (2)(A), in partnership with the mili-
16 tary services and defense components, including
17 by attending conferences and career fairs, and
18 actively recruiting on university campuses and
19 from the private sector;

20 (C) ensuring Federal scholarship for serv-
21 ice programs are incorporated into civilian re-
22 cruiting strategies;

23 (D) when appropriate and within authority
24 granted under other Federal law, offering re-
25 cruitment and referral bonuses; and

1 (E) partnering with human resource teams
2 in the military services and defense components
3 to help train all Department of Defense human
4 resources staff on the available hiring flexibili-
5 ties to accelerate the hiring of individuals with
6 the skills that fill the needs and skills gaps
7 identified in paragraph (2)(A).

8 (3) RESOURCES.—The Secretary of Defense
9 shall ensure that the chief digital recruiting officer
10 is provided with personnel and resources sufficient
11 to carry out the duties set forth in paragraph (2).

12 (4) ROLE OF CHIEF HUMAN CAPITAL OFFI-
13 CER.—

14 (A) IN GENERAL.—The chief digital re-
15 cruiting officer shall report directly to the Chief
16 Human Capital Officer.

17 (B) INCORPORATION.—The Chief Human
18 Capital Officer shall ensure that the chief dig-
19 ital recruiting officer is incorporated into the
20 agency human capital operating plan and re-
21 cruitment strategy. In carrying out this para-
22 graph, the Chief Human Capital Officer shall
23 ensure that the chief digital recruiting officer's
24 responsibilities are deconflicted with any other
25 recruitment initiatives and programs.

1 (b) DIGITAL TALENT DEFINED.—For the purposes
2 of this section, the term “digital talent” includes positions
3 and capabilities in, or related to, software development,
4 engineering, and product management; data science; arti-
5 ficial intelligence; autonomy; data management; product
6 and user experience design; and cybersecurity.

7 **SEC. 5205. OCCUPATIONAL SERIES FOR DIGITAL CAREER**
8 **FIELDS.**

9 Not later than 270 days after the date of the enact-
10 ment of this Act, the Director of the Office of Personnel
11 Management shall, pursuant to chapter 51 of title 5,
12 United States Code, establish or update one or more occu-
13 pational series covering Federal Government positions in
14 the fields of software development, software engineering,
15 data science, and data management.

16 **SEC. 5206. ARTIFICIAL INTELLIGENCE READINESS GOALS.**

17 (a) IN GENERAL.—Not later than one year after the
18 date of the enactment of this Act, the Secretary of Defense
19 shall review the potential applications of artificial intel-
20 ligence and digital technology to Department of Defense
21 platforms, processes and operations, and establish per-
22 formance objectives and accompanying metrics for the in-
23 corporation of artificial intelligence and digital readiness
24 into such platforms, processes, and operations.

1 (b) SKILLS GAPS.—As a part of the review required
2 by subsection (a), the Secretary shall direct the military
3 departments and defense components to—

4 (1) conduct a comprehensive review of skill
5 gaps in the fields of software development, software
6 engineering, knowledge management, data science,
7 and artificial intelligence;

8 (2) assess the number and qualifications of ci-
9 vilian personnel needed for both management and
10 specialist tracks in such fields; and

11 (3) establish recruiting, training, and talent
12 management goals to achieve and maintain staffing
13 levels needed to fill identified gaps and meet the De-
14 partment's needs for skilled personnel.

15 (c) REPORT TO CONGRESS.—Not later than 120 days
16 after the completion of the review required by subsection
17 (a), the Secretary shall report to Congress on the findings
18 of the review and any action taken or proposed to be taken
19 by the Secretary to address such findings.

20 **SEC. 5207. PILOT PROGRAM TO FACILITATE THE AGILE AC-**
21 **QUISITION OF TECHNOLOGIES FOR**
22 **WARFIGHTERS.**

23 (a) ESTABLISHMENT.—Subject to the availability of
24 appropriations in a program element for this purpose, the
25 Secretary of Defense shall establish and carry out a pilot

1 program to be known as the “Warfighter Innovation Tran-
2 sition Project” (referred to in this section as the
3 “Project”). Under the Project, the Secretary shall seek to
4 make grants to, or enter into contracts or other agree-
5 ments with, technology producers—

6 (1) to facilitate the agile acquisition of tech-
7 nologies, including capabilities, software, and serv-
8 ices, to support warfighters; and

9 (2) to transition such technologies, including
10 technologies developed from pilot programs, proto-
11 type projects, or other research and development
12 programs, from the prototyping phase to production
13 for implementation within the Department of De-
14 fense.

15 (b) ADMINISTRATION.—The Deputy Secretary of De-
16 fense shall administer the Project in coordination with the
17 Joint Staff, the service acquisition executive of each mili-
18 tary department, Under Secretary of Defense for Research
19 and Engineering, and the Under Secretary of Defense for
20 Acquisition and Sustainment.

21 (c) ACTIVITIES.—A technology producer that receives
22 a grant, contract, or other agreement under the Project
23 may conduct the following activities under such grant,
24 contract, or other agreement:

1 (1) To provide commercially available tech-
2 nologies to each Secretary of a military department
3 and commanders of combatant commands to support
4 warfighters.

5 (2) To build and strengthen relationships of the
6 Department of Defense with nontraditional defense
7 contractors (as defined in section 2302 of title 10,
8 United States Code) in the technology industry that
9 may have unused or underused solutions to the spe-
10 cific operational challenges of the Department.

11 (d) SUBSEQUENT AWARDS.—A technology producer
12 may receive a subsequent grant, contract, or other agree-
13 ment under the Project if—

14 (1) the duration of such subsequent grant, con-
15 tract, or other agreement is not more than three
16 years; and

17 (2) the amount of such subsequent grant, con-
18 tract, or other agreement is not greater than
19 \$50,000,000 per fiscal year.

20 (e) PRIORITY OF AWARDS.—In providing assistance
21 under the Project, the Deputy Secretary of Defense shall
22 give preference to technology producers that—

23 (1) offer commercial products or commercial
24 services, as required by section 2377 of title 10,
25 United States Code; and

1 (2) are developing a technology or a potential
2 technology that has received a grant, contract, or
3 other agreement from—

4 (A) the Small Business Innovation Re-
5 search Program or Small Business Technology
6 Transfer Program (as such terms are defined,
7 respectively, in section 9 of the Small Business
8 Act (15 U.S.C. 638)); or

9 (B) another acquisition program of the De-
10 partment of Defense.

11 (f) DATA COLLECTION.—

12 (1) PLAN REQUIRED BEFORE IMPLEMENTA-
13 TION.—The Secretary of Defense may not commence
14 the Project until the date on which the Secretary—

15 (A) completes a plan for carrying out the
16 data collection required under paragraph (2);
17 and

18 (B) submits the plan to the congressional
19 defense committees.

20 (2) DATA COLLECTION REQUIRED.—The Sec-
21 retary of Defense shall collect and analyze data on
22 the Project for the purposes of—

23 (A) developing and sharing best practices
24 for achieving the objectives of the Project;

1 (B) providing information to the Secretary
2 of Defense on the implementation of the Project
3 and related policy issues; and

4 (C) reporting to the congressional defense
5 committees as required under subsection (g).

6 (g) BIENNIAL REPORTS.—Not later than March 1
7 and September 1 of each year beginning after the date
8 of the enactment of this Act until the termination of the
9 Project, the Secretary of Defense, in coordination with the
10 Joint Staff, the applicable service acquisition executive of
11 each military department, Under Secretary of Defense for
12 Research and Engineering, and the Under Secretary of
13 Defense for Acquisition and Sustainment shall submit to
14 the congressional defense committees a report on the use
15 of funds under the Project. Each such report shall include
16 the following:

17 (1) An explanation how grants, contracts, or
18 other agreements made under the Project met mis-
19 sion requirements during the period covered by the
20 report, including—

21 (A) the value of each grant, contract, or
22 other agreement made under the Project;

23 (B) a description of the technology funded
24 with such grant, contract, or other agreement;
25 and

1 (C) the estimate future costs of such tech-
2 nology for the successful transition of such
3 technology to implementation within the De-
4 partment of Defense.

5 (2) A description of the capabilities being tested
6 under the Project as of the date of the report and
7 the proposed path to implement such capabilities
8 within the Department.

9 (3) The data and analysis required under sub-
10 section (f).

11 (4) A list and detailed description of lessons
12 learned from the Project as of the date of the report.

13 (h) TERMINATION.—The Project shall terminate on
14 December 31, 2026.

15 (i) DEFINITIONS.—In this section:

16 (1) The term “agile acquisition” means acquisi-
17 tion using agile or iterative development.

18 (2) The term “agile or iterative development”—

19 (A) means acquisition pursuant to a meth-
20 od for delivering multiple, rapid, incremental
21 capabilities to the user for operational use, eval-
22 uation, and feedback not exclusively linked to
23 any single, proprietary method or process; and

24 (B) involves—

1 (i) the incremental development and
2 fielding of capabilities which can be meas-
3 ured in short timeframe; and

4 (ii) continuous participation and col-
5 laboration by users, testers, and require-
6 ments authorities.

7 (3) The term “technology producer” means an
8 individual or entity engaged in the research, develop-
9 ment, production, or distribution of science or tech-
10 nology that—

11 (A) the Secretary of Defense determines
12 may be of use to the Department of Defense;

13 (B) at the time of receipt of a grant, con-
14 tract, or other agreement under the Project,
15 has performed or is performing one or more
16 contracts with the Department of Defense,
17 where such contracts have a total value that
18 does not exceed \$500,000,000.

19 (4) The term “warfighter” means a member of
20 the Armed Forces (other than the Coast Guard).

21 **SEC. 5208. SHORT COURSE ON EMERGING TECHNOLOGIES**
22 **FOR SENIOR CIVILIAN LEADERS.**

23 (a) IN GENERAL.—Not later than one year after the
24 date of the enactment of this Act, the Secretary of Defense
25 shall establish a short course on emerging technologies for

1 senior executive-level civilian leaders. The short course
2 shall be taught on an iterative, two-year cycle and shall
3 address the most recent, most relevant technologies and
4 how these technologies may be applied to military and
5 business outcomes in the Department of Defense.

6 (b) THROUGHPUT OBJECTIVES.—In assessing par-
7 ticipation in the short course authorized by subsection (a),
8 the Secretary of Defense shall ensure that—

9 (1) in the first year that the course is offered,
10 no fewer than twenty percent of senior executive-
11 level civilian leaders are certified as having passed
12 the short course required by subsection (a); and

13 (2) in each subsequent year, an additional ten
14 percent of senior executive-level civilian leaders are
15 certified as having passed such course, until such
16 time as eighty percent of such leaders are so cer-
17 tified.

18 **TITLE LIII—GREAT LAKES**

19 **WINTER SHIPPING**

20 **SEC. 5301. GREAT LAKES WINTER SHIPPING.**

21 (a) SHORT TITLE.—This section may be cited as the
22 “Great Lakes Winter Shipping Act of 2021”.

23 (b) GREAT LAKES ICEBREAKING OPERATIONS.—

24 (1) GAO REPORT.—

1 (A) IN GENERAL.—Not later than 1 year
2 after the date of the enactment of this Act, the
3 Comptroller General of the United States shall
4 submit to the Committee on Commerce,
5 Science, and Transportation of the Senate and
6 the Committee on Transportation and Infra-
7 structure of the House of Representatives a re-
8 port on Coast Guard icebreaking in the Great
9 Lakes.

10 (B) ELEMENTS.—The report required
11 under subparagraph (A) shall—

12 (i) evaluate—

13 (I) the economic impact related
14 to vessel delays or cancellations asso-
15 ciated with ice coverage on the Great
16 Lakes;

17 (II) the impact the standards
18 proposed in paragraph (2) would have
19 on Coast Guard operations in the
20 Great Lakes if such standards were
21 adopted;

22 (III) the fleet mix of medium ice-
23 breakers and icebreaking tugs nec-
24 essary to meet the standards proposed
25 in paragraph (2); and

1 (IV) the resources necessary to
2 support the fleet described in sub-
3 clause (III), including billets for crew
4 and operating costs; and

5 (ii) make recommendations to the
6 Commandant for improvements to the
7 Great Lakes icebreaking program, includ-
8 ing with respect to facilitating shipping
9 and meeting all Coast Guard mission
10 needs.

11 (2) PROPOSED STANDARDS FOR ICEBREAKING
12 OPERATIONS.—The proposed standards, the impact
13 of the adoption of which is evaluated in subclauses
14 (II) and (III) of paragraph (1)(B)(i), are the fol-
15 lowing:

16 (A) Except as provided in subparagraph
17 (B), that ice-covered waterways in the Great
18 Lakes shall be open to navigation not less than
19 90 percent of the hours that vessels engaged in
20 commercial service and ferries attempt to tran-
21 sit such ice-covered waterways.

22 (B) In a year in which the Great Lakes
23 are not open to navigation as described in sub-
24 paragraph (A) because of ice of a thickness that
25 occurs on average only once every 10 years, ice-

1 covered waterways in the Great Lakes shall be
2 open to navigation at least 70 percent of the
3 hours that vessels engaged in commercial serv-
4 ice and ferries attempt to transit such ice-cov-
5 ered waterways.

6 (3) REPORT BY COMMANDANT.—Not later than
7 90 days after the date on which the Comptroller
8 General submits the report under paragraph (1), the
9 Commandant shall submit to the Committee on
10 Commerce, Science, and Transportation of the Sen-
11 ate and the Committee on Transportation and Infra-
12 structure of the House of Representatives a report
13 that includes the following:

14 (A) A plan for Coast Guard implementa-
15 tion of any recommendation made by the Comp-
16 troller General under paragraph (1)(B)(ii) with
17 which the Commandant concurs.

18 (B) With respect to any recommendation
19 made under paragraph (1)(B)(ii) with which
20 the Commandant does not concur, an expla-
21 nation of the reasons why the Commandant
22 does not concur.

23 (C) A review of, and a proposed implemen-
24 tation plan for, the results of the fleet mix anal-
25 ysis under paragraph (1)(B)(i)(III).

1 (D) Any proposed modifications to current
2 Coast Guard Standards for icebreaking oper-
3 ations in the Great Lakes.

4 (4) PILOT PROGRAM.—During the 5 ice seasons
5 following the date of enactment of this Act, the
6 Coast Guard shall conduct a pilot program to deter-
7 mine the extent to which the current Coast Guard
8 Great Lakes icebreaking cutter fleet can meet the
9 proposed standards described in paragraph (2).

10 (c) DATA ON ICEBREAKING OPERATIONS IN THE
11 GREAT LAKES.—

12 (1) IN GENERAL.—The Commandant shall col-
13 lect, during ice season, archive, and disseminate data
14 on icebreaking operations and transits on ice-covered
15 waterways in the Great Lakes of vessels engaged in
16 commercial service and ferries.

17 (2) ELEMENTS.—Data collected, archived, and
18 disseminated under paragraph (1) shall include the
19 following:

20 (A) Voyages by vessels engaged in com-
21 mercial service and ferries to transit ice-covered
22 waterways in the Great Lakes that are delayed
23 or cancelled because of the nonavailability of a
24 suitable icebreaking vessel.

1 (B) Voyages attempted by vessels engaged
2 in commercial service and ferries to transit ice-
3 covered waterways in the Great Lakes that do
4 not reach their intended destination because of
5 the nonavailability of a suitable icebreaking ves-
6 sel.

7 (C) The period of time that each vessel en-
8 gaged in commercial service or ferry was de-
9 layed in getting underway or during a transit of
10 ice-covered waterways in the Great Lakes due
11 to the nonavailability of a suitable icebreaking
12 vessel.

13 (D) The period of time elapsed between
14 each request for icebreaking assistance by a
15 vessel engaged in commercial service or ferry
16 and the arrival of a suitable icebreaking vessel
17 and whether such icebreaking vessel was a
18 Coast Guard or commercial asset.

19 (E) The percentage of hours that Great
20 Lakes ice-covered waterways were open to navi-
21 gation, as defined by this section, while vessels
22 engaged in commercial service and ferries at-
23 tempted to transit such waterways for each ice
24 season after the date of enactment of this sec-
25 tion.

1 (F) Relevant communications of each ves-
2 sel engaged in commercial service or ferry with
3 the Coast Guard or commercial icebreaking
4 service providers with respect to subparagraphs
5 (A) through (D).

6 (G) A description of any mitigating cir-
7 cumstance, such as Coast Guard Great Lakes
8 icebreaker diversions to higher priority mis-
9 sions, that may have contributed to the amount
10 of time described in subparagraphs (C) and (D)
11 or the percentage of time described in subpara-
12 graph (E).

13 (3) VOLUNTARY REPORTING.—Any reporting by
14 operators of commercial vessels engaged in commer-
15 cial service or ferries under this Act shall be vol-
16 untary.

17 (4) PUBLIC AVAILABILITY.—The Commandant
18 shall make the data collected, archived and dissemi-
19 nated under this subsection available to the public
20 on a publicly accessible internet website of the Coast
21 Guard.

22 (5) CONSULTATION WITH INDUSTRY.—With re-
23 spect to the Great Lakes icebreaking operations of
24 the Coast Guard and the development of the data
25 collected, archived, and disseminated under this sub-

1 section, the Commandant shall consult operators of
2 vessel engaged in commercial service and ferries.

3 (6) DEFINITIONS.—In this subsection:

4 (A) VESSEL.—The term “vessel” has the
5 meaning given such term in section 3 of title 1,
6 United States Code.

7 (B) COMMERCIAL SERVICE.—The term
8 “commercial service” has the meaning given
9 such term in section 2101(4) of title 46, United
10 States Code.

11 (C) GREAT LAKES.—The term “Great
12 Lakes”—

13 (i) has the meaning given such term
14 in section 118 of the Federal Water Pollu-
15 tion Control Act (33 U.S.C. 1268); and

16 (ii) includes harbors adjacent to such
17 waters.

18 (D) ICE-COVERED WATERWAY.—The term
19 “ice-covered waterway” means any portion of
20 the Great Lakes, as defined by subparagraph
21 (C), in which vessels engaged in commercial
22 service or ferries operate that is 70 percent or
23 greater covered by ice, but does not include any
24 waters adjacent to piers or docks for which

1 commercial icebreaking services are available
2 and adequate for the ice conditions.

3 (E) OPEN TO NAVIGATION.—The term
4 “open to navigation” means navigable to the ex-
5 tent necessary to meet the reasonable demands
6 of shipping, minimize delays to passenger fer-
7 ries, extricate vessels and persons from danger,
8 prevent damage due to flooding, and conduct
9 other Coast Guard missions as required.

10 (F) REASONABLE DEMANDS OF SHIP-
11 PING.—The term “reasonable demands of ship-
12 ping” means the safe movement of vessels en-
13 gaged in commercial service and ferries
14 transiting ice-covered waterways in the Great
15 Lakes to their intended destination, regardless
16 of type of cargo.

17 (d) GREAT LAKES ICEBREAKER ACQUISITION.—Of
18 the amounts authorized to be appropriated under section
19 4902(2)(A)(ii) of title 14, United States Code—

20 (1) for fiscal year 2022, \$350,000,000 shall be
21 made available to the Commandant for the acqui-
22 sition of a Great Lakes icebreaker at least as capable
23 as Coast Guard Cutter Mackinaw (WLBB-30); and

24 (2) for fiscal year 2023, \$20,000,000 shall be
25 made available to the Commandant for the design

1 and selection of icebreaking cutters for operation in
2 the Great Lakes, the Northeastern United States,
3 and the Arctic, as appropriate, that are at least as
4 capable as the Coast Guard 140-foot icebreaking
5 tugs.

6 (e) PROHIBITION ON CONTRACT OR USE OF FUNDS
7 FOR DEVELOPMENT OF COMMON HULL DESIGN.—Sec-
8 tion 8105 of the William M. (Mac) Thornberry National
9 Defense Authorization Act for Fiscal Year 2021 (Public
10 Law 116–283) is amended by striking subsection (b) and
11 inserting the following:

12 “(b) REPORT.—Not later than 90 days after the date
13 of the enactment of this subsection, the Commandant shall
14 submit to the Committee on Commerce, Science, and
15 Transportation of the Senate and the Committee on
16 Transportation and Infrastructure of the House of Rep-
17 resentative a report on the operational benefits and limita-
18 tions of a common hull design for icebreaking cutters for
19 operation in the Great Lakes, the Northeastern United
20 States, and the Arctic, as appropriate, that are at least
21 as capable as the Coast Guard 140-foot icebreaking
22 tugs.”.

1 **TITLE LX—OTHER MATTERS**

2 **SEC. 6001. FAA RATING OF CIVILIAN PILOTS OF THE DE-**
3 **PARTMENT OF DEFENSE.**

4 (a) **ELIGIBILITY FOR CERTAIN RATINGS.**—Not later
5 than 18 months after the date of the enactment of this
6 Act, the Administrator of the Federal Aviation Adminis-
7 tration shall revise section 61.73 of title 14, Code of Fed-
8 eral Regulations to ensure that a Department of Defense
9 civilian pilot is eligible for a rating based on qualifications
10 earned as a Department of Defense pilot, pilot instructor,
11 or pilot examiner in the same manner that a military pilot
12 is eligible for such a rating based on qualifications earned
13 as a military pilot, pilot instructor, or pilot examiner.

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

15 (1) The term “Department of Defense civilian
16 pilot”—

17 (A) means an individual, other than a mili-
18 tary pilot, who is employed as a pilot by the De-
19 partment of Defense; and

20 (B) does not include a contractor of the
21 Department of Defense.

22 (2) The term “military pilot” means a military
23 pilot, as such term is used in section 61.73 of title
24 14, Code of Federal Regulations (as in effect on the
25 date of the enactment of this Act).

1 **SEC. 6002. PROPERTY DISPOSITION FOR AFFORDABLE**
2 **HOUSING.**

3 Section 5334(h)(1) of title 49, United States Code,
4 is amended to read as follows:

5 “(1) IN GENERAL.—If a recipient of assistance
6 under this chapter decides an asset acquired under
7 this chapter at least in part with that assistance is
8 no longer needed for the purpose for which such
9 asset was acquired, the Secretary may authorize the
10 recipient to transfer such asset to—

11 “(A) a local governmental authority to be
12 used for a public purpose with no further obli-
13 gation to the Government if the Secretary de-
14 cides—

15 “(i) the asset will remain in public use
16 for at least 5 years after the date the asset
17 is transferred;

18 “(ii) there is no purpose eligible for
19 assistance under this chapter for which the
20 asset should be used;

21 “(iii) the overall benefit of allowing
22 the transfer is greater than the interest of
23 the Government in liquidation and return
24 of the financial interest of the Government
25 in the asset, after considering fair market
26 value and other factors; and

1 “(iv) through an appropriate screen-
2 ing or survey process, that there is no in-
3 terest in acquiring the asset for Govern-
4 ment use if the asset is a facility or land;
5 or

6 “(B) a local governmental authority, non-
7 profit organization, or other third party entity
8 to be used for the purpose of transit-oriented
9 development with no further obligation to the
10 Government if the Secretary decides—

11 “(i) the asset is a necessary compo-
12 nent of a proposed transit-oriented devel-
13 opment project;

14 “(ii) the transit-oriented development
15 project will increase transit ridership;

16 “(iii) at least 40 percent of the hous-
17 ing units offered in the transit-oriented de-
18 velopment, including housing units owned
19 by nongovernmental entities, are legally
20 binding affordability restricted to tenants
21 with incomes at or below 60 percent of the
22 area median income and owners with in-
23 comes at or below 60 percent the area me-
24 dian income, which shall include at least
25 20 percent of such housing units offered

1 restricted to tenants with incomes at or
2 below 30 percent of the area median in-
3 come and owners with incomes at or below
4 30 percent the area median income;

5 “(iv) the asset will remain in use as
6 described in this section for at least 30
7 years after the date the asset is trans-
8 ferred; and

9 “(v) with respect to a transfer to a
10 third party entity—

11 “(I) a local government authority
12 or nonprofit organization is unable to
13 receive the property;

14 “(II) the overall benefit of allow-
15 ing the transfer is greater than the in-
16 terest of the Government in liquida-
17 tion and return of the financial inter-
18 est of the Government in the asset,
19 after considering fair market value
20 and other factors; and

21 “(III) the third party has dem-
22 onstrated a satisfactory history of
23 construction or operating an afford-
24 able housing development.”.

1 **SEC. 6003. REQUIREMENT TO ESTABLISH A NATIONAL NET-**
2 **WORK FOR MICROELECTRONICS RESEARCH**
3 **AND DEVELOPMENT.**

4 Section 9903(b)(1) of the William M. (Mac) Thorn-
5 berry National Defense Authorization Act for Fiscal Year
6 2021 (Public Law 116-283) is amended in the matter pre-
7 ceding subparagraph (A) by striking “may” and inserting
8 “shall”.

9 **SEC. 6004. DEFINITION OF STATE FOR PURPOSES OF OMNI-**
10 **BUS CRIME CONTROL AND SAFE STREETS**
11 **ACT OF 1968.**

12 Section 901(a)(2) of title I of the Omnibus Crime
13 Control and Safe Streets Act of 1968 (34 U.S.C.
14 10251(a)(2)) is amended by striking “Northern Mariana
15 Islands” and all that follows through “Commonwealth of
16 the Northern Mariana Islands.” and inserting “Northern
17 Mariana Islands;”.

18 **SEC. 6005. ADVANCING MUTUAL INTERESTS AND GROWING**
19 **OUR SUCCESS.**

20 (a) **NONIMMIGRANT TRADERS AND INVESTORS.**—For
21 purposes of clauses (i) and (ii) of section 101(a)(15)(E)
22 of the Immigration and Nationality Act (8 U.S.C.
23 1101(a)(15)(E)), Portugal shall be considered to be a for-
24 eign state described in such section if the Government of
25 Portugal provides similar nonimmigrant status to nation-
26 als of the United States.

1 (c) MODIFICATION OF ELIGIBILITY CRITERIA FOR E
2 VISAS.—Section 101(a)(15)(E) of the Immigration and
3 Nationality Act (8 U.S.C. 1101(a)(15)(E)) is amended—

4 (1) in the matter preceding clause (i)—

5 (A) by inserting “(or, in the case of an
6 alien who acquired the relevant nationality
7 through a financial investment and who has not
8 previously been granted status under this sub-
9 paragraph, the foreign state of which the alien
10 is a national and in which the alien has been
11 domiciled for a continuous period of not less
12 than 3 years at any point before applying for
13 a nonimmigrant visa under this subparagraph)”
14 before “, and the spouse”; and

15 (B) by striking “him” and inserting “such
16 alien”; and

17 (2) by striking “he” each place such term ap-
18 pears and inserting “the alien”.

19 **SEC. 6006. DEPARTMENT OF VETERANS AFFAIRS GOV-
20 ERNORS CHALLENGE GRANT PROGRAM.**

21 (a) GOVERNORS CHALLENGE PROGRAM.—The Sec-
22 retary of Veterans Affairs shall carry out a grant program
23 to be known as the “Governors Challenge Program” under
24 which the Secretary shall provide technical assistance to

1 States and American Indian and Alaska Native tribes for
2 the development of veteran suicide prevention activities.

3 (b) GOVERNORS CHALLENGE IMPLEMENTATION
4 GRANT PROGRAM.—

5 (1) AUTHORITY.—The Secretary of Veterans
6 Affairs shall carry out a grant program, to be known
7 as the “Governors Challenge Implementation Grant
8 Program” under which the Secretary shall make
9 grants to eligible entities for the purpose of devel-
10 oping and implementing plans developed by the enti-
11 ties to prevent veteran suicides.

12 (2) ELIGIBLE ENTITIES.—For purposes of the
13 grant program under paragraph (1), an eligible enti-
14 ty is a State or an American Indian or Alaska Na-
15 tive tribe—

16 (A) that—

17 (i) in the case of a State, develops a
18 veteran suicide prevention plan, known as
19 a “Governors Challenge Action Plan”; or

20 (ii) in the case of an American Indian
21 or Alaska Native tribe, develops a veteran
22 suicide prevention plan; and

23 (B) that submits to the Secretary a pro-
24 posal for the implementation of such plan that

1 contains such information and assurances as
2 the Secretary may require.

3 (3) AWARD OF GRANT.—The Secretary shall
4 award grants under this subsection as follows:

5 (A) For fiscal year 2022, the Secretary
6 shall award grants to 20 eligible entities.

7 (B) For each of fiscal years 2023 and
8 2024, the Secretary shall award grants to 24 el-
9 igible entities.

10 (4) AMOUNT OF GRANT; LIMITATION.—

11 (A) AMOUNT.—The recipient of a grant
12 under this subsection shall receive an amount of
13 not more than \$500,000 for any fiscal year for
14 a maximum of three years.

15 (B) LIMITATION ON USE OF FUNDS.—The
16 recipient of a grant under this subsection may
17 not use more than ten percent of the amount of
18 the grant for administrative costs.

19 (5) AUTHORIZATION OF APPROPRIATIONS.—

20 (A) IN GENERAL.—There is authorized to
21 be appropriated to carry out this subsection—

22 (i) \$10,000,000 for fiscal year 2022;

23 (ii) \$12,000,000 for fiscal year 2023;

24 and

25 (iii) \$14,000,000 for fiscal year 2024.

1 (B) RELATIONSHIP TO OTHER
2 AMOUNTS.—Amounts authorized to be appro-
3 priated pursuant to subparagraph (A) shall be
4 in addition to any other amounts otherwise
5 available for the Governors Challenge Program.

6 **SEC. 6007. FOREIGN CORRUPTION ACCOUNTABILITY.**

7 (a) FINDINGS.—Congress finds the following:

8 (1) When public officials and their allies use the
9 mechanisms of government to engage in extortion or
10 bribery, they impoverish their countries' economic
11 health and harm citizens.

12 (2) By empowering the United States Govern-
13 ment to hold to account foreign public officials and
14 their associates who engage in extortion or bribery,
15 the United States can deter malfeasance and ulti-
16 mately serve the citizens of fragile countries suffo-
17 cated by corrupt bureaucracies.

18 (3) The Special Inspector General for Afghan
19 Reconstruction's 2016 report "Corruption in Con-
20 flict: Lessons from the U.S. Experience in Afghani-
21 stan" included the recommendation, "Congress
22 should consider enacting legislation that authorizes
23 sanctions against foreign government officials or
24 their associates who engage in corruption."

1 (b) AUTHORIZATION OF IMPOSITION OF SANC-
2 TIONS.—

3 (1) IN GENERAL.—The President may impose
4 the sanctions described in paragraph (2) with re-
5 spect to any foreign person who is an individual the
6 President determines—

7 (A) engages in public corruption activities
8 against a United States person, including—

9 (i) soliciting or accepting bribes;

10 (ii) using the authority of the state to
11 extort payments; or

12 (iii) engaging in extortion; or

13 (B) conspires to engage in, or knowingly
14 and materially assists, sponsors, or provides sig-
15 nificant financial, material, or technological
16 support for any of the activities described in
17 subparagraph (A).

18 (2) SANCTIONS DESCRIBED.—

19 (A) INADMISSIBILITY TO UNITED
20 STATES.—A foreign person who is subject to
21 sanctions under this section shall be—

22 (i) inadmissible to the United States;

23 (ii) ineligible to receive a visa or other
24 documentation to enter the United States;

25 and

1 (iii) otherwise ineligible to be admitted
2 or paroled into the United States or to re-
3 ceive any other benefit under the Immigra-
4 tion and Nationality Act (8 U.S.C. 1101 et
5 seq.).

6 (B) CURRENT VISAS REVOKED.—

7 (i) IN GENERAL.—The visa or other
8 entry documentation of a foreign person
9 who is subject to sanctions under this sec-
10 tion shall be revoked regardless of when
11 such visa or other entry documentation is
12 issued.

13 (ii) EFFECT OF REVOCATION.—A rev-
14 ocation under clause (i) shall—

15 (I) take effect immediately; and

16 (II) automatically cancel any
17 other valid visa or entry documenta-
18 tion that is in the foreign person's
19 possession.

20 (3) EXCEPTION TO COMPLY WITH LAW EN-
21 FORCEMENT OBJECTIVES AND AGREEMENT REGARD-
22 ING HEADQUARTERS OF UNITED NATIONS.—San-
23 ctions described under paragraph (2) shall not apply
24 to a foreign person if admitting the person into the
25 United States—

1 (A) would further important law enforce-
2 ment objectives; or

3 (B) is necessary to permit the United
4 States to comply with the Agreement regarding
5 the Headquarters of the United Nations, signed
6 at Lake Success June 26, 1947, and entered
7 into force November 21, 1947, between the
8 United Nations and the United States, or other
9 applicable international obligations of the
10 United States.

11 (4) TERMINATION OF SANCTIONS.—The Presi-
12 dent may terminate the application of sanctions
13 under this subsection with respect to a foreign per-
14 son if the President determines and reports to the
15 appropriate congressional committees not later than
16 15 days before the termination of the sanctions
17 that—

18 (A) the person is no longer engaged in the
19 activity that was the basis for the sanctions or
20 has taken significant verifiable steps toward
21 stopping the activity;

22 (B) the President has received reliable as-
23 surances that the person will not knowingly en-
24 gage in activity subject to sanctions under this
25 part in the future; or

1 (C) the termination of the sanctions is in
2 the national security interests of the United
3 States.

4 (5) REGULATORY AUTHORITY.—The President
5 shall issue such regulations, licenses, and orders as
6 are necessary to carry out this subsection.

7 (6) APPROPRIATE CONGRESSIONAL COMMIT-
8 TEES DEFINED.—In this subsection, the term “ap-
9 propriate congressional committees” means—

10 (A) the Committee on the Judiciary, the
11 Committee on Financial Services, and the Com-
12 mittee on Foreign Affairs of the House of Rep-
13 resentatives; and

14 (B) the Committee on the Judiciary, the
15 Committee on Banking, Housing, and Urban
16 Affairs, and the Committee on Foreign Rela-
17 tions of the Senate.

18 (c) REPORTS TO CONGRESS.—

19 (1) IN GENERAL.—The President shall submit
20 to the appropriate congressional committees, in ac-
21 cordance with paragraph (2), a report that in-
22 cludes—

23 (A) a list of each foreign person with re-
24 spect to whom the President imposed sanctions

1 pursuant to subsection (b) during the year pre-
2 ceding the submission of the report;

3 (B) the number of foreign persons with re-
4 spect to which the President—

5 (i) imposed sanctions under sub-
6 section (b)(1) during that year; and

7 (ii) terminated sanctions under sub-
8 section (b)(4) during that year;

9 (C) the dates on which such sanctions were
10 imposed or terminated, as the case may be;

11 (D) the reasons for imposing or termi-
12 nating such sanctions;

13 (E) the total number of foreign persons
14 considered under subsection (b)(3) for whom
15 sanctions were not imposed; and

16 (F) recommendations as to whether the
17 imposition of additional sanctions would be an
18 added deterrent in preventing public corruption.

19 (2) DATES FOR SUBMISSION.—

20 (A) INITIAL REPORT.—The President shall
21 submit the initial report under paragraph (1)
22 not later than 120 days after the date of the
23 enactment of this Act.

24 (B) SUBSEQUENT REPORTS.—The Presi-
25 dent shall submit a subsequent report under

1 paragraph (1) on December 10, or the first day
2 thereafter on which both Houses of Congress
3 are in session, of—

4 (i) the calendar year in which the ini-
5 tial report is submitted if the initial report
6 is submitted before December 10 of that
7 calendar year; and

8 (ii) each calendar year thereafter.

9 (3) FORM OF REPORT.—

10 (A) IN GENERAL.—Each report required
11 by paragraph (1) shall be submitted in unclassi-
12 fied form, but may include a classified annex.

13 (B) EXCEPTION.—The name of a foreign
14 person to be included in the list required by
15 paragraph (1)(A) may be submitted in the clas-
16 sified annex authorized by subparagraph (A)
17 only if the President—

18 (i) determines that it is vital for the
19 national security interests of the United
20 States to do so; and

21 (ii) uses the annex in a manner con-
22 sistent with congressional intent and the
23 purposes of this Act.

24 (4) PUBLIC AVAILABILITY.—

1 (A) IN GENERAL.—The unclassified por-
2 tion of the report required by paragraph (1)
3 shall be made available to the public, including
4 through publication in the Federal Register.

5 (B) NONAPPLICABILITY OF CONFIDEN-
6 TIALITY REQUIREMENT WITH RESPECT TO VISA
7 RECORDS.—The President shall publish the list
8 required by paragraph (1)(A) without regard to
9 the requirements of section 222(f) of the Immi-
10 gration and Nationality Act (8 U.S.C. 1202(f))
11 with respect to confidentiality of records per-
12 taining to the issuance or refusal of visas or
13 permits to enter the United States.

14 (5) APPROPRIATE CONGRESSIONAL COMMIT-
15 TEES DEFINED.—In this subsection, the term “ap-
16 propriate congressional committees” means—

17 (A) the Committee on Appropriations, the
18 Committee on Foreign Affairs, the Committee
19 on Financial Services, and the Committee on
20 the Judiciary of the House of Representatives;
21 and

22 (B) the Committee on Appropriations, the
23 Committee on Foreign Relations, the Com-
24 mittee on Banking, Housing, and Urban Af-

1 fairs, and the Committee on the Judiciary of
2 the Senate.

3 (d) SUNSET.—

4 (1) IN GENERAL.—The authority to impose
5 sanctions under subsection (b) and the requirements
6 to submit reports under subsection (c) shall termi-
7 nate on the date that is 6 years after the date of en-
8 actment of this Act.

9 (2) CONTINUATION IN EFFECT OF SANC-
10 TIONS.—Sanctions imposed under subsection (b) on
11 or before the date specified in paragraph (1), and in
12 effect as of such date, shall remain in effect until
13 terminated in accordance with the requirements of
14 subsection (b)(4).

15 (e) DEFINITIONS.—In this section:

16 (1) ENTITY.—The term “entity” means a part-
17 nership, association, trust, joint venture, corpora-
18 tion, group, subgroup, or other organization.

19 (2) FOREIGN PERSON.—The term “foreign per-
20 son” means a person that is not a United States
21 person.

22 (3) UNITED STATES PERSON.—The term
23 “United States person” means a person that is a
24 United States citizen, permanent resident alien, enti-
25 ty organized under the laws of the United States or

1 any jurisdiction within the United States (including
2 foreign branches), or any person in the United
3 States.

4 (4) PERSON.—The term “person” means an in-
5 dividual or entity.

6 (5) PUBLIC CORRUPTION.—The term “public
7 corruption” means the unlawful exercise of entrusted
8 public power for private gain, including by bribery,
9 nepotism, fraud, or embezzlement.

10 **SEC. 6008. JUSTICE FOR VICTIMS OF KLEPTOCRACY.**

11 (a) FORFEITED PROPERTY.—

12 (1) IN GENERAL.—Chapter 46 of title 18,
13 United States Code, is amended by adding at the
14 end the following:

15 **“§ 988. Accounting of certain forfeited property**

16 “(a) ACCOUNTING.—The Attorney General shall
17 make available to the public an accounting of any property
18 relating to foreign government corruption that is forfeited
19 to the United States under section 981 or 982.

20 “(b) FORMAT.—The accounting described under sub-
21 section (a) shall be published on the website of the Depart-
22 ment of Justice in a format that includes the following:

23 “(1) A heading as follows: ‘Assets stolen from
24 the people of _____ and recovered by the
25 United States’, the blank space being filled with the

1 name of the foreign government that is the target of
2 corruption.

3 “(2) The total amount recovered by the United
4 States on behalf of the foreign people that is the tar-
5 get of corruption at the time when such recovered
6 funds are deposited into the Department of Justice
7 Asset Forfeiture Fund or the Department of the
8 Treasury Forfeiture Fund

9 “(c) UPDATED WEBSITE.—The Attorney General
10 shall update the website of the Department of Justice to
11 include an accounting of any new property relating to for-
12 eign government corruption that has been forfeited to the
13 United States under section 981 or 982 not later than
14 14 days after such forfeiture, unless such update would
15 compromise an ongoing law enforcement investigation.”.

16 (2) CLERICAL AMENDMENT.—The table of sec-
17 tions for chapter 46 of title 18, United States Code,
18 is amended by adding at the end the following:

“988. Accounting of certain forfeited property.”.

19 (b) SENSE OF CONGRESS.—It is the sense of Con-
20 gress that recovered assets be returned for the benefit of
21 the people harmed by the corruption under conditions that
22 reasonably ensure the transparent and effective use, ad-
23 ministration and monitoring of returned proceeds.

1 **SEC. 6009. EXPANSION OF SCOPE OF DEPARTMENT OF VET-**
2 **ERANS AFFAIRS OPEN BURN PIT REGISTRY**
3 **TO INCLUDE OPEN BURN PITS IN EGYPT AND**
4 **SYRIA.**

5 Section 201(c)(2) of the Dignified Burial and Other
6 Veterans' Benefits Improvement Act of 2012 (Public Law
7 112–260; 38 U.S.C. 527 note) is amended, in the matter
8 before subparagraph (A), by striking “or Iraq” and insert-
9 ing “, Iraq, Egypt, or Syria”.

10 **SEC. 6010. EXTENSION OF PERIOD OF ELIGIBILITY BY REA-**
11 **SON OF SCHOOL CLOSURES DUE TO EMER-**
12 **GENCY AND OTHER SITUATIONS UNDER DE-**
13 **PARTMENT OF VETERANS AFFAIRS TRAINING**
14 **AND REHABILITATION PROGRAM FOR VET-**
15 **ERANS WITH SERVICE-CONNECTED DISABIL-**
16 **ITIES.**

17 Section 3103 of title 38, United States Code, is
18 amended—

19 (1) in subsection (a), by striking “or (g)” and
20 inserting “(g), or (h)”; and

21 (2) by adding at the end the following new sub-
22 section:

23 “(h)(1) In the case of a veteran who is eligible for
24 a vocational rehabilitation program under this chapter and
25 who is prevented from participating in the vocational reha-
26 bilitation program within the period of eligibility pre-

1 scribed in subsection (a) because of a covered reason, as
2 determined by the Secretary, such period of eligibility—

3 “(A) shall not run during the period the vet-
4 eran is so prevented from participating in such pro-
5 gram; and

6 “(B) shall again begin running on a date deter-
7 mined by the Secretary that is—

8 “(i) not earlier than the first day after the
9 veteran is able to resume participation in a vo-
10 cational rehabilitation program under this chap-
11 ter; and

12 “(ii) not later than 90 days after that day.

13 “(2) In this subsection, a covered reason is—

14 “(A) the temporary or permanent closure of an
15 educational institution by reason of an emergency
16 situation; or

17 “(B) another reason that prevents the veteran
18 from participating in the vocational rehabilitation
19 program, as determined by the Secretary.”.

1 **SEC. 6011. EXTENSION OF TIME LIMITATION FOR USE OF**
2 **ENTITLEMENT UNDER DEPARTMENT OF VET-**
3 **ERANS AFFAIRS EDUCATIONAL ASSISTANCE**
4 **PROGRAMS BY REASON OF SCHOOL CLO-**
5 **SURES DUE TO EMERGENCY AND OTHER SIT-**
6 **UATIONS.**

7 (a) MONTGOMERY GI BILL.—Section 3031 of title
8 38, United States Code, is amended—

9 (1) in subsection (a), by inserting “and sub-
10 section (i)” after “through (g)”; and

11 (2) by adding at the end the following new sub-
12 section:

13 “(i)(1) In the case of an individual eligible for edu-
14 cational assistance under this chapter who is prevented
15 from pursuing the individual’s chosen program of edu-
16 cation before the expiration of the 10-year period for the
17 use of entitlement under this chapter otherwise applicable
18 under this section because of a covered reason, as deter-
19 mined by the Secretary, such 10-year period—

20 “(A) shall not run during the period the indi-
21 vidual is so prevented from pursuing such program;
22 and

23 “(B) shall again begin running on a date deter-
24 mined by the Secretary that is—

25 “(i) not earlier than the first day after the
26 individual is able to resume pursuit of a pro-

1 gram of education with educational assistance
2 under this chapter; and

3 “(ii) not later than 90 days after that day.

4 “(2) In this subsection, a covered reason is—

5 “(A) the temporary or permanent closure of an
6 educational institution by reason of an emergency
7 situation; or

8 “(B) another reason that prevents the indi-
9 vidual from pursuing the individual’s chosen pro-
10 gram of education, as determined by the Sec-
11 retary.”.

12 (b) POST-9/11 EDUCATIONAL ASSISTANCE.— Section
13 3321(b)(1) of such title is amended—

14 (1) by inserting “(A)” before “Subsections”;

15 (2) by striking “and (d)” and inserting “(d),
16 and (i)”;

17 (3) by adding at the end the following new sub-
18 paragraph:

19 “(B) Subsection (i) of section 3031 of this title
20 shall apply with respect to the running of the 15-
21 year period described in paragraphs (4)(A) and
22 (5)(A) of this subsection in the same manner as
23 such subsection applies under section 3031 with re-
24 spect to the running of the 10-year period described
25 in section 3031(a).”.

1 **SEC. 6012. EXEMPTION OF CERTAIN HOMELAND SECURITY**
2 **FEEES FOR CERTAIN IMMEDIATE RELATIVES**
3 **OF AN INDIVIDUAL WHO RECEIVED THE PUR-**
4 **PLE HEART.**

5 (a) IN GENERAL.—Not later than 90 days after the
6 date of the enactment of this Act, the Secretary of Home-
7 land Security shall include on a certain application or peti-
8 tion an opportunity for certain immediate relatives of an
9 individual who was awarded the Purple Heart to identify
10 themselves as such an immediate relative.

11 (b) FEE EXEMPTION.—The Secretary shall exempt
12 certain immediate relatives of an individual who was
13 awarded the Purple Heart, who identifies as such an im-
14 mediate relative on a certain application or petition, from
15 a fee with respect to a certain application or petition and
16 any associated fee for biometrics.

17 (c) PENDING APPLICATIONS AND PETITIONS.—The
18 Secretary of Homeland Security may waive fees for a cer-
19 tain application or petition and any associated fee for bio-
20 metrics for certain immediate relatives of an individual
21 who was awarded the Purple Heart, if such application
22 or petition is submitted not more than 90 days after the
23 date of the enactment of this Act.

24 (d) DEFINITION.—In this section:

25 (1) CERTAIN APPLICATION OR PETITION.—The
26 term “certain application or petition” means—

1 (A) an application using Form–400, Appli-
2 cation for Naturalization (or any successor
3 form); or

4 (B) a petition using Form I-360, Petition
5 for Amerasian, Widow(er), or Special Immi-
6 grant (or any successor form).

7 (2) CERTAIN IMMEDIATE RELATIVES OF AN IN-
8 DIVIDUAL WHO WAS AWARDED THE PURPLE
9 HEART.—The term “certain immediate relatives of
10 an individual who was awarded the Purple Heart”
11 means an immediate relative of a living or deceased
12 member of the Armed Forces who was awarded the
13 Purple Heart and who is not a person ineligible for
14 military honors pursuant to section 985(a) of title
15 10, United States Code.

16 (3) IMMEDIATE RELATIVE.—The term “imme-
17 diate relative” has the meaning given such term in
18 section 201(b) of the Immigration and Nationality
19 Act (8 U.S.C. 1151(b)).

Amend the title so as to read: “A bill to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, 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.”.

